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REPRESENTATIVE ON FREEDOM OF THE MEDIA



Freedom and Responsibility
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Vienna 2000

The cover is a drawing by the German author and Nobel Prize laureate (1999), Günter Grass, “Des Schreibers Hand” (The writer’s hand). He gave his kind permission for its use as the logo of the publications of the OSCE Representative on Freedom of the Media.

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

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Freedom and Responsibility

What we have done, why we do it –

Texts, Reports, Essays, NGOs

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Knut Vollebæk

Preface

In 1999, the Organization for Security and Co-operation in Europe (OSCE) had to face some of the most serious and difficult challenges in its history. Looking back brings to mind some unforgettable scenes. In January, I was warmly welcomed by crowds of Kosovar Albanians who, thanks to the OSCE Mission, had been able to return to their homes and villages. In April, I stood on the border between Kosovo and Albania and saw the despair and fear of the Kosovar Albanian refugees, driven from their homes by the Yugoslav authorities. In July, the sight of the burned-out houses and villages and the destruction of Serb churches and memorials appalled me. In December, on a hillside near Grozny, I met exhausted Chechen refugees while artillery shells rained down on the suburbs only a few kilometres away.

We all need these reminders that there is only one yardstick by which all our activities should be measured – whether or not we have improved the lives of ordinary people. This must apply to all our work: to the efforts to reconcile people of different backgrounds, to the building of democratic institutions and practices, to giving each other advice on legislation that will protect the individual and ensure the freedom and prosperity of our societies. We must foster societies that tolerate and promote pluralism in ideas, opinions and cultures.

One of the major objectives for the OSCE during the last decade has been to support and nurture the large number of new democracies that emerged out of former totalitarian regimes. One feature common to them all was the need to develop free and independent media. In this respect, the OSCE Representative on Freedom of the Media plays an invaluable role. His task, to assist governments in the furthering of free, independent and pluralistic media, is crucial for fostering a climate of tolerance, openness and accountable governments.

The role of the media will continue to be a vital one as we deal with the challenges ahead – in the Balkans, but also in the Caucasus and

other parts of the former Soviet Union, including Central Asia. One of the main challenges for the OSCE right now is the acute need for democratic reform in Serbia, as well as in Kosovo, where hate speech is hardening the divisions between ethnic groups. During my year as Chairman-in-Office, I met with independent media representatives every time I visited Belgrade. Their courageous struggle to provide objective information to the people of Serbia made a deep impression on me. The efforts of the regime to silence these brave men and women are totally unacceptable. In his capacity as OSCE Representative on Freedom of the Media, Freimut Duve has done his utmost both to improve the media situation in Serbia and to combat hate speech in Kosovo. His work will undoubtedly be a key element in the struggle towards a democratic Serbia.

Mr Duve and his team have provided significant and constructive assistance in many of the issues that confronted the Norwegian Chairmanship during my term of office. I am convinced that the OSCE Representative on Freedom of the Media will continue to play an important role in helping to build stable and open democratic societies throughout the OSCE region.

Oslo, February 2000

Freimut Duve

Introduction

During this year, the year 2000, the OSCE will be celebrating its 25th birthday. The relevant declarations of intention, which is what President Ford of the United States of America called the agreements contained in the Final Act of the original Conference for Security and Co-operation in Europe, were signed in Helsinki in 1975.

Out of these intentions developed the most radical changes in the political world in the second half of the century, and finally the end of the Soviet system. One of the declarations of intention concerned the “third basket”: improved access to information, an area in which Helmut Schmidt, the then Chancellor of the Federal Republic of Germany, described what was achieved as “not completely satisfactory”. However, a first step in the direction of freedom of opinion and media diversity was taken at that time.

The appointment of the Representative on *Freedom of the Media*, who began work in 1998, would not have been possible without the Helsinki process. His Mandate¹ is the result of this process. In a broad sense, such an agreement on journalistic freedoms and diversity of information has its roots in the basic motivation of the West: the overcoming of dictatorship not through violence, in whatever form, but through increasingly open discussions concerning the basic rights of citizens. Seen in this light, Helsinki, 25 years ago, began a historic process which can perfectly well be compared with that leading up to the French Revolution in the 18th century: a process aimed at putting an end to all forms of authoritarian dictatorship, whether based on monarchist or ideological principles. Authoritarian leaders always act in a similar way; they allow no criticism of their actions, and seek to keep control over published comments on their exercise of power. Helsinki was a first step towards replacing the “self-aristocratization” of the ideologically select-

¹ The Mandate, see page 189

ed ruling cadres by a discussion which led in Poland to the trade union Solidarity and later in Russia to “*glasnost*”. A politically, but also culturally, revolutionary process.

It was thus only logical that the community of states known today as the OSCE would be the first regional organization to establish an office with the task of protecting the freedom of journalism.

Whereas discussions concerning security in 1975 were concerned mainly with questions of disarmament and the joint planning of *détente*, the basic questions of common security focus today, a quarter-century later, on other issues: above all, on how the always latent danger of ethnically motivated propaganda, and the instrumentalization of the media for that purpose, can be countered. The three wars in the states that made up the former Yugoslavia have shown how the danger of war can suddenly become acute as a result not of the accumulation of missiles in the opposing camps, but of quite different causal processes.

During the Cold War period, discussions concerning security were necessarily concerned in the first instance with the number of weapons at the disposal of the “two camps” – the East and the West. Security meant guarantees against military attacks from the other side. Both sides were considered “stable” – the democratic West and the authoritarian East. Internal conflicts were seen as part of this dualism: the democratic protests in Hungary in 1956 were welcomed in the West and brutally repressed by the East, and the same happened with Prague in 1968 and Gdansk in 1979. The dictatorships found it more difficult to identify themselves with the students’ demonstrations in the West in 1968, but the demonstrations of the 1980s – in Germany, for example – in favour of disarmament and peace were seized upon in Moscow and in what was then East Germany as a chance to encourage insecurity in the West. This proved counterproductive, because the movement in fact contributed to the collapse of the communist dictatorships and the end of the Cold War.

Since the beginning of the 1990s, conflicts have developed in a completely different way, without any counting up of tanks and missiles: organized hatred between ethnic groups, and so-called “ethnic conflicts”,

often instrumentalized by the media, have led to military confrontation. The media have played a particular role as instruments for such hatred – and also, in the case of independent, professional media, for example in Sarajevo, in resistance to it. After many decades of dictatorship, the freedom of the media has had and will continue to have a key function to perform in the process of peaceful democratization.

The 54 OSCE States that drew up the mandate for my office in 1997 were therefore right to bear in mind the issue of ethnic hate propaganda as an aspect of the question of freedom of journalism. There can be no freedom without civility and no civility without freedom.

1. In 1999, we took the initiative of asking journalists and authors from various post-Yugoslav States for a contribution to the *Defence of the Future* – in other words, the defence of their future. Some of these texts, which were published in a book, have been reproduced in this new Yearbook. The language of hate, experiences of suffering, the traumas of the families of terror victims – all this endangers peace and has left behind, in spite of the fact that the weapons have become silent, a mined area – and not only mines on roads and paths. In the established democracies of Europe the warnings against organized xenophobia, and against electoral campaigns in which racist images are used, will attract particular attention. In regions where the incitement of ethnic hatred has led to terror, citizens thirsty for peace look closely at Europe's older democracies. None of the countries of the European Union, nor Canada or the United States of America, are homogeneous states from an ethnic point of view. They must remain an example of peace for other member States of the OSCE, none of which have an ethnically homogeneous citizenry, as some of the media claim. Hence the special responsibility of journalists for basic democratic rights.

2. This Yearbook makes clear how intensively my Office has been able to develop its activities in the past year. And it gives an overview of new issues concerning media freedom that have arisen out of current political developments. The protection of journalists in military conflicts has

been a particular concern for us. How do democracies cope with war when each side tends to see investigating journalists as traitors to their own cause, agents of the other side or actual soldiers of the other side without uniform? The deaths of several journalists in Kosovo led us to pay particular attention to this subject, as we will continue to do in the course of the current year.

This Yearbook makes clear how intensively my Office has been able to develop its activities in the past year. And it gives an overview of new issues concerning media freedom that have arisen out of current political developments.

As in the first Yearbook, I have invited colleagues to write "subjective" contributions – reflecting their experiences and their convictions with regard to freedom of the media. Readers of our Yearbook will thus be able to see that freedom of opinion has its place even within this small team, and in our official annual publication.

From the outset, Stan Schrager, an author and diplomat seconded by the Government of the United States of America, has been a member of the staff of this Office. He has been particularly active in promoting the development of independent media in Central Asia. He is leaving the OSCE at his own wish to take over the leadership of the anti-drug campaign in Bolivia, on behalf of his Government.

Vienna, February 2000

I. Essays on the Balkans – Writing, Politics and Media: *In Defence of the Future*

Ivan Lovrenovic

Five Fragments about Implosion

Baton Haxiu

Kosovo - Where the Dead Speak

Dragan Velikic

Which Way and Back

Branko Sbutega

A Question about Boka, A.D. 1993

The Essays are from the book *In Defence of the Future – Searching in a Minefield*, published in Serbo-Croatian, German and English by the OSCE Representative on Freedom of the Media Freimut Duve and Nenad Popovic, a publisher from Zagreb and co-founder of the Group 99.

“After the fall of the Berlin Wall, after the end of the totalitarian systems... in Eastern Europe, in our part of the continent we lived through a war, through horrible violence and numerous violations of human rights. The cultural scope fell apart. It is necessary to build a new cultural world... We oppose to the greatest possible extent the political and cultural chauvinism that turned the political borders into borders between cultures.”

Group 99 Frankfurt, October 1999

Laws and Freedom

‘There shall be liberty of the Press. No person may be punished for any writing, whatever its contents, which he has caused to be printed or published, unless he wilfully and manifestly has either himself shown or incited others to disobedience to the laws, contempt of religion, morality or the constitutional powers, or resistance to their orders, or has made false and defamatory accusations against anyone. Everyone shall be free to speak his mind frankly on the administration of the State and on any other subject whatsoever.’

Article 10 of the Norwegian Constitution

‘Everyone has the right, within the limits of the law, to freely express his opinion by word of mouth and in writing, print, or pictorial representation.

The Press may be neither subjected to censorship nor restricted by the licensing system. Administrative postal distribution vetoes do not apply to inland publication.’

Article 13 of the Basic Law of Austria on the General Rights of Nationals, adopted on 21 December 1867

‘All persons on the Federation territory shall enjoy following rights: fundamental freedoms; freedom of speech and press; freedom of opinion; conscience and conviction; freedom of religion, including private and public religious rite; freedom of gathering; freedom of association, including freedom of establishing and membership in trade unions and also freedom of non-association; freedom of work’

Article II: Human Rights and Fundamental Freedoms of the Constitution of Bosnia and Herzegovina

‘The Federal Republic of Yugoslavia shall recognise and guarantee the rights and freedoms of man and the citizen recognised under international law.

Freedom of the press and other forms of public information shall be guaranteed.

Citizens shall have the right to express and publish their opinions in the mass media.

The publication of newspapers and public dissemination of information by other media shall be accessible to all, without prior approval, after registration with the competent authorities.

Radio and television stations shall be set up in accordance with the law.

Freedom of speech and public appearance shall be guaranteed.’

*Sections I and II, Art. 10, 36, 39 of the Constitution
of the Federal Republic of Yugoslavia*

‘Freedom of thought and expression of thought are guaranteed.

Freedom of expression specifically includes freedom of the press and other media of communication, freedom of speech and public expression, and free establishment of all institutions of public communication. Censorship is forbidden. Journalists have the right to freedom of reporting and access to information.

The right to correction is guaranteed to anyone whose constitutionally determined rights have been violated by public communication.’

*Chapter III, Part 2 [Personal and Political Freedoms and Rights],
Article 38 [Expression] of the Constitution of the Republic of Croatia*

Ivan Lovrenovic

Five Fragments about Implosion

True religion, false religion. Today, there is not a single politician in the power establishments from any of the “national bodies”, at any level of government, who does not declare himself a hard-line believer of one of the three religions that, practically, act as if they were state religions, each one of them in “its own space”. Bosnia-Herzegovina has never been so full of pious party-political officials.

It is the same with customs. Catholic, Orthodox and Muslim clergy carry out appropriate religious rituals at almost every economic, military, educational or civic event, jubilee or celebration, and the media conscientiously record and transmit them.

That is what one hears and sees. How great, then, is that unofficial, semi-public coalescence of ethnic, political and religious structures because of which the borders between their areas of competence have been erased?

Here today, a politician proved to be corrupt would bear the consequences much more easily than one who dared, even in a civilised way, publicly to demonstrate his indifference to religion.

That this new wave of demonstration of adherence to church and mosque is not motivated by any authentic spiritual need, but represents an old feature from the repertoire of social Darwinism does not need a lot of proving. In all three Bosnian varieties, it is in principle precisely the same, but its origin in profane politics can be seen brilliantly in a combination of some of the *leitmotifs* of President Alija Izetbegovic’s messages: They say: “We (i.e., party, movement, nation...) have more need of the loyal than the honest; everything is in God’s hands; atheism is on the other side morality; one has to distinguish between the national and nationalism...”

Practised in synthesis, in everyday politics these messages can act in no other way than a kind of prompting of one’s own people to a kind of moral laxity, as a liberation from any individual critical attitude and

viewpoint, and they come from the top of the ethnic and political structure. They lead people into a new kind (wouldn't it be more precise to say, take them back to the old?) collectivism, different from the socialist and atheist version only in name and externals, but not at all in terms of mentality and social substance. For unscrupulous abuse of the sacred, ruthless careerism and cynical religious and ethnic nationalist exclusivism, there is no better environment.

The chief of the Southwest commune in Mostar, a certain Mr Stipo Maric, will not allow the mosque on Balinovac to be restored. But he calls himself a Croatian man and a Christian, and will, then, allow at least something: "As for the wall of the harem, my view has always been, that it has never been in Croatian man and a Christian to allow (original grammar) stray dogs to wander over the graves or cars to park..." A wall around the graveyard, then, perhaps, a mosque, no.

Why do I mention these examples of the chauvinist bigotry and lack of civilization that cause a minor local government official to stop – very likely feeling the while a mighty swelling of the breast from the magnitude of his services to the people and having stood on the bulwarks of Christianity – the restoration of a mosque, alongside the political and para-theological messages of Izetbegovic? Yes, indeed, there is an enormous intellectual difference between the two examples. But this is a question of difference only within the same system, to which both of them belong, for the endurance of which both of them are accountable.

In brief, this is a system (perhaps it would be better to say unsystem or antisystem, or quite simply, absence of system) in which an unprecedented, sometimes perfectly blasphemous, distortion of religion and its manifestations is permitted.

When, for example, a dreary toleration – in which (good heavens!) there are two Catholic institutions of higher education in Sarajevo, and the Orthodox church has been restored – is held by Izetbegovic to represent an ideal model, this means nothing but: *we could easily not have allowed even that*. Just as it would be stupid and unjust not to commend the sense of the point of view and the choice, as against destruction, it would be against the logic of one better and

more civilised, more compatible with the contemporary world, not to see that the arrogance of such views is not very far from that kind of permissiveness that always presupposes one side having greater and the other lesser rights. And when this is dressed up in religious concepts, relations, symbols and values, then it is the more dangerous. Our entire history has given us abundant, though it seems, taking it all in all, totally useless lessons about this.

The believers who are now close to power and find it hard to restrain from the revanchist view that “our time has come”, put the emphasis of their critique on the past, on the harassment and repression of religion and religious people in the Red system. It is quite unclear and illogical why they do not come out against today’s abuse of religion, its exploitation in a way that is not a whit less disgraceful than that of the previous atheist regime, which is after all dead.

Considering these dangers, precisely in the context of relations between Islam and Christianity, the German theologian, Hans Küng, wrote: “In the postmodern paradigm, religion does not need... restoration but a transformation that would look to the future: religiousness in secularism, one might say. In this, Christian believers are at once with Muslim believers: if there is a wish to avoid something falsely religious (leader, party, nation, science) making the fundamental point, supreme value and ultimate standard of humanity, of which a slave is made, then instead of belief in the false deities of the modern period must come belief in the one true God!”

Who has the truth about Bosnia? Only the truth, all the truth, can help Bosnia! cried Aija Izetbegovic in Strasbourg, opposing the intimation that one of the conditions for Bosnia-Herzegovina getting into the Council of Europe would be a certain moratorium being imposed on the study of history in schools.

As far as the truth is concerned, Bosnia-Herzegovina is in a seriously disabled state, and is really in need of assistance.

The European proposal and Izetbegovic’s reaction represent two opposite modes of thinking and acting.

The European model is practical, oriented to a likely and good result, based on tried experience. The Franco-German example is the best known, implemented after World War II in which the Germans and the French experienced the terrible climax of a century-long hostility, and, so it seemed, ineradicable national hatreds.

On an ideal and abstract plane, there is nothing easier than to agree with Izetbegovic's statement. Yes, finally *all the truth* – that is what Bosnia-Herzegovina is crying out for, like clean air! That in which everyone would know himself, in good and in evil, and especially in the tendency to replace this sad and sorry truth, for the common benefit, as soon as possible, by some different, good life in the future.

What is the truth here in our society? Who determines it, on the basis of what facts? Concretely, if it is to do with an interpretation of the recent war (and of history in general), in school and in textbooks, but even wider, in the media, books, political agitation, it is reduced to a caricature, to ethnic self-glorification and ordinary party political propaganda. Criticism, as either approach or method, as a basic method in arriving at any kind of truth, does not exist, and if it does make an appearance in some diffident form, it is branded (at best) as want of national feeling, more frequently as treason. And here, in fact, there are no differences of principle among the Serb, Croat and Bosniak sides.

The designers and owners of such truths are, of course, the political and ethnic elites, party leaders, their media trumpets.

They have launched a psychologically and existentially unusually effective means for killing the will to criticism, threatening to apply the label of *equating the blame*. They did not see that it is precisely through this kind of suspension of criticism that they themselves reinforce this idea about equality of blame, reinforcing three autistic perspectives with no relation to the truth, having in themselves only an evil energy to recede further from the real world and those with whom they share this real world.

The situation of truth is well described by the ever-lucid cynicism of Selimovic in *The Dervish and Death*: "There are many truths, which

do not get on with each other”, and only among rare individuals is it possible to find that impractical passion that Krleza defines simply as: “truth is what it is not opportune to say”.

The construction of any truth starts from simple circumstances that will not go away. In our milieu, what is characteristic is the systematic contempt of such facts. Of many examples, I will cite just one of the worst. In the fourth year after the end of the war, we still do not know the most important number: the number of the dead. Well, fine, this is still very difficult to ascertain. But much worse is the morally scandalous willingness of our most important politicians, party leaders, “committed” intellectuals, clergymen, journalists... to peddle such numbers as they see fit. And what is more, this is a habit apt to constant amplification. They do not understand that, speaking rather rigorously, every such magnification might be treated as an act of symbolic murder.

It is dreadful that this should be happening in a country that has been anyway hard hit and sent downhill by all kinds of victims and losses, human and material, but in a country in which the alarmingly admonitory experience of that dreadful fraudulence after 1945 ought to be still alive – the fraud of 1.700,000 victims (produced for the benefit of the international reparations conference). The part played by that fraud, and by the whole of the malign spirit that it delivered forth, is not at all so insignificant in our recent trials as not to oblige us to remember and to learn the lesson. Those politicians, of course the national leaders and benefactors who facilely repeat such necrophiliac and pathetic matrices of useful behaviour to the people, are certainly throwing sand in its eyes, leading it towards a bad future, a direction ever more distant from the truth.

In the said meeting in Strasbourg, the official and unofficial Bosnian No. 1, Carlos Westendorp, a little bit Pythianly “reconciled” the two opposing points of view, saying that although it was true that a certain number of textbooks would have to be ditched as the price of entry into the CE, this would not be to the disadvantage of the truth about everything that had happened in Bosnia-Herzegovina between 1992 and 1995.

There is no doubt that in our current circumstances there are no real chances for establishing an objective all-the-truth, because the kind of awareness capable of internally overcoming both the traumas of war and the triple ethnic and political autism is still in its infancy. Is this not enough reason for the European solution to be accepted, if unwillingly, with the argument that Bosnia ought to be helped.

Minority Bosniaks. There is a test that I often have to give myself, to test the liveliness of my own reflexes, in both politics and, more elementarily still, in basic civilization. It consists of my always checking how much I have got used to – how much I have accepted as normal, new, democratic – the political discourse, the political lexis. A great many grotesque concepts have made themselves at home, and they are relevant to the political and mental hygiene that I am talking about. One of them, however, is the most common, and the most portentous: *minority nations, minority returnees*. Faced with these political phrases, which are deeply offensive to every person with roots in Bosnia and to every politically literate person, I cannot refrain from thinking of the history of the Bosnian refugees in World War II.

Oh, yes, then too, there were ethnic murders and persecutions and all kinds of loss and suffering, and many towns and villages would be completely emptied. Neither did that war end with any kind of ideal justice. There were many disguised fiends among the conquering angels, many suffered unjustly on the defeated side, and the whole thing was not at all devoid of ethnic and religious implications. And there was a great deal of savagery in the triumph.

But it is this that is crucial for our comparison: those people who went back to their homes in 1945 were not subject to any kind of ethnic co-efficients, they were not ethnically classified or quantified.

When my grandfather went back in 1945 from Banja Luka - Zagreb refugeedom to his house Mrkonjic-Varcar, it is true that he arrived to see his house in ashes and the new powers that be unfavourable to him, and it is true that he was very soon deprived of his hard-won assets, but nevertheless he came as an individual, as a citizen, with all his virtual

and real rights before the new law. His neighbours the Varcar Serbs, whom the Ustasha regime had driven to Serbia, returned in just the same way to their own homes, just like the Muslims who hid with their friends and families from all those armies, wherever they could, in safer Bosnian towns.

And then, too, there were various forms and reasons for people, especially in the first post-war period, to feel insecure and vulnerable, but they were not categorised as a *minority national group*, nor were their rights and status defined according to this, nor were the fates cut and sown accordingly.

My grandfather lived out the whole of his long life in Varcar, in which his people, as faith and ethnos, had never made up more than ten percent, and yet he always had the proud and robust psychology of someone who knew he was on his own ground, both when he had and when he had not. He never at all felt himself a member of some kind of *minority nation*.

Now one thinks and talks about returning refugees and displaced persons exclusively in terms of their ethnicity, and the supreme principle and criterion is derived from the fact, that in any given place to which people return, the war installed a certain ethnic party in power, that is, created a situation in which a certain ethnos was numerically in the majority. Thus, as has been many times helplessly stated, in Bosnia-Herzegovina the absurd situation has been created in which all, in a given situation, might be an ethnic minority – in their own country!

The absurdities crying out to heaven that appear in the process are well known, but I am not sure that anyone still cares about them.

Sarajevo, claim those in the know, was until this year the biggest Serbian city after Belgrade. Quantitatively, the Croats did not figure so much, but from a qualitative angle there wasn't a bigger or more important city in Bosnia-Herzegovina for them. Now both of them are in the same position, that of minority returnees, minority nations.

Is it necessary to point out to what extent, and precisely how, Banja Luka was both Croatian and Bosniak? Not long will be required before it will become almost indecent to mention their right to return, so much

has the pragmatic etiquette in which there is tacit acknowledgement only of the right of the majority and the minority number, i.e., the real balance of powers.

How, and to what extent, Mostar was an eminently Serbian city can be seen today only in the Serbian cemetery. Champions of a so-called realistic approach, today mention only the Croat and Bosniak claims to the city, and wonder how, at the entrance to the 21st century, a city can be so artificially divided.

Stolac stopped being a city, stopped being that masterpiece of urbanity that it was for centuries, by being de-Muslimised and reserved only for Croats. If the Bosniaks of Stolac are not deserted by their desire to go back, they know very well that, for the moment, they cannot go back even as a minority but only, if they are extremely lucky, as 17th-rate citizens. In Livno (what a piece of good fortune!) they say the situation has been a bit better recently. And in Ljubuski too. As if someone ought to receive a decoration for humanity as a result!

Croats today are a minority nation in Bugojno and Vares, to which for hundreds of years they gave the colour, tone and content, to the cities and the life.

And what could one possibly say about the Bosnians from Foca, Zvornik, Visegrad, Rogatica Srebrenica? Srebrenica!

And so on, and so on... The whole of Bosnia is a sickening scene of such situations and relationships, all of them belonging to the pre-civilization period.

But the point of this discussion is in the incredible fact that this mean, stupid and offensive term – minority returnees, minority nations – has made itself at home in the language of politicians, public figures, the media, without any respect to religion, nation, party or entity, and it has been equally accepted by the Office of the High Representative and all the representatives of the international community who deal with Bosnian affairs in order to civilise us and take us into Europe and the third millennium.

An old, thousand-time confirmed thesis says that the political lexicon of the ruling elites is an expression of those values that they

create and stand for. If that is the case, then it is with abhorrence that it can be stated that all the official factors of Bosnian political reality, to state it specifically: the Bosniak, the Serbian and the Croat, and many of those who claim they are in opposition, and all the international – are completely in accord in practising the same, not only anti-Bosnian but also deeply retrograde, politics.

Bosnian, Catholic, Croat – my grandfather did not know which of the three he was more; but the thing was not that he did not know, but that he did not need to. He simply was all three.

Lying in the old graveyard of Varcar for some 30 years now, he is neither minority nor majority. It looks as if it is only in this place that these days you can be just yourself.

The Noose of Nation. When William Jefferson Clinton (as he was called as an endearment in Sarajevo during the holding of the Stability Pact summit, while he charmed Sarajevans, especially the women, with “collateral” appearances) says that he is particularly impressed and encouraged by the fact that now “the Presidency of Bosnia-Herzegovina speaks with a single and united voice”, this is the kind of mellifluousness that can be taken seriously only by those ears it is, after all, intended for – those of Clinton’s American public and his electorate. As far as the domestic public is concerned, I don’t believe that a single living soul in Bosnia, who cares the slightest little bit about his own hard-won experience, can believe that there is – in this unlooked-for and ostentatious unanimity of Izetbegovic, Jelavic and Radisic – even a drop of sincerity, or any genuine change in their “national philosophy”. That is, in the philosophy of those structures that the three of them both symbolize and, in different degrees, have themselves both created and continue to direct.

The speeches that Bosnia-Herzegovina politicians uttered at the Stability Pact summit, when compared with their overall practice, sound as if they were simply voiceovers, written by someone completely different, with a totally different political vision and conception of society in general and Bosnia-Herzegovina in particular. If, that is,

someone were to judge according to these speeches, he would say that he had in front of him people who put universal social and human interests and values first and foremost, and that they were in absolute agreement about this.

But at the summit they had to talk like this, because they knew very well that a different kind of discourse, their normal, vernacular discourse, would simply not have passed at a meeting like this, on the contrary, it would be out of place and insulting, not to say politically counter-productive. The only one of all the Balkanites at the summit who did not shrink from speaking with his own tongue, who stayed true to himself and his weird integrity, his phantasms of “civilization”, was Franjo Tudjman. But that is another topic all together.

The systematic insincerity of the speeches of the Bosnian representatives *pro foro externo* derives, then, from the very heart of their concept of Bosnia-Herzegovina, that is, their fundamental fallacy about the “solution of the national problem” that boils down to a simple-minded, common-sensical cliché – that in societies like that of Bosnia-Herzegovina it is possible to solve the national problem (in all of its three variants) apart from the question of the state and the question of society. For the error to be the more tragic, in their hierarchy of concepts, the national question is always and in all things at the top.

After Bosnia-Herzegovina survived in a political and territorial sense, and after Kosovo and the Stability Pact, this fact becomes less and less in doubt and more real, this model of the nation as holy of holies, the nation as absolute, the nation in the abstract (and in addition in its vulgar ideological coalescence with religion) becomes every day a heavier ballast, a fatal brake on any kind of development.

For those who are sensitive to any “equalisation of the three sides”, and imagine themselves champions of the fight for a whole and democratic Bosnia-Herzegovina, it is worth stating very precisely: in this matter all three sides really are the same. Both *alija* and *ante* and *zivko* (emblems of a certain politics, not persons) are equally far away from Bosnia-Herzegovina as a harmonious society and a functioning democratic state, actively working against such a vision and such an objec-

tive, when each of them in his way places the interest of his own people over the needs of the state and the society. And the ultimate irony of this policy is that it very clearly and measurably harms precisely the people on whose behalf it is being carried out. Not to speak of religion, for it is humiliated and profaned, reduced to the position of handmaid to the ruling structure.

Thus, actually, we arrive at the general Bosnian paradox: whoever thinks that the national and religious problem can be solved here as a national matter, just for itself, makes of it an insoluble riddle, twists it like a noose around the neck of the whole social structure, turns it into the nightmare of every politics. The national question (as effective national equality, demonstration of cultural identity and so on) cannot be solved here as a national matter, but only as one of society as a whole.

And nothing shows this better than history, though only if it is properly, i.e., critically, read. Ever since the national question, so called, has existed, and that means for a century and a half, in what social circumstances has it been raised and addressed, and why has it never been able to be effectively solved? With crude simplification, because it has always occurred in ideological and ideologically repressive, and never in genuinely democratic, societies and circumstances.

From the degraded Ottoman confessional system, through the unsuccessful national engineering during the time of Austro-Hungary, Alexander's Yugoslavianism based on the cult of St Sava and a police and military dictatorship, the short interlude of "integral Croatianism" in a variant of bloody provincial fascism during the Independent State, to communist Yugoslavia with its two half-times: rigid unitarism and "self-managing socialism", inclusive of the triumph of national quasi-democracy of 1990 (along with the war and the post-Dayton status quo) – during the 150 years of its modern history, Bosnia-Herzegovina has not had a day of genuine democracy. At the end of the eighties, for a couple of years or so, we felt just the odd breath of something of the kind, far-off and unreal, when the old regime had practically abdicated and the blood had not yet started to flow...

In one thing alone are the one-time communists and their current successors, the Bosnian national or ethnic leaders in accord. They swore, and these swear, that Bosnia-Herzegovina cannot be either happy or stable unless there is a “proper settlement of the national question”, and the first, just like these today, claimed to be the very ones to settle it.

Who knows what kind of an opportunity from this point of view the Stability Pact will bring. In what way, how effectively and rapidly, will its mechanisms encourage democratic processes, the only ones that can put the collective phantoms and phantasms in their right place and thus resolve them – who could talk of this with any kind of certainty?

One thing is certain. If everything goes on under the current interpreters of national interests, the bad history of these regions will be repeated like a *perpetuum mobile*, in spite of all offers and promises, whether they are called a Stability Pact or something else.

The Crimes of the Victims. What is required for the post-Yugoslav spiral of ethnic evil to touch bottom and come to a stop?

Milosevic’s plan, after many years of mainly unpunished violence in Croatia and Bosnia, to wage one more chauvinist war in Kosovo, resulted in the appalling losses of the Albanians and their exodus, and in the final decision of the West to put an end to it. Milosevic was repulsed from Kosovo, NATO troops entered the province, and the Albanian population, previously driven out, returned in vast numbers, unparalleled since the United Nations High Commissioner for Refugees started systematizing data and keeping statistics.

We followed the spring agony of the Kosovo Albanians, horrified at the repetition of a pattern still so fresh in our own memory. For every voice of vengeance, of gloating over the NATO bombing of Serbia there might have been, there were at least five here of the sober and restrained: nothing good accrues to anyone from another’s misfortune.

Then, the first reports started arriving of cases of retaliation against the Serbs and other non-Albanians, of a kind of ethnic counter-cleansing of Kosovo. At a major international conference on Kosovo in Berlin early July 1999, Baton Haxhiu, the Editor of the Albanian paper, *Koha*

Ditore, spoke precisely and with implacable logic: there was no justification for Albanian crimes against Serbs to be found in the prior Serbian crimes against the Albanians. Every crime is just as much a crime.

In evident consternation at the events, the distinguished Kosovar intellectual and publisher, Veton Surroi, expressed his capacity to feel compassion for the Serbs and stated that he felt ashamed at the fact that, “for the first time in the history of Kosovo, the Albanians were capable of committing atrocities” and that “, for the first time our moral code about the inviolability of women, children and the elderly was shattered”. He warned of the terrible moral consequences for, he said, the shame and the guilt would “fall on all of us, who had for several months filled television screens round the world with our sufferings”. Surroi particularly took up the attitude towards the Roma who, he said, “are being driven out on openly racist grounds”.

In the case of the Kosovo Albanians, there is a repetition of the sinister phenomenon that, with some dreadful ineluctability, attends all the lands and nations that were the victims of the primary aggression of the Yugoslav National Army (YNA) and Belgrade.

When it swooped down on Croatia, this aggression was the more terrifying in that it was the first, if the 13 day “warm-up” in Slovenia is not counted. Croatian defended itself as well as it could, and the poignancy of that aspect of the war for the homeland will certainly stay morally immaculate and historically vital. But at the same time, still having the status of the victim, of the attacked party, Croatia (the concrete structures of military and political power are meant) turned a blind eye to the ethnic retaliation and the sheer looting in Pakracka Poljana, in Gospić and, later on, during the Storm and Flash operations.

Holders of political and judicial office showed their blatant moral and political incapacity when they justified and covered up these crimes, formulating the crass but still operational stance that in a war of defence, in defence against aggression “a Croat could not possibly perpetrate a war crime”. The same moral and legal narcotic, in a slightly modified form, has been officially applied to the crimes that an army and a policy with Croatian features committed in Herzegovina and

Bosnia against the Muslims and the Serbs, and to the repellent and criminal deeds done in the name of Croatia ever since Dayton.

In principle, there is not a great deal of difference between this and the official standpoint of Bosnian political structures. To this very day, the dimensions and brutality of the crimes that the Serbian nationalist policy and military machine committed in Bosnia are inestimable and incomprehensible. To deny this fact would be a brazen act of negation. But it is also futile to deny the crimes that, most often completely unnecessarily, like that typically irrational *surplus of evil*, are done by the victims (Kazani in Sarajevo, Grabovica, Brajkovici, Neretvica, Vares, Bugojno and so on), and, as in Croatia, have still not stopped (the example of “creeping terrorism” in the Travnik area speaks whole chapters about this). It is sheer politicking, however, when, by a cheap switch of subjects, any objective and critical reference to such cases is always angrily seized upon by Bosniak politicians with their intolerable propaganda catchphrase about equalising aggressor and victim.

With all the other many kinds of loss and atonement, the wars (or rather: the War, the one and only) for the reconstruction of the post-Yugoslav space on the ethnic principle, have entailed one more confirmation of the old and macabre experience that a victim can also be a criminal. Expressed in dry legal terminology, this was, precisely for the Bosnian public, explained with consummate clarity by the former International Criminal Tribunal for Yugoslavia Chief Prosecutor, Louise Arbour. “It is possible to commit war crimes in defence against aggression”, she said during her stay in Sarajevo in the summer. Morally, though, and psychologically, the thing is much more complex and, one might say, more dangerous. The most misguided way of dealing with it is that employed by the political structures: the cover-up, the obtuse hope that it will be outlived, forgotten...

As I write out these gloomy lines, I simply cannot shake off Surroi’s Roma. A hilarious paradox comes to mind. The whole Balkan phenomenon that this article describes, including the attitude to the Roma in Kosovo, is directly related to the question of ethnic identity. This has remained the banner under which all the bloody and pointless events of the last decade have taken place in our region.

When these much-vaunted identities, however, are looked at a little harder, turned up and down and inside out, they are as alike as two eggs. You cannot tell where one begins and the other ends. And so, because it is uncertain of itself, each one is vulnerable, and susceptible to the other, neighbouring identity...

The only people in the Balkans who do not have this problem are the Roma, a people with the clearest and most stable ethnic identity. True, this also goes for the Albanians. But in an opposite way. "The conception of nationalism with the Roma is not connected with territory or a nation state, rather with obtaining from the non-Roma world the recognition that the Roma are a special non-territorial people..." as it says in a reference work. Like the *Rom*, the Albanians are completely one of a kind in the Balkan ethnic kaleidoscope, absolutely identifiable, but, opposite to the Gypsies, crucially determined by the "territory and nation state" fixation.

The latest news, while I write this, is of the mass drownings of poor devils of Gypsies while they try, plundered and cheated, to make their way to Italy from Montenegro in all kinds of rotten, leaky boats. Down they go to the bottom of the Adriatic, members of a marvellous extra-territorial nation that, it seems, has no other mission in the world than to constitute for all others a projection of their own collective phantasms and phobias.

Baton Haxiu

Kosovo - Where the Dead Speak

Kosovo is a place where the dead speak aloud, as if they were alive – perhaps more so.

The dead are somewhere and nowhere, some will never be found, many of the bodies are scattered in nameless graves, bones piled up below the ruins of once handsome village houses. Their last moments are written only in their memories, and in the faces of those who have lived through all that has happened.

It would seem that all have some intimate relations with the dead. Almost every village and hamlet, every family has, in one way or another, experienced those savage assaults and the murders, the dimensions of which are now becoming apparent with the NATO peacekeepers being deployed over the whole of Kosovo, and the exiled Albanians coming home.

Coming home, though, the Kosovars find only ruins and ashes. Military officials and Western aid organizations estimate that in their orchestrated campaign of murders the police and the Serb paramilitary forces killed 10,000 people.

Sometimes, those returning find the bodies of their loved ones on the thresholds of their devastated houses. Surrounded by corpses that still lie in the family wells and in the sites of the bloodshed, they get on with their regular tasks – cooking dinner, or even watching television.

“Murder is the national art”, wrote a writer of Yugoslav origins, Charles Simic, in the book *Orphan Factory*, a collection of poems and essays printed last year. “The murderers continue perfecting their art, although they are always dissatisfied with the results”, he says, while one peasant from Velika Krusa thinks that his eyes are constantly turned towards the scene of the crime: “It is really hard”, he said recently, “just being here.”

“And the dead too, in a way, have survived.”

Some children wander around like little zombies – they are not

grieving, rather they are emotionally empty. The old weep, and the lives of girls who have been raped, although I think they will never speak of it, have been ruined for ever. Men feel terrible, having been incapable of saving their families the horrors. Almost all the walls are written with Serbian graffiti: "Die!"

And one desperate Albanian committed murder. But it has to be said that crime does not always have the same face: it is not quantity but quality that makes it punishable. Some are terribly hurt and cannot forgive. Perhaps they are killing the innocent. This is Kosovo today.

So many cities have been bombarded. Vukovar has been razed to the ground, Sarajevo destroyed, Mostar almost devastated... This all happened in a single cycle of war, and I cannot now determine what was the worst.

I also felt terrible when the Serbs bombarded Sarajevo, Vukovar and Srebrenica, but Kosovo hurt me most. Belgrade made no response to the horrors, and the world, it has to be said, for many years thought that this was going on far away and that no one needed to cudgel his brains about it. It was said, too, that all the Albanians had to go over Prokletija, but I took this as just a primitive, idiotic piece of verbalism, never believing that such horrors would happen. I don't believe that crime is equivalent to many years of repeated verbalisms.

A few weeks ago, NATO finished bombing Serbian targets, but it could not be said that the war is over. As soon as international forces stepped foot on the soil of Kosovo, for the first time after World War II, in this troubled region, in consequence of the anxiety and the reign of terror, new conflict began, though not in the open. Below the surface, KFOR is not yet effective. Assassinations and semi-assassinations are done half-underground. It would seem that both sides have started the final battle.

Against this kind of background, the international community is somewhat out on a limb with its concept of a multi-national, civil and tolerant society.

The Kosovars, who have lost their nearest and dearest in this barbarous violence, are being asked and begged to live in peace with their

neighbours; but they think of this as simply a replay of the past, when laconic appeals for “brotherhood and unity” were made. The international community, of course, means something different. But how are ordinary people to understand this message when, returning from their forced exile, they find a black hole on their once-rich properties. It is natural that the wish for revenge should be welling up in their breasts. For this reason, the desire for vengeance against one’s neighbours – said the President of the United States, later repeated by the German Foreign Minister – surprises no one.

The question of whether there is collective guilt, whether it exists at all, is very debatable. If there is no collective guilt, is there, nevertheless, collective responsibility?

After World War II, the Germans frequently opposed accusations of collective guilt. It is true that many writers, such as Thomas Mann, Berthold Brecht and others, artists, intellectuals – the mind of society that is – had sought safety in other countries. That is why, in the German public today, there are many who would vote against charges of collective guilt against the Serbs. The Germans perhaps, in the name of who knows what Hitlerian gangs that committed such heinous crimes, best know what collective guilt is.

Can Serbia learn anything from the experience of post-war Germany? Of course it can. The German Parliament recently adopted a plan to construct a monument to the victims of Nazism close to the Reichstag, an important place in German national history, there having been several years of discussion before the decision.

Intellectuals of all fields of the mind have researched into whether it is possible to show pain for victims with concrete. Some hold that you can, some are against it. The discussion about the crimes committed by the Germans is still not over. Of course, the world has been warning for 50 years that it must not be forgotten, although some say that it is perhaps time for the discussion to be brought to a close. But after the process of purgation, after the real purgation, the German public is aware that only a steady gaze, with regret and penitence for the crimes committed, helps to avoid their being repeated.

During the NATO bombing, one Serbian writer, a literary critic, voiced the idea that the necessary steps had been taken in Serbia for comprehending and facing the crimes committed in the past, for a book about the truth of the war in Bosnia-Herzegovina had been published. But can purgation of crimes committed be achieved so simply? Four or five books about the truth of the crimes – and, the war is over, Serbia can set off on the path to Europe again, where it will be greeted with welcoming cheers? On the other hand, German experience shows 50 years of intensive confrontation of the crimes of Hitler, and the debate about the Holocaust in Germany will perhaps not finish in the next two or three generations. In Serbia, though, the question has deserved four or five books! Of course, the ideas of the Serbian critic, who is actually extremely clever and calculating, are far from the reality.

Thirteen years have passed since the publication of the infamous Memorandum of the Serbian Academy of Sciences and Arts.

Last week, the Serbian Orthodox Church, on behalf of its communicants, published a communiqué that sought forgiveness from the Albanians for the barbarous crimes of Serb paramilitary, military and police forces.

Archbishop Pavle said that after the terrible crimes, “it is necessary to look for forgiveness if we want to save our souls”. And that is just the first step – after 13 years. Other, more convincing steps remain to be taken. This must not be forgotten: the Serbian Orthodox Church for a full 13 years, to put it mildly, tolerated the crime and kept quiet. Kept disgracefully quiet.

Then, the synod of the Serbian Orthodox Church, also not long ago, called upon Milosevic to step down, “for the good of the Serbian people”.

I analyzed this news: these are the same people, the same priests, that carry the bones of King Lazar around eastern Serbia and wherever they come, villages burn, war starts. The soul of Serbia is full of sin for the events in former Yugoslavia, and the Serbs now deny them and unload them onto Milosevic. And he is, of course, full of guilt but – that is the confession of the sacrificed. Milosevic has doubtless been sacri-

ficed: there is no doubt that he is the guilty party, nor any doubt that the Serbian Orthodox Church and the Serbian Academy of Sciences and Arts and the intellectuals are also to blame: the story about expiation of sins and of the sacrificed seems to me to be excessively distorted.

It is true that Slobodan Milosevic did not personally burn every house in Kosovo. But individuals did. And they did so voluntarily, often with murderous satisfaction – the survivors bear witness to this and speak of the horrors to journalists, war crimes investigators and NATO peacemakers.

Most of the Serbs who systematically set fire to their neighbours' houses are now on the run. But their houses are now burning at the speed of the Albanian refugees' return.

The Serbs who are on the run from Kosovo are not the victims of new ethnic cleansing, or any unlawful demand for some collective guilt – as apologists often claim. They are the victims of continued support for Milosevic and consent to the war.

As individuals, they can be innocent. But the Serbs did the attempted murders in Kosovo willingly; it was an essential national act, institutionalised and implemented by their national leaders who stayed in power. The campaign completely to subjugate Kosovo Albanians led the chief political will of Serbia to its fourth loss, and the Serbs are suffering the consequences.

Milosevic *is* the person who set everything in motion, did it all, but he was always listening to someone else. He did what Mirjana told him, or the Academy of Sciences, or the Serbian Orthodox Church. He had no great ideas. He always seems hypnotised, asleep. Milosevic was incited to do evil. He is a criminal, but he need not bear the guilt alone; it was a wide circle that committed all those crimes in the last decade.

And what is most ridiculous is that these same Serbs are now celebrating their victory. Some of them came back to Pec with their three fingers raised in victory, proud of the crime they had committed. I do not know how to live together with people who celebrate crime. Who celebrate murders in the presence of priests and Serbian officials, and in the face of the international community...

The Battle of Kosovo was a small one, nothing remarkable, not one of the great Turkish battles, like that on the Maritsa, for example. Furthermore, it is not even clear who won it. At the beginning, it was thought that the Serbs were the victors, but the Serbs desperately celebrated this battle that was not a defeat for 500 years. And now, when they have really lost it, the defeat could not be clearer or cleaner. And that shows that we are living in a crazy world, a world of crazy evaluations. After the aggression of lies, the inhabitants of Serbia, there is no doubt, went crazy, because in the whole of Milosevic's rule there is the madness factor. Which means that Serbia is not Milosevic's product, but vice-versa – Milosevic is a Serbian product, because in a single decade the Serbs committed crimes that finished with mass graves in Kosovo. And therefore “living together” cannot come so soon; at the best, there can only be co-existence, by the side of each other.

The Serbian campaign of terror did not begin on March 24, 1999, when NATO started bombing Serbia, nor on February 28, 1998, when the Drenica massacre took place, nor in 1989 nor in 1981. This was a whole period of hatred, an age of the cultivation of Nazism, the stimulation of the false idea that the Serbs are a superior race to the Albanians, which has lasted ever since 1912. It is natural, in the tempest of physical and psychic terrorism, for almost the whole century, for the Albanians to have accumulated a vast deal of hatred for the Serbs inside them. But it was the hatred of the oppressed, the disparagement of the victim of arbitrariness for those who inflict it, which is the Serbian state. And that is the essence of the difference between the hatred of the Serbs for the Albanians and vice-versa. The hatred of the victim for the occupier cannot be compared with the hatred of the occupier for the victim.

The representatives of the international community, who are now massively deploying in Kosovo for the sake of the difficult process of keeping the peace, should be aware that it is not possible to go at once from all those horrors to everyday life, as if nothing had happened. At the moment joint co-existence is perhaps a good illusion that will even perhaps succeed, but only if Serbia changes its pol-

itics, as was done in Germany in the seventies by Chancellor Willy Brandt, who, as a mark of respect and penitence, knelt before the monument to the victims of the Warsaw ghetto. So, in their souls, did 99 percent of Germans. The Germans needed three decades for this gesture. How long will it take Serbia to purge itself of these crimes? And when will a Serbian politician seek forgiveness for the crimes committed by his fellow countrymen?

The Serbian Orthodox Church, at least, could seek forgiveness, which it actually gave an indication of. And it should do this in front of one of the mass graves, or on one of the spots of the crime, like Velika Krusa, where more than 120 Albanians, men, women and children were burned.

The tragedy that took place in Kosovo is so appalling that it can hardly be described in words. It is hard to imagine that the people who endured it can live in a Serbian state, or in the Federal Republic of Jugoslavia (FRY). If the world had the courage to divide Germany and the Germans – to punish a state and a people for their crimes, I do not see why it should now unite Kosovo with Yugoslavia and Serbia; is it perhaps because of crimes and collective silence?

And after everything, bridges are being built in Serbia, while there is silence about the crimes. I do not believe that Kosovo can live with this crime, or with people who keep the sword of death under the pillow, for Albanians. For 120 years, the Serbs had a chance to live with Albanians, but they perpetrated thousands of massacres and deportations. The Albanians cannot wipe out their memories every 20 years. This time they have to forgive, but not forget. The crime has to be punished, for the sake of future co-existence. Serbia does not have the moral right to rule Kosovo.

For foreign countries and for the Albanians, every Serbian engagement is actually just a nothing, which only puts off the national re-evaluation that Serbs have to do for their own sakes and that of their own society. The war and the absence of opposition in Serbia show that their political framework was not based on police terror, but on voluntary Stalinism.

Censure and propaganda cannot explain the general indifference to the Golgotha of Kosovo.

Individuals feel free to criticise Milosevic in front of Western politicians, but Serbian political parties have never discussed the sense and the morality of the war. Their minds were closed, and their hearts as hard as stone; otherwise it is very difficult to imagine all this at the end of the 20th century. For this reason, all nations should find a way to express their moral anger, which the actions of the regime have thoroughly deserved. Only this will have enough effect on Belgrade to provoke a start to change.

The Serbs do not need to be left to suffer in solitude, embittered. But the west has to base any relations with them on changes, and not on a reconstruction of their guilt. They can have either a leader befouled with blood, or Western help for the reconstruction of the economy and co-existence with other peoples.

They cannot have both.

Dragan Velikic

Which Way and Back

1. Some time ago, I was attempting to explain the situation in Serbia to some acquaintances from England. They seemed like people who were willing to make some effort to understand what I was trying to tell in an extremely intelligible form. After some time, my monologue was interrupted by a Hungarian acquaintance; until that time she had been silent. “You’ve complicated things too much,” she said, “and in fact they are extremely simple. Slobodan Milosevic is another Hitler and you in Serbia have a common or garden dictatorship!”

Everything, of course, would be extremely simple if we did have, as my Hungarian acquaintance (she is a sociologist) said, “a common or garden dictatorship” or even an “untypical dictatorship”, whatever that might be. The whole problem is that in Serbia, quite simply stated, there is no dictatorship and no dictator. After all, I said, Slobodan Milosevic was elected president “by democratic methods”, there were elections, people voted and, there should be no illusions about it, they voted for him. “Yes, but that doesn’t change my analogy,” said my Hungarian friend, “Hitler too was elected democratically”.

There, I thought to myself, at last the parallel has been enunciated, the favourite of all those who will not understand anything of everything that is going on in Serbia, the parallel with the democratically elected Hitler. I had just been waiting for it, and said: “Then that changes everything in your analogy, it annuls your analogy, because unlike Hitler Milosevic was chosen three times in the course of ten years, and I am not sure that he wouldn’t be elected again.” When, then, the representatives of the West say that it is up to the Serbian people to “overthrow” the Milosevic regime, then they overlook the fact that the regime was not imposed upon the country, and that it could very easily happen that Milosevic might stay in power for quite a long time to come. Finally, Milosevic never dissolved the parliament, and there have been several elections.

Here, however, is the entire difference. And the novelty. From now on, probably, one has to bear in mind “perverse” dictatorships that are the effect, not of mere wishing, but perhaps of political will and that, hence, paradoxically, perversely, rely on the electoral machinery to stay in power. It is necessary to think through this difference which sums up all the madness that cuts across Serbia: the madness of a totalitarianism that is elected, wanted, desired, and that, judging all in all, will persist. The entire mess of the political delirium that has occupied Serbia lies precisely in this free election of the totalitarian. Hence, all those evaluations of the situation in Serbia predicting the “overthrow” of Milosevic are mistaken, or all those that say that the West should do everything possible to help in the toppling of Milosevic. They are mistaken because they overlook the fact that Milosevic was not imposed but wished, that to topple Milosevic means to topple the dominant wish, to annul the dominant craving to be ruled in a totalitarian way.

And this wish to be transformed into non-wish, this very desire that elects the totalitarian rule of the political will, this political will that chooses that kind of rule that will annul it as will – it is precisely this that is the perverse difference that urges us to reformulate the understanding of totalitarianism. It is high time to understand that totalitarianism does not mean the way in which the minority rules the majority against the will of the majority.

Totalitarianism is the rule of the majority.

2. Of course, the key problem is located in this turnabout. There is a political organization that is, at bottom, highly criminal, all wrapped up in a mouldy old tale about justice and equality (which, of course, to be quite clear about things, has no connection with the left at all); a hegemonic organization, of petty, sordid Balkan imperialism, the effects of which have come out constantly over the last ten years; an organization built on the logic of constant fear of omnipresent enemies, on constant lamentation about isolation, because there are no friends anywhere, they have all betrayed and abandoned us, and now we, all righteous and innocent as we are, have been left alone, and have to defend

ourselves, before they attack us, and they will attack us any moment, perhaps, and so we have to start moving as soon as possible, and so on.

This insane dialectics has outlived a thousand deaths in Yugoslavia in the last ten years. This insane dialectics, then, enforces a single question: if there is no dictatorship in Serbia, and if the Serbian people do not need to be charged with collective guilt for everything that has happened in Yugoslavia, why then does this people not stop voting for Slobodan Milosevic? This question, often asked, reposes on two elementary oversights.

Above all, it only derives from an extremely nationalist point of view, in line with which one can talk of a people or a nation as such. This is discourse that produces the national or the nation as a homogeneous entity, an undivided identity, which is, to cut things short, an extremely problematic point of departure, its politics at base not differing from the politics it condemns.

And then, even more concretely, even if we agree to this Nazi talk about the nation as such, something does not fit. Because, in fact, the Serbs for some time have not been voting for Milosevic, at least not in such a way that he can rule himself, and certainly in such a way that the other two large parties, if they were to combined, would have absolute power. This is also a piece of information that, on its part, rebuts the uninformed thesis about a dictatorship. But this is a fact that requires undertaking a whole psychopathological analysis of political life in Serbia, and politics that is not the politics of Milosevic so much as the politics of the opposition, as it is called. An analysis of this psychopathology would show how ultimately pointless it is today to ask the question of the future of Serbia with the opposition.

3. This question (why then have the citizens of Serbia not ceased voting for Slobodan Milosevic?) is pointless because above all it overlooks the key difference that during the last ten years has been installed between the opposition and the alternative. The fundamental madness that has cut across the political scene of Serbia in the last ten years, the same madness that the West refuses to comprehend and analyse,

inheres in the fact that the opposition is not at all in opposition but, on the contrary, the *opposition is the position*, that the opposition, together with the “position”, that is with Milosevic’s party, constitutes what the West calls “the Milosevic regime”. Those who understand the Serbian political scene as the scene of a dictatorship in which one party rules with violent means and the others, exposing themselves to danger, resist it and fight for “freedom from an authoritarian regime”, are not, there is absolutely no doubt, talking about Serbia at all. In Serbia, that is, the thing is completely different, and completely deranged. Because the so-called Milosevic regime is a mixture of the position and the opposition. And however paradoxical it may sound, this mixture of position and opposition in power has enabled Milosevic to stay in power, which is clearly shown by the fact that at the last elections he got no more than 19 percent of the vote, and that his party is still in power because, at the level of Serbia, it has gone into a coalition with the extreme nationalists, while at the level of “Yugoslavia”, it has brought into the government the biggest “opposition” party, the Serbian Renewal Party. Hence it is this party, led by Vuk Draskovic, which the West, absolutely fallaciously, imagines to be the opposition, that is the party that rules together with Milosevic. The same thing goes for the New Democracy, and also for several smaller opposition parties in Serbia created as a result of their leaders having split with Milosevic.

And today, when the leader of one such “quasi-positional” party seeks Milosevic’s resignation, then he does not do it because his political allegiance is different from Milosevic’s, but, on the contrary, because his political allegiance is given over still more to the savage darkness of nationalism, and because, from this darkness, he still considers the nationalist option in Serbia to have a chance, on condition that Milosevic goes: to simplify – everything is going on as if Beria had decided to depose Stalin, and as if the West flapped its hand in content, as if convinced that Beria was somehow fundamentally different from Stalin. However, precisely because this essential difference is wanting, it is pointless to ask what the chances are in Serbia of the opposition coming to power. The opposition is in power. Serbia is ruled by the position and the opposition, together.

Looked at in terms of substance, the differences between the position and the opposition are minor, and relate mainly to the question of the monarchy and the republic and to various questions of reading Serb history. Otherwise, from the point of view of all the other “Serb questions”, they are both knee-deep in the mire of Serb nationalism (which also goes for the grey eminences of the Serbian government, the Serbian Orthodox Church and the Serbian Academy of Sciences).

Precisely in consequence of these systematic identities of the position and the opposition, a so-called alternative political scene has come into being, the “Other Serbia”. This alternative has come out of the insight that in Serbia there is no essential difference between position and opposition, and has constituted itself as an alternative to one and the other, that is, to the same nationalist and hegemonist political option. It is an alternative with respect to the position and with respect to the opposition, which presents itself as an alternative to Milosevic while ruling everything with him. This Other Serbia is Other with respect to this One and the Same, with respect to that which is fighting for the unity and sameness of the Serbian nation. It is, then, Other insofar as it represents values different than the values of a militarist and nationalist opposition and position, insofar as it represents the values of civil society, human rights, insofar as it carried through a criticism of nationalism, patriarchalism, racism and so on. It is Other, too, in that it has adopted different means of political combat. Although it is true that there have been political parties imported into the network of this alternative – of the like of, for example, the Civil Alliance of Serbia and the Social Democratic Party (of Zarko Korac), parties that, today, after the NATO bombing, hardly exist any longer, the Other Serbia, nevertheless, started from the supposition that in Serbia, through fundamental and elementary educational work, it is the scale of values that needs, above all else, to be changed, so that some politically different values might be able at all to find themselves in a position of power.

That is why the Other Serbia was constituted primarily around Radio B92, which has developed a whole urban sub-culture, promoting a way of living and thinking, and then around certain weekly and

daily papers, the Alternative University, the Association of Independent Intellectuals – a Belgrade circle, then, of different and numerous instances the effect of which has increasingly expanded and given hope (particularly since the last public opinion polls, done just before the beginning of the NATO bombing, showed that Milosevic enjoyed no more than 17 percent support among the electorate) that the regime is approaching collapse.

4. Of course, after the first day of the bombing, there occurred what Milosevic might have wanted, but which he could not have done outside the context of a “state of war”, which he could not have done precisely because of the strength of the alternative political scene in Serbia: Radio B92 was literally confiscated, all the papers were censored, political gatherings were banned, and all prominent figures in the alternative political scene – because of what is called in Serbia their western orientation – were roundly condemned by position and opposition together for the betrayal of the Fatherland.

A few days ago, the Serbian parliament made a decision according to which some of the provisions that were in force during the state of war remain on the statute book. This means: papers are still censored, political gatherings are still banned, the extremely repressive law about the University remains in power, in a word and quite crudely: the repression is greater than ever, and those who would resist it are proscribed as traitors, and now have to use the word Europe with a whole string of footnotes.

To sum up: the key question that relates to the political future of Serbia should not at all ask about the future of the Serbian opposition, because the Serbian opposition is a ghastly nationalist monster, always in joyful thrall to the Milosevic regime. And this in other words means that the Serbian opposition is nothing but the Serbian position. Hence the key question one has to ask is about the future of the Serbian alternative, about whether there is indeed an Other Serbia, what the chances of the Other Serbia becoming Serbia Proper are, of this Other, and Different Serbia, structuring the relations of power and government.

The way things stand, and to a large extent thanks to the NATO bombing, which has enabled Milosevic to take off all the brakes and liberate all the (unguessed at) repressive potentials of his rule, the Other Serbia is just where it was ten years ago, and is looking at the way it has already travelled, and to a large extent already covered. This means that the values of the civil world have to be explained all over again, but now with an additional burden: it is necessary in Serbia still to refer to Europe, and show that the European values are those that Serbia ought to take over as the dominant ones in its political life, in spite, however, of the fact that Europe, just like the president of Serbia, Milosevic, thinks that arms bode well for the truth.

From this point of view, the situation of the Other Serbia is worse today than it was even ten years back. When, then, the question is put today about the future of the opposition in Serbia, but opposition in the sense of a genuine alternative to the regime, then one is really asking, in fact: what are the chances that in the near future Serbia will return to its recent past, what are the chances that in the very near future at least what there was until six months ago will be re-established in Serbia – an uncensored press and the right to political gatherings? It would be good if we could answer: yes, in the very near future there is some hope for Serbia, there are chances that Serbia will return to its recent past. But, alas, even this kind of minimally good outcome is far away today.

5. It seems that the infeasibility, the unlikelihood of this return to the past as a step into the future is proved by a land having been established inside the land of Serbia. That is, on March 26, 1999, two days after the bombing of Serbia had started, in Pozarevac, the “capital” city of the Milosevic family, Milosevic’s son started building an enormous amusement park. This park, which manifested the whole of the delirium into which the Milosevic family has fallen, the whole nature of the necrophiliac revelling in death and defeat, occupies great hectares of land for various fun and entertainment facilities. In a word, a real SerboDisneyland, which is not called Disneyland, however, but Bambi

Park, and it is called Bambi Park because it could not be called Bambiland, as the builders originally intended, because land, unlike park (!) is an English word, i.e., a word of the aggressors.

This entertainment park was opened a week after the ending of the bombing, with the explanation that the opening of this land, this country, was late because of the well-known situation, because of the difficult conditions of the building, conditions that are otherwise, more precisely, known as bombing. While the bombing was on, then, while various armies made out of Kosovo a Horrorland, while NATO's bombing made a Ruinedland out of Serbia, Milosevic's kid was building, and the capital of the whole Serbian government being invested in, this Bambiland, this land of happiness and merrymaking, joy, a bright future and youth. But the perverse logic of this Bambiland is completely the reverse of the logic of Disneyland.

For if Disneyland has been set up to hide how much America is, actually, just one Disneyland, as some interpreters would have it, then Bambiland has been set up extremely literally and banally to show that Serbia is, in fact, not a land of happiness and merriment, but the opposite, a land of pure unhappiness in which only the moronic can be happy, on condition they go to Bambiland and go down the slide into the Pozarevac sand. But if it did, thus, literally show Serbia as a place of the absence of contentment, Bambiland was, symbolically speaking, crucial to the political regime in Serbia to conceal the fact that Kosovo, *de facto*, was no longer a constituent part of Serbia, and to cover up this crucial circumstance for the political fate of Milosevic with the additional claim, in accord with which Serbia today "embraces" several different lands: Kosovoland, Bambiland, Pozarevacland...

In a word, Milosevic has understood that, in fact, it is all in a name, in the symbolic organization of reality.

6. I shall endeavour to demonstrate this with the example of Kosovoland. The regime in Serbia has presented its absolute, total and irredeemable defeat as its absolute and totally unblemished victory. The idea behind the sick train of reasoning given by the Serbian regime

is as follows: it was not NATO troops, but international forces that went into Kosovo. The Albanians have lost the right to a referendum that might have led to independence for them and thus “we”, of course the Serbs, have preserved our sovereignty over Kosovo, and so the territorial integrity of the country, and thus again, and of course, we have preserved our own integrity, or, to use the word that is the favourite of President Milosevic, the Serbian people has thus preserved its “dignity”, because of which, in the first place, it actually went to war. In a word, Kosovo is something like Bambiland. It is ours, just a little bit fenced around.

The whole perverseness of this argument, what makes it acceptable at all to the great majority of the Serbian people, rests on the conviction of President Milosevic, a conviction that would be worthy of Lacanne, is that language makes the reality, that behind language, or independent of language, there is no other reality. Milosevic has, as few people have noticed, waged a war for names and because of titles: it is all right for NATO troops to come in as long as they are not called NATO but international forces. It is all right for Serbia *de facto* to lose Kosovo, as long as the western governments unanimously say that Kosovo has remained within the borders of Serbia, to let some 200,000 Serbs move out of, or be ethnically cleansed, let’s say, from Kosovo, as long as NATO guarantees identical security for all ethnic communities or, in other words, just to let that security be stated, put into the reality of language, whatever actually happens to real-life Serbs, and so on.

Put succinctly: when the western governments agreed to Milosevic’s demand that things should be referred to with different names, they behaved with almost traditional modernity, starting from the premise that there is some reality outside and beyond language, that there is the thing itself that is not mediated by language, some truth outside language. which is the delusion, and that the Serbian people would know how to stick to reality and see through this seductive delusion of language. And it is in this, actually, that the essential failure of the West lies in its behaviour to Serbia, in that it does not understand, to

use an analogy, that the Serbian people has actually been “subjectivised”, on a vulgarised and trivialised Lacannian couch, by the technique of a frenzied “psychoanalyst” that has explained to it that, outside and beyond language, absolutely nothing whatever exists, in any event nothing that can be signified.

A few examples: when, in the midst of the most appalling economic misery, during the electoral campaign, the Serbian regime explained to the Serbian electorate that it should vote for Slobodan Milosevic once again, precisely because his government was improving the economic conditions of life, this was a propaganda campaign that was based on the assumption that there would be enough electors who would, in spite of what they could see and experience, which remained unstated, believe only what was stated. At that time the regime, then, started from the presumption that it would find enough voters to stick to the thesis that beyond language there was nothing, not even what they could see with their own eyes, feel on their own skin.

When the regime of another frenzied fiend, the Croatian, that is, in 1995 drove 300,000 Serbs out of Croatia, then the Serbian regime explained that the Serbs had finally made peace with the Croats, and that this was “our” victory, because we had gone to war to force the Croats to make peace. The most recent, and perhaps most extravagant, example: a few days after the cessation of the NATO bombing, Slobodan Milosevic held a speech in front of one of the ruined bridges in Novi Sad, saying that his government would rebuild the bridge in less than 40 days. Of course, no bridge can be made in 40 days, went on Milosevic, but I shall tell you a big secret, we started repairing this bridge as soon as it was knocked down, and we have to a great extent repaired it, and the works have gone so far ahead that we shall managed to finish off these repairs in only 40 days. Although you cannot see any of these works, not a trace of these works, although you don’t see anything at all to suggest the bridge is being repaired, I shall tell you a secret: what you see is not what you see, behind the visible is the invisible which is, however,

utterable and stateable, and it is of this that I am now talking to you, revealing this secret to you in a friendly and almost brotherly way – I am constituting reality in language.

In short, the Serbian regime governs as long as it does because it changes the names of things and because it sticks insanely close to the idea that only what is said exists, that things are the only words. Although today it is ruling a ruined land, although it is ruling the only land that, for quite a long time, has been in every sense terribly defeated, Milosevic, this grotesque fiend, this ruining ruler of ruins, preaches his tale of victory, mooching, together with his wife, around the ruins of the country, like a vampire relishing his murderous victory.

And here, in this skill in producing reality in language, which is far from being a mere propaganda machine, which is not propaganda, because propaganda supposes an object that is propagated, while Milosevic's procedure from just words and statements makes all, and the only, objects, thus, here, in this skill, one needs to seek the reason for Milosevic's rule, the only rule that rests on a paradox that, in spite of its own totalitarianism, it is always in power again "the democratic way".

7. There is no doubt that the absolute defeat of Milosevic's victory will some time be seen in all its horror to the staring wide-open eyes of that part of the Serbian people that did not see the visible, and there is no doubt that this will occur when the citizens of Serbia get up off the couch of this paranoid psychoanalyst. The only question, of course, is what will happen then. If we wanted, on the basis of the experience of the last ten years, to predict the political events in the next few months or years, then we would be able to say: this getting up from the couch will not happen until the citizens of Serbia discover the bottom below the bottom to which they have come; until, in other words, they have come up against bare reality, or until this reality breaks through the harmonic network of their language. The citizens of Serbia will discover this double-bottomed catastrophe when the acts of the Serbian regime appear in the midst of reality like a pure trauma. The only question is how long this last journey between the two catastrophes is going to take.

8. Could, however, the so-called Serbian intelligentsia, that from the alternative, of course, which is, anyway, the only intelligent one, do anything to bring down Milosevic's government? It was particularly during the NATO bombing of Serbia that such and similar questions were raised on all sides. This question was persistently accompanied by the realisation that precisely "now", during the bombing, it was revealed that in Serbia there is not and never has been an alternative to the Serbian regime; that, in one way or another, all Serbian intellectuals are nationalists, insofar as they all came out, more or less, against the bombing.

This point of view, which, unfortunately, is not alone, is for several reasons totally misguided. Above all, the viewpoint that holds it against Serbian intellectuals, from the alternative, that they did nothing to get rid of Milosevic shows itself to be, as a viewpoint, in essence, undemocratic. Because for ten years the Serb alternative has done nothing else but work at overthrowing the Serbian regime, doing it with the only means it considered acceptable – various forms of political activity. Of course, someone might have tried to overthrow the regime with violent means, but certainly not those who considered that democracy could be established only with democratic means of behaviour. Apart from that, any possible violent overthrow of the regime, which no one in the alternative had the means to do anyway, would necessarily have called their legitimacy into question, the question of the credentials of those who, by an act of violence, would prove themselves democrats, overthrowing what had been elected, and not imposed. From this point of view, to claim that the Serbian intelligentsia did nothing means simply to say – you acted only politically, you wrote, you spoke, you demonstrated, and that is nothing, because you should have acted non-politically, violently, you should all have become little Milosevics, behaved like him and so removed him from power. In this argument, only the point is not clear: for transforming your own mind into the Milosevic type, to get rid of Milosevic, means, in fact replacing the same with the same. But why?

Apart from that, there is one key thing that must not be neglected if you want to interpret conditions in Serbia, and particularly the way

resistance is offered: during the last ten years almost half a million people have left Serbia. Sociologists claim that this is very largely to do with an urban and highly educated population, a young population, that, not ready to devote its life to politics, and, still more important, unwilling to offer any kind of support to Milosevic, unready to go into the army and fight for illusions from Milosevic's insane brain, simply packed its traps and left. Leaving, however, is also an act. Half a million people did the act of departing; this was their resistance, their way of saying no irrespective of the way in which they resisted being actually Milosevic's victory, actually the kind of thing he could only dream about: the decent people will simply go, they will not complain too much, and then there will be no one left to articulate the resistance in Serbia, and I shall easily get the better of any unarticulated symptoms of rebellion.

Perhaps this inarticulacy of the resistance is the biggest problem of the Serbian political scene today. An enormous force of resistance evidently exists and is on the move, however, it is equally clear that there is no one any longer to articulate the demands of this resistance, to organise the protests against Milosevic's mafia rule. And this articulation is today, perhaps, the most essential thing, more urgent than ever in the past, for today, unlike the years before, everyone in Serbia is dissatisfied, but dissatisfied for extremely dissimilar reasons. Some are dissatisfied for the same reasons they have always been dissatisfied, let us say because of Milosevic's squalid nationalism and the general descent of everything and everyone into criminality, but there are, of course, many of those who were until quite recently very content with Milosevic's disgusting and moronic politics, but who are now in despair that Kosovo has been given away, or in general because all sorts of other things have been given away that they considered "theirs" and not to be given.

I do not wish to get into any kind of predictions, but when I am actually talking about the necessity of articulation, I have to ask this question: what if the resistance, what if the articulation is first articulated by those who are dissatisfied because Milosevic, as they see it, has betrayed the national objectives and ideals? In a word, what

if the improbably large mass of dissatisfied nationalists moves to articulate its objectives? I am trying to say that there is in Serbia today a mood, judging from everything, that is very similar to the mood in Germany after World War I, and we all know what that mood led to...

9. A few days ago, in different society, I once again tried to explain what had happened with Serbia. In the last few months, because of the bombing, everyone has been asking me what has gone on, or what will go on, as if I, by the mere fact of living in Belgrade, had privileged information about events in the city or in the land of Serbia. This time I tell a somewhat different story. I narrate to my acquaintances what has happened (among other things thanks to the bombing) to the Belgrade intelligentsia, explain to them that an enormous number of people have gone from the city, that, probably they are still not thoroughly aware that they are in exile, or that they simply will not return, that they still think they will return to “their” city next year, and that they have, actually, gone for ever, and not, to make the paradox the greater, because they were driven out, not because they were in danger, but because, at the very moment they left, they were consigned to absolute oblivion.

I try to articulate this somewhat inarticulate thought, this feeling, through examples. I tell my friends the names of Belgrade writers or artists who are living at various points of the globe and whom no one in Belgrade mentions any more. But this oblivion they are reduced to is of a particular kind. They have not been driven out, no one forbids their books or writings to be published, on the contrary, their books are printed regularly and in an orderly way, but nothing actually happens, there are no reviews of these books, there is nothing, no one talks about them, not only not the “position” but, in fact, not anyone. They are not, then, exposed to any kind of accusations for this or that, their life is not in danger. On the contrary, things are, it seems to me, much more terrible: they are not exposed to anything, they simply are not, it is not even forgetfulness, but a pure and absolute indifference

with respect to their existence, to everything they write down or think. Indifference, that is perhaps the right word, the word that more or less exactly describes that affect aroused by all those who have gone, an effect without effect, a nothing, some kind of void. These people are no longer asked anywhere, not even by those who might ask them, those who are close to them aesthetically and politically, no one talks of them any more, any time, ever, and even when their articles appear in the opposition newspapers, more or less nobody reads them. Indifference. Total lack of interest. They can have no influence on anything any more, least of all shaping public opinion in Serbia. That is why I say that they all went away totally, much before they understood, or were ready to admit it.

“Will you go back?” asks a friend who, as far as I can see, is unsuccessfully trying to figure out the reasons for this forgetfulness, this avid indifference. And before I manage to reply, before I can formulate the answer, I hear the question of an Irishwoman who has been sitting with all the time, and who, probably thought that it was the right time for her to say something. “Excuse me, I don’t want to interrupt you,” is what she says, “but where actually would you go back to, where are you actually from?” At first, understandably, I thought that the girl had missed the several-times mentioned name of the city in which I live and simply replied that I was from Belgrade. “You didn’t understand me,” she explained to me, “I asked you where Belgrade actually is.”

“Belgrade? Well, Belgrade is the city that has just been bombed, don’t you know that NATO has bombed the city?” is what my friend says now, who feels awkward, though I don’t know why. “I thought that NATO had bombed Serbia, not Belgrade, I didn’t know that Belgrade was a city in Serbia.” So finished this talk about Belgrade and Serbia, after which we talked about English humour, and Mr Bean, about whom my friend has just finished a book, comparing him and Beckett. And while my friend was explaining that Mr Bean, just like the Beckettian hero, came from nowhere and was going nowhere, and somehow nevertheless managed to organise, for a moment, the world around him, while he was explaining that it was this rift between

nothing and everything that was funny, I was thinking that perhaps that girl from Ireland was right. The poignant idea occurred to me that Belgrade perhaps really no longer existed and that now, perhaps, the most important thing was to build a city.

To come, like Mr Bean, from nowhere at all, and start organising the world around oneself. But didn't my friend say that it was just this that was so funny?

Branko Sbutega

A Question about Boka, A.D. 1993

The recent interest of the media in Boka Kotorska is the consequence of events in which the lines of communications in the southern Balkans were drastically severed. For the first time after World War II, Croatia, which had been lopped into pieces, became aware of itself, seriously, concernedly and painfully in the parts that had been amputated.

What about “our” Boka? This question has been too frequently and seriously asked for it to be understood as a mere fashionable figure of speech.

I think that a deeper analysis of “our Boka” would show a high degree of ignorance about the very conception of Boka, while nevertheless the “our” and the “my” express a consciousness and conviction about belonging, about possession and characteristics.

I heard this phrase “our Boka” being sent out for many years from Belgrade, loudly, and with no dilemmas, while in Zagreb it was spoken rarely and in whispers, a past perfect of a fact, rather as the Greek colonies on Sicily might be for Athens.

For us few who were born in the area, there was just confusion at the space being defined by others; we ourselves were no longer capable of determining it. The loss of any clear present left only the possibility of turning to the past, seeking our lost point of reference, discovering a new reason for being and remaining, a point that would outgrow the sheer necessity of staying for sheer want of alternatives.

For many, with its cosmopolitan character, communism represented a kind of salvation, a shoring up of points of reference that were unsure. Even when it was discovered to be a depleted political and spiritual energy, it constituted, to the very end, a slender thread capable of being grasped at by the insecurity of people with an eroded sense of identity.

Boka was increasingly becoming a Baedeker story translated into shaky English and German. The enclave of the Boka people was being reduced to just a few rural milieux. The middle class had melted in the fire of the time,

both as a class and biologically. The Catholic Church was the only remaining domain of continuity, and the proximity of the bishop in Kotor was the only sign that imparted Boka the dignity of the European space.

The landscape did not wield any great formative power; anyway, centuries are needed before geography can accustom humanity to itself, and here it was decades that had been at work.

Between the practicality of adjustment and the courage of obstinate persistence in the maintenance of a given state of civilization, which was anyway defenceless, weakness necessarily won, if it is weakness at all to adjust in order to survive. Of course, memory suffers, it is repressed, compressed into the space of the personal and the intimate, turns into Christmas Eve codfish; the rest is the cosmopolitan average, the drabness of the ordinary, mimicry tending to metamorphosis. All that's left is some denunciatory Anto, Tripo, Gracijela and Ozana as the nominative clue to the different and the special.

There is still a preference for boiled beef and chard instead of cabbage and pork. *Burek* made itself at home in time, though the cakes of Perast and Dobrota managed to survive as well. Tripunj days, Lode, Our Lady of Skrpjel, the votive ceremonies, birthdays and baptisms, funerals and obituaries in Latin script had no alternatives. This was viable, or nothing; the painting of eggs for May 1 was an attempt that lasted no longer than a couple of years.

Old people with no children had no one to communicate with; the young with no grandparents had no one to learn from. Public education associated all the values of civil society with outmoded and demonized circumstances: the Church, the bourgeoisie, the occupier and foreign powers. Political eligibility cut out middle class courtesy; middle class courtesy enjoined political obedience. The circle came to a close at the point at which a seal was definitely put upon the breakdown. Local culture melted in the fire of revolutionary changes like a Pleistocene glacier straying down to the Equator.

Of course, this is a little destiny compared with the fate of the world, little but old. Aren't big fates but a set of small ones linked together? Boka died out because it was divorced, politically, and so of

course, culturally, from its original historical nexus. It could not survive just in and for itself. Neither could Florence, or Venice, or Dubrovnik. And yet, they did manage to install themselves into the broader context, losing something it is true, but getting something in return still.

Who did we have to give to? Get anything from?

The Montenegrin context of today is actually just the Serbian context of Montenegro. This is not dogmatic, just a realistic fact about which people take to little heed, although they have to settle their accounts with it. Historical arguments mean nothing, studies of culture still less. Ruthless Chronos acknowledges only statistics and the sheer mechanics of events. No other meanings concern him, none of the poetic, aesthetic and spiritual derivatives suffuse him.

Humanity, people, they are not asked here; Chronos turns round the wheel of time, blind to the form of the man that gets in between its teeth, often to be mangled.

Fragile, emotional man sets his face against the principled indifference of time: a weakling in front of a stalwart, a slave before his master, David without a sling, a dissenter with no power. Are we just children, resisting the process of growing up with childish naivety?

There are historical points of reference from which it is difficult to see the morrow, but there are also those from which some things of the future can probably be ascertained. Human desire is a variable determinant, but generational upbringing is not. The continuity of a civilization in Boka has been used up and snapped. In the concept of Yugoslavia, the historical doors opened without reserve, letting the mountain and the still more distant hinterland down into the narrow coastal strip. The wistfully homeless and then the tourist too discovered all the technological advantages of stone palaces and the climatic advantages of the mild Mediterranean climate.

They came upon a considerable number of old inhabitants, people of a like mind in religion and national sympathies. Perhaps what was found seemed like the fruit of the synergy of sun, stone and sea, but it was not like that, not ever. The painstaking work of centuries, sincerely and yet combatively opting for the course of European civilization, the

internalization of the cultural and spiritual codes of the Christian and Mediterranean zone, these were the recognisable sources of the Boka consciousness. Otherwise, whence that gap in civilization between Dobrota and Orahovac, Perast and Risan, Morinje and Kamenar? Whence those oscillations of quality at distances of metres? This propinquity of different continents of civilizations that had for centuries chafed and at the end washed away the remaining Boka Croats and Catholics. Consigned to Yugoslav freedom, they were quietly, and not without dignity, extinguished at the gathering place that became, in the end, the site of their execution. Not recognised as the remains of the remains, seen rather as a historical intrusion and misunderstanding, they found themselves on the other side of the line that, to the uninitiated European, seemed but the sheer thread of a provisional political division, but was in fact a broad and deep abyss in the tectonics of events of centuries, and, I would venture to say, especially in the shudders of this century of ours, the last in the millennium.

A world of bridges has no feeling for a world of ravines. In this other world, close and far depend on the depth of the lines that keep apart two geographical points and two people and their worlds. The majestic Romanesque and Baroque churches of Boka become ever more like each other, in spite of the differences of styles, become like the pyramids – stone shadows of a faded historical glory.

Weeds are already beginning to spring up over our graves; there are fewer and fewer of those remaining to pull them out. One lovely European dream, in which a good part of Europe, after the appalling waking of World War II, sought the paths forward, it seems, died out at the line that from Prevlaka to Vukovar cuts sinuously across the mountainous Balkans, locating it once again in its old historical enclaves. The old said: “Wet your finger in the sea and you’re a citizen of the world”. But this gets difficult if you don’t know how to swim.

The last swimmers set off on the voyage to Croatia, Italy, Australia and America. They swim via Budapest to Zagreb, via Tirana to Rome, some of them even swim across Debeli Brijeg. The Atlanteans of Boka go on their way, accompanied by the satisfied smiles of the

many newcomers. Why not, when of their poetic patrimony they still have freshly in their heads that phrase: "It very much seems to me, it very much seems, that the Latins are worse than the Turks". From Boka they sail in the brigantines and luggers of the present day to new shores. They take with them a few memories, lots of nostalgia and a melancholy resignation to their fate. The signs they leave behind them still bear the traces of the one-time opulence and of the belief that existence was a sure fact. Sentimentality is excluded from this process, the times are too cruel, the isolation is complete, the outlook darkened so the energy for pained sentiment should remain.

Does this mean the total loss of power to dream of some new future for Boka in which the relict remains of the Croatian presence will be able to survive, protected in its specialness and individuality?

Are there, above and beyond our psychological need, any footholds for optimism? Are we condemned to archival remembrance? What are the pledges for survival? The pledges for death need not be mentioned, for they are too well known. Survival does not necessarily imply preserving one's personal biological continuity in descendants. Man does not transmit to man only his genes, but the wholeness of his identity. The elimination of this possibility becomes historical death.

The uses of civilization entail dialogue, acceptance of the different and the other, and we are witnesses how much this culture nullified the other, and how strong the impulses to protect the identical are, whatever the cost to the other. Today, this does not only mean marginalisation, being declassified, placed on the periphery; today, it means being literally driven into the killing fields, extermination, ethnic cleansing, genocide. To be different and weaker gives the sign for the firing squad. The minority becomes an enclave of fear or desperate spasm, unto cruelty, for the sake of survival.

In Boka this means the silence of waiting, the fear of impotence.

Nevertheless, something has remained as a living sign of existence and vitality. Religion has remained, and so has belonging to a faith, with all that means and radiates. The morning bells still announce the new day and bring to a close the Boka twilights with their pealing.

Christenings include the few, but still there, still real, children in the community of the Church. More than the finger in the sea, this drop of baptismal water introduces them to planetary citizenship. The signs of religion by which the Croatian people was once recognised, by which it acquired kin, are still there. The doorsills of the churches of Boka become what the church threshold has always been in hard times, not the border between heaven and earth, but a line across which the laws of enforced constraint do not run.

The exhausted reserves of topics for political and social dialogue have not at all broached the treasury of life topics and proposals that the Church has stored and is once again reviving. When situations are reduced to such clarity, when they are bared to such essences, then this no longer sounds like an apology for the faith, but simply as the evidence of the phenomenon. The Catholic enclave in Boka is a space in which, today, the Boka Croat and the European survives. It is an enclave in which those cultural signs and codes that can once again become the property of the wider historical space to which Boka might well belong in the future are alive. That is why it is worthwhile suffering and being patient, as long as there is some footing to keep the door open for hope. And the keys for the door are not in the possession of anyone of historical importance; the key-holder is out of reach of politics, scholarship, even human logic sometimes. Two thousand years of onslaughts were in vain. The guardian of the keys in Rome is just a sign of that one in heaven. Boka still bears witness to the existence of spaces that resist, even if painfully, in its last gasps, the onslaught of man on the values he himself proclaims, puts into practice and then attempts to overturn. Sometimes, indeed, he succeeds, but this kind of success is no sign of either human power or omnipotence. We are not left alone only when politics turns its back on us, but we are alone when, wilfully, consentingly, we turn away from the signs of self-knowledge. Only the spiritual area, among all other categories of life, has managed to ensure some kind of continuity, the others are mere chimaeras of the extent of the “glorious” and the “eternal”, and then again are ghostly.

Not long ago I was walking around Venice. It was a humid, rainy day. The rather unusual mist made it appear as if the forms and outlines of the city were dissolving, not only in the reflection of the sea, but in the asthmatic blue greyness of the atmosphere. The Serenissima melted in front of my eyes, as non-existent and lovely as a spectre. On St Mark's Square, no tourists and no pigeons. They had all found a dry nest for themselves for the afternoon sleep. The sadness I felt did not well up from the feeling of loneliness, but Thomas Mannish, from the presence of transience, which was outlined not less in the thoughts than in the heart.

The dying beauty of the city did not give way to the reasons of my heart. I gave way to the analogy imposed, wearing out my shoe leather on the *Quay of the Slavs*. And everything is not analogy; actually I recognised many things that were the same. This Venice was our capital city for almost four centuries.

The world still goes to see it, for the memory, for the beauty. Boka is hardly touched upon by a thought astray. Only the sun is just, for it heats without paying attention to the fate of the earth and the earthmen.

Venetians and Bokelians were nevertheless more of the sea than of the earth. The Venetians went by the long bridge to Mestre and beyond, becoming of the earth, the people of Boka sailed off one doesn't know quite where and so it is hard to know what they became. It seems it is easier to state what they left. But who is interested in accounts any more? Haven't we yet detached ourselves from yesterday's way of experiencing history? The myths left those mountains as far back as later Antiquity, so that some neomythology could be planted today. The last legends were told at the end of the last century. Both Marquez and Borges would have come out losers. Neither Sparta nor Athens, neither Prometheus nor Orpheus. In Boka, life was different and more ordinary, much too ordinary for today's plans. Collective interest in it ceased. It is there still only in rare individuals who are mutually linked by sadness that the accursed gift of recognition always bestows.

Nostalgia for the small-scale and intimate background made itself heard only when we had managed to lose it. Dante so long ago warned of the danger and the greatness of the loss of the intimate home country. The wisdom of the exile is acquired with expulsion, coming, then, too late, like Hegel's owl of wisdom.

It comes when you have already forgotten the taste of salt and iodine mixed in the gusts of the autumn sirocco, it comes when you are no longer capable of calling up a picture; only the unspeakable feeling of recognition mediated by the most banal of details.

Oh yes, everything in Venice is getting identifiable, here are the models, your little Atlantises. But it brings no comfort. Our grandfathers arrived strutting on the decks of brigantines cram packed with all kinds of titbits and fancies. Holds full of Montenegrin livestock, Greek cheese, tallow candles, Tivat cattle, silk from Istanbul, Kotor rifles, heavy with silver. The purses full of ducats and thalers they would drop in at their school, *St George and St Tripun*, to pay some Don Pero or Don Marko from Perast or Prcanj for a fat candle or a mass. And on the Square of St Mark, everyone looked with respect at these captainly figures in their strange suits of black silk with gold embroidery, the obligatory ring in the left ear.

But what it must have been like when the awe-inspiring Perastians came to receive or return the banners of war. The doges themselves would be impressed. Today, the newcomer of a little Venetian looks at groups of Asians decorated with all kinds of electronic marvels, bags full of cheques and yen. Who, in this crowd, would be capable of picking out the descendants of the once respected captains, allies in once hard and vital battles, from Lepanto to the Morea. Who? There is no continuity where there are just wishes, rather where life is undergoing renewal and confirmation. There is comfort in the thought that, if you don't have the continuity, at least you have the exclusivity of death. That at least has stayed, irrespective of changes of consciousness in history, an exclusive moment of incontestable dignity.

The dignity of death is a point of crucial vitality. In the concept of the genesis of barbarism, it is completely clear on which side the advantage lies. Neither Attila nor Genghis Khan was saved by the concept.

Neither them, nor their works, which do not exist anyway, save for some lines on maps of history. Perhaps in Atahualpa's death there was more historical meaning than in their campaigns of conquest. If life were clear in its barbarian genetics, we would have no need of literary or cultural questioning.

The dénouement to the South Slav (Yugoslav) story, no matter how great the price, has nevertheless ascertained certain characteristics of people and their level of civilization that were unclear a short time ago. These characteristics are mutually exclusive as poetics, invalidating not their own but others' poetical points of reference. This is why they were impossible in terms of unity, though not of neighbourhood. Yes, for it is precisely in the poetic source, in what conditions memory, which gives shape to the perception of time, the flickering of emotion, in this source the ability to mix and combine should be sought. Perhaps by churning oil and water you can, over a long period of time, get some new emulsion, but the unprofitability of the experiment is shown by the unwillingness of anyone to date to embark on the hundreds and thousands of years of effort for the sake of some uncertain and perhaps completely worthless result. Communication among different histories is possible only where there is communication among different poetics.

In this intellectual context, Boka entered into its historical paradox. This paradox is the fruit of political violence, as are most historical paradoxes. There is little comfort to the short duration of biography in the idea of time as the great physician of history. Patience is nourished properly only on dreams, and the stronghold of dreams is that childish poet in us, to whom the world, in spite of the assorted odours of life, is nevertheless fragrant of the ozone of extreme youth.

That is why it is possible to walk forward going backwards – that is why it is perhaps only possible to travel through life this way – *Amarcord*-style.

Boka Kotorska has a peripheral position within the world of Mediterranean and western civilization. At the beginning of our century, it had all the characteristics of a country that combined the heritage of Venice and the orderliness of Austro-Hungary. In the context of the great agendas of civilizations and states, Boka did not in the least

lose its own local colouring, its distinctiveness, or the characteristics of its provincial civilization. The unifying design of Yugoslavia, and then of communist Yugoslavia, showed itself totally incapable of recognising and preserving the plurality of civilizations that it found.

Quiet death was the only dignified choice, the exodus of an entire civil perspective. House after house closed down, and in the end not even most of the graves could look forward to new arrivals.

The sensibility of the time does not suit the little, and so the small remnant plods on from day to day, reduced and reconciled to the fate that has long ago announced its work.

And so... on Piazza San Marco and Vienna's Stefansplatz, it is still possible to feel something of the intellectual atmosphere, that ethereal fragrance, that through the millennia instilled into the humanity under those mountains one of the most miraculous of Adriatic consciousnesses, taught through the generations, expanded and refined in trials no less than in joys. Life was an enterprise, an enterprise of virtues. The ethics of living was also its aesthetics.

The future is by definition an unknown quantity, the only credit we can draw on it is hope. The geographical future of Boka is provided by geology – the quality of the stone and the sea – but the future in terms of civilization is an unknown with no credit terms.

Hope's point of reference is the dream, memory the nourishment of dreams. Those who retain the memory are small in number, which leaves the question of Boka unresolved. The seclusion of the bay that was haven and refuge becomes the seclusion of a local history that its builders have left, setting off over the seas like Tolkien's elves to lands on the other side of the great waters.

There is no longer anyone to knot the dowry mazes of Dobrota lace; oblivion has deafened Stoliv's churches, in which the charming local coral twined; the *torte* of Perast is hardly put onto two tables; the last artichokes of Tivat died out in the gardens a year or two ago; the numerous linguistic varieties and local speech colour have been made all one in the hillman's heavy phrase; Italianisms have melted into Serbianisms; the cellars into garages; the *ponte* into bathing places.

In the now long-gone thirties, Katalinic-Jeretov wrote in a little poem on the theme of Boka:

*The palaces are empty,
step by step are collapsing
into our new
and free days.
On the Church is standing
a record of your soul
and praying to the Lord
that the sun comes out for you.*

Compared with the questions that the end of this millennium is asking us, compared with such enormous questions and uncertainties, perhaps someone might think my question about Boka is insignificant and without any personal meaning. Meaning is in the end after all a question of interest. More than once it has been necessary for someone or something to be dying, or actually to die, for the interest of the world to be awoken. Perhaps this conceals the answer to the meaning of the slow dying of Boka. Perhaps in this recognition it will be justified. In the indifferent chronicle of historical events, the only meaning that is added remains, whether we want it or not, our personal intervention on behalf of unforgetfulness.

Postscript, 1999. Looking into my own writing, I have attempted to work my way through to the nostalgia and pain that prompted it. Eight years of swimming through the ocean of Balkan blood and tears have redirected my thoughts and feelings towards the hills; the Mediterranean horizon has closed. Nothing has come from there, nothing put out to sea. Everything has gone along the hills. The stone and the dove, the karst of Bosnia, of Montenegro, the geological substrate of Kosovo. Who has the time to deal with quiet deaths any more? Does the barbarian have its own aesthetic? If it has, we have forgotten, we have not learned to recognise it. The only thing we know is that the bottom has various levels, and isn't it all the same when above you there is a slab that hides every cosmic scope?

There is no longer any help in the same shape of the landscape, the same spur of the ozone after the rains of April and October. The smell of iodine in the morning walk along the shore no longer brings Tripoli or perhaps Barcelona to mind, only blood. There is no apprehension, nor is there reconciliation; for peace, surrender is required, for apprehension, fear. Deprived of one and the other, I can only look from the bottom of my grave up to the darkness of the slab. And it is only a few vague feelings of curiosity that can annul the total despair of this sojourn in the gloom. I don't know whether they are directed to the bottom on which I stand, which can be still deeper, still more abyssal, or towards the firm crag that has set itself down on the peaks of the mountains of Boka and turned the fiord into a grave. The only artefacts inherited are bones, parental bones, it is true, or grandparental, but the bones of former fates, one's own fate is no longer found there, no longer even sought. Only the colours and scents resist the state of affairs, it seems quite all the same to Flora; red is still red, green is green, from the maquis the wormwood stirs ruthlessly and recalls with its rough scents the passions that it once awoke. The cellular phones, monitors, computers, pale drawn fashion details from the marketplaces of Paris and Milan, the phoney McDonalds hamburgers with the dash of Bulgarian ketchup do not manage to recall that there is some planet Earth, on the contrary, it is as if they make it further than it is, flickering on the vaulting of this darkness like the stars of some unknown galaxy. And the flaccid hands they touch do not express any conviction that some other life is possible any more. Is it possible? Will stumbling through the dusty collections of archives reveal the truth, and are the documents written to bear testimony or to pull the wool over our eyes? Words are spoken, sentences formed, but only as some sonic sensation in the structures of exhausted sense and faded meaning. We look each other in the eyes and shamelessly pretend to believe in what we hear and to understand what we utter. And yet it is all just sound, language is a sonic backdrop with no intention of meaning anything, only of radiating its static and reminding us that we are not yet dead, but not alive in that sense of the word life they once taught us.

There is still weeping at the funerals, and it is only in the grimaces you discover the pain is not quite sincere, as if there is some kind of relief, the flash of a thought that demise is the only genuine state that is still available to you. Pain is being increasingly transformed, as oncological or psychological case, into a mere medical category. Where we once believed, we can now recognise only a calm without reflection or image, uncertain whether it is a matter only of temporary anaesthesia, oversaturation, or perhaps some false assumption or theorem that the soul could suffer as well, and not only dully bear. That sophisticated technological birds flew our skies and that tents were pitched on our fields by thousands of starving refugees has not in the least changed the geography of the grave, still less have the visits of Martians got up as journalists and politicians. Only someone who is in the grave knows that he is there. To the worm and the fly he is just a space of passage. As corpse, no one has the question of life forced upon him; no one is more deprived of answers than the dead. That is why they are dead. No single ethical category is present in death, i.e., in it, they are all *précised*, sucked into the black gravitational hole of Thanatos. Is there any point in asking what lies on the other side? And yet can one keep silence while the throat still keeps on articulately emitting a, e, i, o, u? We put together vowels and consonants in ostensible thought-sets, wanting and hoping that they will in time become them. Without a care that our worn-out soul may or may not recognise them. And this articulation, this desire for it, is the only energy that remains when all the processes of history converge upon crime. Whether it will be enough for something new, if even perhaps something worse, we cannot answer from this position. Waiting is our only form of existence and the tension it produces is the only testimony that we are not completely dead. This would be enough for a poignant chiasm, but someone once said that the future is not what we know and expect, but the unknown that is expecting us, and it is onto this thought that we fasten all our hopes.

Kotor, August 20, 1999

II. Views and Commentaries – Events, Challenges and Conflicts

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A Swallow, Not The Spring

Transition in Croatia and its impact on stability in South-East Europe

After Tudjman, the new, pro-Western Government was elected, along with the new President, set on democratization and reforms. And, reforms are already on the way. Rigid authoritarianism, crony capitalism, nationalism verging on racism – these pillars of Tudjman’s policy – are being dismantled day by day. However, the viability of the new government and its benevolent policies are far from being secured. The impact of Croatia’s democratic upsurge over the other countries in the region also deserves some deliberation.

Let us deal with the regional impact first. Tudjman’s absence, and the subsequent meltdown of the ruling party, is most strongly felt in the neighbouring Bosnia-Herzegovina, where Zagreb-sponsored Bosnian Croat nationalists have resisted or obstructed the full implementation of the Dayton peace accord for years. Not only have these hardliners – assembled in the Bosnian branch of Tudjman’s Croatian Democratic Union (HDZ) and concentrated in western Herzegovina – prevented the return of Muslim and Serb refugees into their territory and obstructed the activities of the International Criminal Tribunal for War Crimes; they have also used their veto right in central executive and legislative authority to block any moves towards Bosnia’s centralization, thus creating their own – albeit illegal – statelet in Herzegovina. Without Zagreb’s political and financial backing, Bosnian Croat resistance to reforms which would make Bosnia a viable state is expected to weaken.

However, it would be too much to expect that the Bosnian branch of the HDZ would simply break up to pieces, just like its mother-party in Zagreb. Unlike their brethren in Croatia, Bosnian Croats are politically and ideologically compact, and now, under threat, their first move will be to move closer together. They may have enough stamina – and money – to do well at the local elections in Bosnia, scheduled for April. Some say that all politics is local, and nowhere it’s more true than in

Bosnia, where the cumbersome and ineffective central authorities – both Bosnian and international – often fails to address local problems. Eventual victory in western Herzegovina could easily help the local HDZ to hold on for at least another year. Meanwhile, additional sources of funding can be obtained, most notably among the Croatian diaspora in Western Europe, USA and Australia. The emigrants – many of them originating from Western Herzegovina – mostly share the HDZ ethnically exclusive cause; they are also rich enough to provide the necessary funding to keep the HDZ in the field for quite a while.

Moreover, the Bosnian HDZ can also count on tacit support of hardliners from two other ethnic groups – Serbs and Muslims – in its time of need. Even during the war, Bosnian Croat and Serb separatists worked together to destroy what they believed was the Islamic state in the making. After Dayton, a political alliance the HDZ and the Serbian Democratic Party (SDS) was carefully maintained in order to keep the Muslims at bay. The SDS has successfully survived the removal of Radovan Karadzic from Bosnian political scene and severance of ties with Belgrade. There is no reason why HDZ would fail to do the same. And as for the Muslim ethnocentric party, the Party of Democratic Action (SDA), they nominally stand for unified, multiethnic Bosnia. In real life, however, many elements within the SDA are perfectly content with being the top dog within the Muslim-dominated part of Bosnia, and they feel reluctant to break the existing ethnic lines. They, too, would be delighted to see the continuing HDZ domination in Western Herzegovina, so that it remains a plausible excuse not to make any concessions on their part.

Of course, much depends on the policy of international community in Bosnia, most notably the Office of High Representative (OHR), the chief supervisor of the Dayton accord. So far, the OHR's attempts to break the monopoly of nationalist parties in Bosnia was only partly successful, and an effort to put Bosnia's corruption-ridden economy on its feet has largely failed. The change in Croatia opens a window of opportunity, but it can only be used as a part of a broader, strategic plan to dismantle the "unholy alliance" of the nationalists. Cracking down

on smuggling and other illegal sources of funding for the nationalists may prove to be a better tactics than high-profile political meddling into local affairs, such as removing the HDZ candidates from election lists or shutting down their media. Otherwise, Bosnian Croats may rally even tighter around the HDZ, at least for a while.

The effects on Croatia's other neighbour – the rump Yugoslav Federation of Serbia and Montenegro - are of less direct nature. Contrary to official lines of both Zagreb and Belgrade, the relationship between Tudjman and Slobodan Milosevic was a complicated form of symbiosis. It is now widely known that both men worked together on dismembering Bosnia, but their partnership ran deeper than that. They both shaped their political beliefs within the Communist party of Yugoslavia, and they shared the same contempt for democracy, basic human rights, and even common decency. They both struggled to make their respective countries regional powers, and they used largely similar methods to achieve it. The only basic difference was that Tudjman was a true believer in his own "historic mission" in Croatia, while the more cynical Milosevic only used history and nationalism as a vehicle to cling to power, but they still deeply understood and respected each other. If Tudjman's death was a blow to anyone in Serbia, it must have been Milosevic.

Yugoslav government's reaction to Croatia's election result was a textbook example of hysteria: denial, followed by rage. At first, the government refused to even comment the event. "Croatian elections are of no concern to us," said Goran Matic, the Yugoslav Information Minister. The silence was soon replaced by vicious attacks against Croatia's new government, aimed mostly to discouridge the Serb refugees to seek repatriation in Croatia.

Serbian opposition took the news enthusiastically, seeing it as an omen of similar scenario in Serbia. However, even leaving aside the fact that Milosevic is unlikely to depart from this world any time soon, the change in Serbia is far from being imminent. Despite similarities between Milosevic and Tudjman, the internal structures of their regimes were fundamentally different. One of the reasons that the transition in Croatia was possible is that it had already happened ten years ago,

when Tudjman's party replaced the communists after first fair elections. There was no such change in Serbia: Milosevic has more than 50 years of communist rule behind him, as he has inherited the whole structure that was there before him. As a result, the Serbian ruling party is much more deeply entrenched in society than the HDZ ever was, and is less likely to be removed so easily. Milosevic has already demonstrated that he is ready to use any amount of force in order to stay in power. And even if he himself was gone, his immediate inheritants – most notably Milosevic's power-hungry wife, Mira Markovic, and his ultranationalist partner Vojislav Seselj – would not refrain from bloodshed in order to avoid the transition in Serbia.

However, it would be rash to conclude that the change in Croatia is of no consequence to Serbia. Although the effect is largely symbolic, symbols play an important role in politics. Croatian opposition has proved that it is possible to make a change provided they're running within a single block. This is a powerful incentive for the fragmented Serbian opposition, which has recently undertaken steps towards a more unified approach. The fact that the Serbian opposition leaders have already established relationships with Croatia's new administration is also an encouraging sign, although the fruits of this effort may take some time to become visible.

In Montenegro, where the pro-western government of Milo Djukanovic has already established links with Croatia, even more warming-up can be expected. Croatia and Montenegro have common interests of resolving the issue of the disputed Prevlaka Peninsula, and also in joint development of tourism, since they hold adjacent stretches of the Adriatic coast. However, considering the small size of Montenegro and the considerable presence of Milosevic's troops there, anything more would have to await better times.

At last, let us examine the prospects of Croatia itself. Although the new government of Ivica Racan, and the new President, Stipe Mesic, both enjoy popular support, democracy in Croatia is not yet cement-

ed. Much is expected of the new administration, both within and outside the country, and these expectations will be hard to meet. Racan and Mesic inherited a huge foreign debt and the unemployment rate of some 20 percent; switching from Tudjman's crony capitalism to real market economy will likely be painful, and almost certainly unpopular if it includes more layoffs and reduction of social spending. Repatriation of Serbian refugees – something that Racan and Mesic have both pledged to facilitate – will meet some resistance as well. And finally, the enhanced co-operation with the war crimes tribunal, which likely includes delivering some celebrated “war heroes” to the Hague, may rub additional salt into a wounded national pride.

It is unlikely that the new administration – which is composed of two large and four small political parties – can stand such pressures without substantial foreign backing. If Western words of praise are not followed by some serious investment programmes and with emergency aid for Croatia's social services, the the ruling coalition may fall apart at first signs of public discontent, paving way for yet another reversal of policies. In that case, the region shall be dealing with a younger, more virulent version of Tudjman, and those gloom-and-doom prophets may turn out to be right, after all.

Ivana Zivkovic and Lidija Popovic
**Report on the Media in the
Federal Republic of Yugoslavia**

Summary: 1999 was clearly the toughest year for the independent media and journalists in Yugoslavia. Unfortunately, one has to add “so far.”

The Belgrade regime was, undoubtedly, aware that the Kosovo conflict would be fought and won in the media arena. Silencing all the domestic and foreign critical voices and entrenching the state-controlled propaganda machinery, was therefore of utmost importance for the regime to create enough maneuvering space to explain, in its own words, the politics of repression in Kosovo and the negotiating strategies of the Government.

The introduction of an unprecedented Public Information Law in October 1998, the draconian fines under its provisions and the deliberate denial of frequency-licences to the media dedicated to objective and professional reporting, was just a “legal” preface to what was to follow after the declaration of the state of war and the beginning of NATO air strikes against Yugoslavia, both in the fields of human rights and freedom of expression. The shutdown of the electronic media, the imprisonment of journalists, the intimidation of individuals, forced mobilization, censorship, the compulsory leasing of frequencies to the state-run media, the overall atmosphere of fear, the strict ban on using reports from foreign media and the expulsion of foreign journalists, can be considered almost mild measures, compared to the assassination of the publisher and owner of *Dnevni Telegraf* Slavko Curuvija and the crippling of the Editor-in-Chief of the Republika Srpska-based *Nezavisne Novine*, Zeljko Kopanja, in a bomb blast. The perpetrators of these crimes, which targeted journalists known for their criticism of the Belgrade regime, still “remain unknown.”

According to the annual report of the Association of Independent Electronic Media (ANEM), five journalists received jail sentences for criminal offences during 1999 (one of them is still serving his sentence)

and several others received jail sentences for misdemeanours. Fines imposed under the provisions of the Public Information Law add up to more than 16.5 million dinars (2.750 million DEM at the official exchange rate: 6 dinars per DEM). Ten radio and television (RTV) stations were banned and Belgrade independent stations have been jammed for almost six months. The fact that independent media still exist in Serbia is close to a miracle, given the circumstances. The forecasts for 2000 are grimmer than ever, judging by statements from regime officials and the broad implementation of the Public Information Law against the media.

The stakes in the Information war are high. The repression of the media and the different tools the regime used to gain exclusive access to the minds of the people, in accordance with political developments in the country, are divided in this report into three parts: 1. The pre-war period (before the beginning of NATO air strikes on March 24), 2. State of war in the country and 3. The post-war period. Given the fact that it would not be possible to list and analyze all cases of repression, we will highlight some of the most characteristic strategies.

1. Preparation for the war. The signing of the Milosevic-Holbrooke agreement on Kosovo (13 October 1998) and the introduction of the OSCE Kosovo Verification Mission in the province was soon followed by the decision by the Serbian Parliament to adopt the draconian Law on Public Information on 20 October 1998. President Milosevic pushed it through Parliament, using the threat of possible NATO air strikes as an excuse to crack down on the independent media. The vote was 170-5, with Opposition legislators staying away in protest. On 30 October, an independent union of 600 Serb judges denounced the measure as 'unconstitutional ...reminiscent of the times of violence and lawlessness,' as Associated Press reported.

Prior to the adoption of the Public Information Law, the Serbian Government had already stepped up its assault against the independent media. Police staged raids on at least three newspapers and several radio

stations, confiscating their equipment and shutting them down. Deputy Prime Minister Vojislav Seselj, president of the ultranationalist Radical Party, threatened to arrest journalists and seize foreign hostages if NATO bombed the country. He also identified specific Editors as 'collaborators and traitors'. State-run news was extended by an hour during which patriotic songs and jingles on Kosovo were broadcast. Behind the scenes, both sides were preparing for war.

Affecting only Serbia, not Montenegro, the Public Information Law is considered to be the most repressive in Yugoslavian history. Major provisions call for the censorship of all media, a ban on all local rebroadcasts of foreign news programmes and heavy fines. Broadcasting without a licence can bring a penalty equivalent to \$10,000. The law generally offers only vague guidelines as to what constitutes an offence, and judgement is swift. A Serbian magistrate can bring a news organization to trial – arbitrarily deciding that, for instance, a report on fighting in Kosovo might disturb the populace or threaten national security – with 24 hours' notice. The organization has another 24 hours to prove its reporting has not violated the law. If convicted, the organization must pay \$41,000 to \$82,000 for each individual accused of having committed a reporting offence. In the independents' world of low or no profits, these are impossible fines. If unpaid, they result in closure and the seizure of all assets.

In an overview of the first five months of the imposition of the information law, the FREE 2000 Committee, an international NGO for the protection of media freedoms in FR Yugoslavia, reported that the overall sum of fines against the media in FRY during this period amounted to 14,321,500 dinars (2,386,917 DEM). The committee emphasized that the publisher and Editor of the daily *Dnevni Telegraph* and the weekly *Evropljanin*, Slavko Curuvija, had to pay the following fines for articles published: 2,400,000 dinars on 24 October, 1998 (*Evropljanin*), 1,200,000 dinars on 9 November (*Dnevni Telegraph*) and an additional 450,000 dinars on 9 December (*Dnevni Telegraph*). The late Mr Curuvija and two other journalists were also sentenced to five months imprisonment, according to Serbian criminal law. On 7

November the Montenegrin weekly *Monitor* was fined the highest possible penalty according to the Act, totaling 2,800,000 dinars. The Kosovo Albanian daily *Kosova Sot* was fined 1,600,000 dinars (12 March, 1999), and the other dailies *Gazeta Sqiptare* and *Kombi* on 16 March and 21 March, respectively. The Albanian Daily *Koha Ditore* was fined 520,000 dinars on 21 March, just a few days before the beginning of the bombing. According to the sources of *Slobodna 2000*, all these newspapers have declined to pay these fines, which has handed the regime the excuse to stop further distribution of these publications in Serbia.

Since its official introduction, this Public Information Law has been sharply criticized by almost all international organizations active in the field of freedom of expression and human rights, including the UN Security Council, which called it “incompatible with the standardized guarantees for the freedom of speech, treated in the International Charters regulating this issue.” Again, unfortunately, with no concrete results.

2. State of War. (Excerpts from the 1999 Annual Report of ANEM widely used in this section)

On March 24, NATO launched its air strikes against Yugoslavia. Wartime decrees were imposed. Hundreds of thousands of ethnic Albanians fled Kosovo. Following the 24-hour air raids, Yugoslav President Slobodan Milosevic accepted the status of *de facto* international protectorate for Kosovo. The then NATO Secretary General, Xavier Solana, officially halted the air strikes on June 20.

With the beginning of the NATO bombing campaign, the Kosovo and Yugoslavian crisis entered its most calamitous stage. In the media sphere, the Public Information Law was fortified with wartime decrees.

The Serbian Ministry of Information issued “Instructions for the operation of news agencies and media outlets in the circumstances of the imminent threat of war”, imposing substantial limitations on the work of journalists. Among other things, Editors-in-chief of all the media were ordered to attend daily briefings with officials, while all

journalists were called upon to “serve the current interest of the state.” NATO forces were to be referred to as “the aggressor” and it was strictly forbidden to report on casualties among the army and police. Despite the fact that these limitations were to be expected, considering the situation, and were introduced on the basis of the constitutional provisions according to which “the freedom of expression may be restricted in a state of war and a state of an immediate threat of war”, the instructions were extremely vague and the consequences of non-compliance were unclear.

The most shocking and terrifying event occurred in Belgrade on Orthodox Easter Sunday (April 11), when the well-known journalist Slavko Curuvija was murdered under circumstances that still remain unclear. State-run Serbian television, *RTS*, failed to report on this murder. Shortly before the assassination, Curuvija was called a “national traitor” by a hardline pro-government daily, *Politika Ekspres*, along with some other opposition journalists. Regardless of “who gave the order” for this assault, the fact remains that the regime often used “the case of Slavko Curuvija” in order to “discipline” all other independent journalists. Serbia was whispering about the alleged existence of the “death squads.”

In Kosovo, the last remaining independent daily *Koha Ditore* was forced to shut down after a violent police raid (March 25).

According to the ANEM 1999 Annual Report, the once powerful public opinion in Serbia, which protected independent media on many occasions, lost any interest in any topic apart from the bombing, and a test case for the regime was the closing down of Radio B92, the most influential independent broadcaster from Belgrade and the arrest of Veran Matic, its frontman and the chairman of ANEM. The event took place only hours after the NATO Secretary General announced that he had given the command for the air strikes to commence in the night from 24 to 25 March. Radio B92 staff continued working on its Internet site, which had one million hits per day, until the station’s complete closure on 2 April.

The banning of B92 and Veran Matic’s arrest, which only lasted for several hours, were intended to be a strong message from the regime

to all independent media, especially broadcasters, ANEM continues. By closing the biggest radio station and arresting the “NATO general”, as he was referred to by the state-run media, the regime left no hope of survival for smaller independent media outlets unless they “co-operate” in some way. The only possible moment when the regime was able to do such a thing was the dawn of the NATO’s war against Yugoslavia, and the regime seized that moment. Most of the foreign reporters were expelled from Yugoslavia. They were soon allowed to return and report under the strict control and guidance of the authorities, which excluded their presence in Kosovo.

Arresting journalists was also one of the techniques of intimidation. The Editor-in-Chief of TV Soko from Soko Banja, Nebojsa Ristic, a member of ANEM, was sentenced to one year’s imprisonment for hanging a “Free Press” poster against the Public Information Law, after his RTV station was shut down because of, officially, not having a licence for its transmitter (26 March). He was sentenced by Soko Banja District Court for “disseminating false information” under article 218 of the Serbian penal code. As this report was being concluded, despite numerous appeals, Mr Ristic was still serving his sentence. The Editor-in-Chief of the *Nin* weekly, Stevan Niksic, and columnist, Dragoslav Rancic, were held in solitary confinement for some 30 hours (26 March), because “some very influential people” were angered by an article written by Mr Rancic, despite the fact the Ministry of Information had approved the entire issue of the magazine. Both journalists were released and later received an apology from the Ministry.

Another form of repression was drafting independent journalists into military service. No one can claim that all journalists from independent media were drafted only because they were journalists, but for some there is no doubt that the fact that they were in that profession contributed to the military deciding to draft them. The strongest evidence for this is that regime media journalists were rarely drafted, because “they served their country through their journalism”. Failure to comply with the draft in Serbia meant an almost certain prison sen-

tence (measurable in years, not months) if and when a conscript was caught, and that only after serving in the military, i.e. the war. The average percentage of drafted journalists working for ANEM affiliated radio stations was 30 percent.

This method was broadly used against journalists in Montenegro. The Belgrade government was infuriated with the fact that, following the strong condemnation of Milosevic's policy in Kosovo by the pro-Western government of President Milo Djukanovic, NATO targeted only a few Army installations in this small Yugoslavian Republic, while Serbia was heavily bombed. Nebojsa Skenderi, journalist of the Podgorica-based independent radio station *Antena M* explains: "Independent media in Montenegro were almost 'out of reach' for Belgrade government. Nevertheless, Montenegrins were also obliged to go to the Yugoslavian Army, if called on to do so. The army attempted to draft almost every male journalist. *Antena M* was reporting professionally and in accordance with the situation at the time, so we had no serious problems, apart from the common 'cat and mouse' games with the military police trying to draft my colleagues and myself. However, some media, like *Free Montenegro*, were too precise in their reporting on the positions the Yugoslavian Army troops were holding around the capital, which was perceived by the army as 'giving away confidential information' ", Skenderi explained for this report.

According to an overview of media repression in Yugoslavia , published in the International Press Institute (Ipi) book *The Kosovo News and Propaganda War*, on 14 May, a military court in Podgorica brought charges against two journalists from Radio *Free Montenegro*: its Editor-in-Chief, Nebojsa Redzic, and Miodrag Perovic, founder of the weekly magazine *Monitor* and Radio *Antena M*. "The two had to leave the country. Redzic even applied for asylum in Italy. They returned to Montenegro when the situation was no longer critical", *Antena M* explained and continued: "It is important to emphasize that the Montenegrin Government was trying to calm the situation and not provoke the Belgrade authorities. However, police loyal to President Milo Djukanovic were sometimes "sent to 'guard' the media from the Army", Nebojsa Skenderi said.

One of the regime's methods of repression against independent media was the compulsory lease of frequencies and broadcasting equipment from independent broadcasters on behalf of the state broadcaster, *RTS*, as well as compulsory broadcasts of *RTS* news bulletins on all electronic media in Serbia. Both of these restrictive measures – illegal even when taking all wartime decrees into consideration (the rebroadcasting order came either from the military or from the Federal Government) – were a consequence of NATO targeting state television transmitters, which could not have been repaired during the bombing campaign, and, unfortunately, also the *RTS* studios in Aberdareva Street in Belgrade (23 April), which claimed the lives of at least 16, mostly young, *RTS* workers. NATO's explanation that media can be considered a legitimate military target, sparked numerous reactions worldwide. The OSCE Representative on Freedom of the Media, Freimut Duve said: "In my opinion, it's disputable whether transmitters should be destroyed, but journalists and civilians, of course, should not be targeted", Mr Duve stated.

Since the regime turned to the transmitters of independent broadcasters, they were placed in a very poor position – to choose between being closed down, having equipment seized, or giving some of its frequencies with equipment to *RTS*. Some stations were shut down because they didn't have licences, the others for not having paid frequency fees (even though some stations didn't have licences, it didn't stop the Ministry requesting fees), and some due to "the use of equipment against the interest of national defence". Generally speaking, the regime closed down all stations which did not agree to compromise with it and which remained on a strong independent course of reporting, informing the public on the Kosovo tragedy of the ethnic Albanians, rebroadcasting foreign programmes and using news supplied by foreign news agencies (Reuters, AP, France Press etc). The campaign, with some exceptions, began at the very onset of the war. According to ANEM data, beside *Radio B92*, the following stations were closed down during the war: *Radio 021* from Novi Sad, *VK I* and *VK II* Radio from Kikinda, *Radio Senta* from Senta, *TV Soko* from Sokobanja (27 March), *TV Cacak* from

Cacak (3 April), *Radio Jasenica* from Smederevska Palanka, *RTV Devica* from Smederevska Palanka and RTV from Lisovic.

Some stations decided to close down themselves, because there were absolutely no conditions for the usual course of their independent reporting and because experience showed that equipment seized from banned broadcasters was (illegally) given to *RTS*, and used for the dissemination of state propaganda. *Radio Ozon* from Cacak (2 April), *STV Negotin* (18 April) and *TV Glas Obiliceva* (22 March) were among the stations which made their own decision to close down in order to keep their equipment safe. Also, on 2 June, FoNet news agency decided to cease work because of “unbearable conditions make any kind of professional work impossible”.

Concerning the problems of printed media, at the beginning of October 1999 a conference in Montenegro, sponsored by the OSCE, was intended to allow Serbian, Montenegrin and few Albanian journalists to discuss their coverage of NATO’s bombing war over Kosovo, its causes and its aftermath. Dragoljub Zarkovic, Editor of the independent weekly, *Vreme*, answered these critics: “Refusing to publish would be considered defiance under the circumstances”. Government threatened to close down any paper that did not publish It would have been a terrible mistake if *Vreme* had been killed”, Zarkovic said. Veselin Simonovic, Editor of the independent daily *Blic* stated that independent media, even under state-imposed censorship, did not indulge in the hysterical, jingoistic and aggressive language that state-run media were using. “Independent journalists drew a distinction between popular, patriotic anger about the NATO bombing campaign and support for Milosevic,” Simonovic said. He added that: “These outlets were publishing NATO statements and Western reports about events in Kosovo, including stories about mass graves and Western estimates of the number of dead.”

Given the dramatic financial situation even of those independent media (above all broadcasters) which continued to work throughout the war, we dare conclude that the period of the NATO air campaign devastated the independent media scene in Serbia, leaving it in desperate need of any aid it can get. According to the data released by the Inde-

pendent Journalists Association of Serbia (NUNS), 70 percent out of its 1.100 members have factually lost their jobs and incomes since the Law was introduced (October, 1998) till the State of War was in power (June, 1999). The situation within state and pro-regime media is not much better, since a lot of people were fired or suspended for financial reasons during the NATO air strikes. According to NUNS reports, 80 percent of those freelancing in Serbia earn less than 200 DEM per month and their honorars are usually late for more than three months. The remaining 20 percent, who can earn their living from their journalistic experience are mostly those who had started working for the foreign crews, due to their good connections and the knowledge of foreign languages. "Situation is getting worse and worse, journalists are cornered, but according to my opinion, the worst is yet to come", says Gordana Janicijevic, a member of NUNS Executive Board.

3. *The post-war period.* (Excerpts from the 1999 Annual Report of ANEM widely used in this section)

Media, censorship and the state: what lessons can be learned from the 78-day period of controlled information, and what is the purpose of "victory" if there was no feeling of freedom among the people, even on the very day peace was sealed (between NATO and the Yugoslavian Army in Kumanovo on 9 June, 1999).

At the time, media reporting was still in direct connection with the national interests of the country. The media had been devastated, bombed, exhausted in terms of finances and staff, while the general public was impoverished. The media now faced almost insurmountable problems, and traumas were deep. The people have had to lick their fingertips to determine where the wind was coming from. Everyone has had to find their own answers as to what happened in Yugoslavia, what the reality of the Kosovo situation was and is, what course Yugoslavia's renewal and reconstruction process will take, and how broken ties with the world will be repaired.

Censorship implied general rules and patterns for the media, while the state propaganda, trying to turn defeat into victory was unstop-

pable, illegal and even more dangerous than the censorship itself. At the point when the Yugoslav people needed an overall and deep consideration of its past, “destiny” and future, the regime still had a free hand to make such statements as, “Yugoslavia is continuing its development” or to refer to General Sir Michael Jackson as a “UN general”, instead of calling him a “commander of the NATO-run peacekeeping troops” (although UN Resolution 1244 did give a Security Council mandate to KFOR troops). For independent media, the process of data collecting on what really occurred was as risky as walking through a minefield during the period in which the state of war remained in force for almost a month after the air strikes were halted: the reasons for caution were more than obvious and referred to the fact that the regime – fighting for its survival with all its resources and might – continued to choke the independent and free media and bombard domestic public opinion with its propaganda.

The main propaganda pillar of the regime, the news programmes of the state-run *RTS* (above all its prime-time evening news) was crucial to the Government. Despite the fact that the bombing had ended, all RTV stations in Serbia received a directive from the Ministry of Telecommunications and Information that they had to carry on re-broadcasting the central information shows of TV Serbia. The best illustration of how far this went, is the fact that even Radio Belgrade’s third programme (for decades reserved only for intellectual debates and classical music), the audio version of the daily news programmes was introduced. During the war, nobody was able to publicly express their disapproval. But once the bombing was over, at time the state of war should had been called off, the number of stations which were meeting this obligation with unease was increasing. The media were desperate to regain freedom as soon as possible.

The Belgrade *RTV Studio B*, under control of the city government of Vuk Draskovic’s Serbian Renewal Movement (SPO), dared to break this imposed “co-operation” with *RTS*, but was soon “asked” to renew it for as long as the state of war was in power. It did so with a certain amount of appropriate grumbling.

The confiscation of the Banja Luka-based *Nezavisne Novine* daily at the Bosnian-Yugoslav border, equipment expropriation, the ban on TV *Mladenovac* broadcasts and misdemeanour proceedings against the owner of *Radio Senta* and *VK Radio Kikinda*, Zoran Malešević, are also examples of the regime's repression during the state of war situation.

As we already emphasized, only several weeks after NATO air raids ended, did the regime finally revoke the state of war decrees on the media. Despite the psychological change, along with some easing up of the legal possibilities for repression, the media situation did not "normalize" to a state in which freedom of expression was duly respected. And awareness of the need for "information pluralism" in the post-war media landscape was low.

During the war, the authorities appointed their men in Radio B92 (using the Achilles heel of many media in post-communist societies: unresolved and vague ownership status), so that the people who had made this station a globally recognized phenomenon and symbol of independent journalism in Eastern Europe are faced with the chaotic and politically arbitrary legal system of Milošević's Serbia as they try to claim back the radio station they had created themselves. But, not believing too much in a favourable outcome without serious political changes, and a political de-blocking of the judiciary, they have managed to find an alternative route for operating. The *B2-92* project was agreed with *Studio B* in Belgrade and the real *B92* crew started producing their broadcasts on 2 August, 1999. Soon thereafter, on 4 August, the ANEM Radio and Television Network was established again. *TV Soko* reopened, along with *Radio Jasenica* from Smederevska Palanka, *Radio 021* from Novi Sad and *Radio VK* from Kikinda. *TV Cacak*, *RTV Devic* and even *TV Piroć*, the first of the ANEM stations to be shut down in April 1998, are broadcasting again. Independent newspapers are back to pre-war circulation levels, with a strong independent editorial policy.

Among the non-regime media which survived and which could be heard in Belgrade, the most trusted electronic media among the citizens was *Radio Pancevo*, because even during the most difficult wartime cir-

cumstances – which were indeed even more difficult in this industrial city, targeted more heavily during the bombing than any other city in Serbia outside Kosovo – this radio station proved that it was both professional and that it had civil courage by distributing relevant information from all sides and all sources. *Radio Pancevo* survived too and reinforced its position and reputation among its listeners.

One of the side-effects of the past war is the “emptying” of the air over Serbia due to the to destruction of numerous transmitters and the interruption of the electric power system: in the long war nights without electric power, the citizens of Belgrade could listen on their transistor radio sets to various stations from Croatia, Bosnia and Herzegovina, Hungary, Romania and Bulgaria. The fact that competition on the air is a very serious business is proved by the fact, that somewhere in the vicinity of Serbia, a powerful FM radio transmitter was installed which made available to the citizens of western and north-western Serbia, and a considerable part of Voivodina and Belgrade a high-quality reception of programmes by the *BBC*, *Voice of America*, *Radio Free Europe*, *Deutsche Welle*, *Radio France International* and other international stations. This, of course, was not at all agreeable for the regime, because it is no secret that these stations were relatively popular during the war, which marred the image of the war the authorities “claimed to have a monopoly on”, the prescribed image of its causes, its course and its consequences. That is why the official newspapers were full of enraged commentaries that these stations were “dinosaurs of the Cold War”.

A large number of citizens of Serbia – bombed from without and oppressed and robbed from within – appeared not to care to listen to anyone’s “truth” anymore. That is why they sought delusive oblivion in “light entertainment”, but that is where the regime infrastructure awaited them again: the authorities in charge of entertainment in the media, that is, the musical and film stations such as *TV Pink* and *TV Palma* (owned by high officials of the ruling party) and *RTV Kosava* (headed by Marija Milosevic, daughter of the President of FRY). After NATO had bombed the skyscraper of the former

Central Committee of the Communist Party (which is now owned by Milosevic's post-communists) at the top of which were the transmitters of these stations, their programmes could not be seen or their range was significantly reduced. But they have put up new antennas on top of the destroyed building which means that the "production of oblivion" with cheap Latin American TV soap-operas and easy-listening music will continue.

At the same time, people living in inner Serbia, who were dissatisfied with the present overall situation, began to spontaneously direct their discontent at the regime in Belgrade. In Cacak, an important industrial city in central Serbia and stronghold of the democratic opposition, local authorities and citizens demanded of the telecommunications authorities that they enable broadcasting of *TV Cacak* again, or else, they said, they would do it on their own. What the citizens of Cacak were announcing had already happened further south, in the tourist resort of Sokobanja. The local authorities there – also members of Serb democratic opposition – removed the seal off the premises of *TV Sokobanja* and restarted free and uncensored broadcasts. *VK1*, the first independent radio station in northern Vojvodina also started working. There were similar examples in Nis, Kraljevo, Bajina Basta and other cities and towns around Serbia.

A spontaneous rally, attended by thousands, for example, was provoked in Leskovac by Ivan Novkovic, an employee of *RTV Leskovac*, a regime-controlled local media outlet in southern Serbia. Leskovac suffered a lot due to the NATO war with Yugoslavia, for many soldiers from that region were killed and crippled in Kosovo during air raids. Public dissatisfaction grew enormously once the bombing ended and people began to question whether these losses could have been avoided. Mr Novkovic was working as a technician in *TV Leskovac*, and during a basketball game transmission (Yugoslavia was playing Germany in the European championship in France), in the half-time intermission, he broadcast a pre-recorded statement in which he openly said what he thought about the catastrophic situation in Leskovac region and who was to blame. He also called on the peo-

ple from Leskovac to gather for a public rally a couple of days later, and a huge crowd of 20,000 people gathered for a rally on a scale never seen before in the city. The most dangerous aspect of the rally for the regime was the fact that it wasn't organized by any political party, but was rather spontaneous. The public invitation issued by Mr Novkovic via local TV was enough for a huge crowd to gather on the streets. He was fired from *TV Leskovac* even before the rally, and regime people from that town publicly labelled him a "NATO mercenary". Those attending the rally cheered he said: "I am not anybody's mercenary, I am no more than a ordinary, poor citizen!" Protests and rallies in Leskovac continued, and the police arrested Mr Novkovic the next day. A misdemeanour judge sentenced him to 30 days imprisonment for "organizing an unapproved public meeting". Mr Novkovic served his sentence and rejoined protesters after 30 days. Criminal proceedings have been initiated against him by Leskovac district authority for the "misuse of official post".

It is necessary to stress a potentially great danger for all independent broadcasters – an action by the Federal Ministry of Telecommunications, which is requesting payments of frequencies fees for the postwar period, threatening that all stations which do not pay will be closed down. Moreover, the Federal Government has passed a decision after the war that all stations which "contributed to national defence" during the war shall be relieved of the obligation to pay those fees. The compiling of a list of such stations is left to the Ministry itself. This hands the Ministry a powerful weapon for disciplining the stations since, during the war period, if a station had compromised, it would be relieved of its debt; if not, the fee would be charged and the station banned.

At the end of September 1999, repression against the independent media not only continued but picked up pace and brutality as protests organized by the (opposition) Alliance for Change spread. The first case of repression in September was a break-in and theft at *Radio Globus*, an ANEM affiliate from Kraljevo, on 11 September. During the night, unknown perpetrators broke into its premises and

took away the station's equipment. The burglary was clearly politically motivated – absolutely no equipment belonging to *Radio Plus*, a station which shares its premises with *Radio Globus*, was stolen. On the same day two newspapers – *Cacanski Glas* and *Kikindske Novine* – stood trial under the Public Information Act. *Cacanski Glas* was fined 200,000 (35,000 DEM) but the charges against *Kikindske Novine* were dropped.

On 18 September, the Serbian Ministry of Information issued an appeal (in fact, more of a warning) to all media outlets, cautioning them not to publish any information which could “hinder the confidence of the people in the actions of the Government”. These instructions were obviously meant to scare the media off before the beginning of the Alliance for Change protests. During the same period, the jamming of *TV Studio B*'s signal commenced. Namely, whenever a prime time political broadcast was being aired, the *TV Studio B* signal was jammed from an unknown location. On 22 September, all copies of that week's issue of the Banja Luka *Reporter* were seized at the border between Bosnia and Serbia. The authorities explained that the issue had “slandorous contents” regarding top Serbian officials and was therefore seized. On September 29, the Belgrade daily *Glas Javnosti* received a first-time 200,000 dinar fine (around 35,000 DEM) for a media misdemeanour listed in the Public Information Act. The very next day, since the paper was able to pay the fine, it was closed down for 15 days by the financial police, which began a two-week inspection of *Glas Javnosti*'s business practices, failing to find anything illegal. Along with the newspaper, the printing facility of *ABC Grafika*, on which *Glas Javnosti* was printed, was also sealed for 15 days, with a similar explanation. The real reasons for the shutdown of *Glas* and its printing facility is, in the words of Slavoljub Kacarevic, *ABC*'s owner and general manager, the fact that it printed the protest bulletin for Alliance for Change.

According to ANEM's media report, during clashes between the police and the protesters in Belgrade on the night of 29 September, at least six journalists were beaten, and their equipment destroyed

or damaged. The repression gained pace in October, and the authorities turned back to using the Public Information Act in order to discipline the press. These developments give reason for concern about the immediate future of the independent media in Serbia. A crackdown on the media has in the past signalled that the regime might be preparing for yet another war situation or the introduction of an open tyranny.

Another newspaper is the daily *Danas*, which was fined 280,000 dinars on 27 October. This penalty was followed by a lawsuit brought against the paper by the Deputy Prime Minister of Serbia, Vojislav Seselj (and Head of SRS). In this case, a newspaper has been drastically fined for accurately reporting a statement of a high state official, which is *par excellence* a public matter. This goes against the guarantees of the free press and highlights the repressive nature of Serbian media law.

Apart from *ABC Grafika*, publishers of *Glas* and *Danas*, some smaller newspapers were also fined under the same law during the month of October. One of them is *Kikindske Novine*, for which the fine amounted to 200,000 dinars (35,000 DEM). Another local newspaper, *Niske Novine*, was fined 200,000 dinars on 20 October for publishing an article stating salaries of the DIN tobacco factory management (all of them being regime party members).

One of the biggest single attacks on free journalism occurred on 22 October in Republika Srpska, where Zeljko Kopanja, owner and Editor of the daily, *Nezavisne Novine*, was the target of a car-bomb blast in which he was seriously injured. Mr Kopanja lost both his legs in the explosion and is still recovering as he undergoes medical treatment in Banja Luka. This terrorist attack is believed to have been largely motivated by a series of texts dealing with war crimes committed by Serbs in Bosnia – the first of its kind in the Bosnian Serb press, which disturbed some powerful circles both in Republika Srpska and in Serbia.

Compared to the situation in October, one might conclude that the repression in this phase had reached its peak. In November, legal pro-

ceedings between the Government and *Studio B* and the *B2-92* station, the jamming of *Radio Index*, and the fining of publications like *Glas Javnosti* continued. As democratic opposition demonstrations lost their pace during November, the harshest cases of journalists being beaten up were not reported. However, the practice of deporting foreign journalists and imprisoning them, very “popular” during the war, continued in November, indicating that the regime was up to something and the presence of foreign media was undesirable.

ANEM launched its “Silence Is Not Human” campaign on 24 November. The campaign consisted of a series of open debates and concerts all over inner Serbia, aiming to raise public awareness of the problems the independent media face in their everyday work.

On the same day, there was a worrying statement from JUL, the political party led by the wife of President Milosevic, in which it announced that Yugoslavia “needs a decontamination in the field of media and journalists”. JUL is known to be influential in the media sphere – most high officials responsible for the media are JUL members. Similar statements in 1998 preceded the Law on Public Information, so it is only reasonable to fear that the repression will grow in the immediate future. Milosevic’s wife has referred to the independent media as “the biggest enemy”, but since then, JUL has openly advocated propaganda and criticizes fair and impartial reporting.

Threats began to become reality in December. The regime signalled it intended to bring the “ordinary” level of repression even higher and to continue with repressive methods which have in the past proved “effective” (such as the frequency jamming of *TV Studio B* and *Radio B2-92*) and to end some pending cases (ABC Grafika printing facility and *Glas Javnosti*). The first recorded case of the swift implementation of JUL’S “decontamination” statement was fining *TV Studio B*, and the daily newspapers *Blic* and *Danas*. This as a result of charges brought against them by Deputy Prime Minister Seselj, and Aleksandar Vucic, Minister of Information of Serbia, and a high-level SRS official. Three media outlets were fined a total of 970,000 dinars on 8 December for merely publishing a statement by the SPO, the largest parliamentary

opposition party, in which high state officials were accused of being involved in terrorist activities.

Government pressure on *ABC Grafika* and *Glas Javnosti* began at the end of September/early October and had its epilogue in December. First, the financial police blocked the account of *ABC Grafika* on 10 December. This prompted a protest from Slavoljub Kacarevic, *ABC* general manager and the Editor-in-Chief of *Glas Javnosti*. On 12 December, without previous warning, the financial police and the IRS confiscated some of *ABC Grafika*'s printing equipment as part of a forceful execution of the misdemeanour penalty.

In addition to imposing its Public Information Law, other methods have also been applied by the regime against media outlets, as was the case with the weekly publication, *Reporter*, which was subject to new bans and confiscation. *Reporter*, originally from Banja Luka in Republika Srpska, was banned through the revocation of an import licence in October, but it registered in Montenegro and reappeared on the Serbian market in late November. However, starting from 18 December, the police began confiscating copies of the magazine all over Serbia, and in Vranje even the colporteurs were summoned by the police for questioning.

On 21 December the Federal Minister of Telecommunications, Ivan Markovic, a high JUL official, gave a statement saying that his Ministry, "shall not allow Yugoslav sovereignty to be breached", after a number of international organizations publicized their plan to aid the independent broadcasters with equipment. With no explanation as to how the legal import of contemporary broadcasting equipment could breach the sovereignty of Yugoslavia, Markovic threatened independent broadcasters, openly announcing that, in the year 2000, "order will finally be introduced in the frequency sector". However, the most dangerous statements are those made by Aleksandar Vucic. First, on 11 December, the Serbian Minister of Information stated that "NATO-servant media shall not be allowed to poison Serbian people in the future", and, using the same rhetoric as JUL's notorious statement from late November, he openly discarded the freedom of speech

concept, “when it comes to patriotism and defence of the country”. Apparently seeing that he went too far with his statement, he corrected himself the next day by saying that the state shall defend itself “with the truth” and not “by repression”.

The repressive ideas and goals of Milosevic’s wife and her party are executed by the extreme-right SRS, the Radicals, who are formally “in charge” of media in Serbia. Their actions started to be felt in December. In addition to the continuing repression of the media, cases of a dangerous denial of the freedom of speech, unrelated to the media, were reported that month, the most grave being the removal of three judges heading the Society of Judges of Serbia, an NGO gathering of all judges in favour of the independent judiciary concept.

Thus, the regime showed very clearly that all cases of repression against the civil sector are inspired by the same general idea and concept: the gaining of complete and utter control over all social processes and especially all tools of power within Serbia. Whether Milosevic’s regime needs public discipline in Serbia in order to make a move against Montenegro or simply because it is the only way for it to survive, is yet to be seen in year 2000. On 30 December, in an interview given to *Politika* daily, President Slobodan Milosevic stated that the media in Serbia were free, but also that there are some traitorous media with which the State would deal in the following year. Some say that this statement represented Milosevic’s approval of the so-called “decontamination” of the media, inspired by JUL and carried out by the radical SRS as a strategy for the year 2000.

Conclusions. Given the circumstances, the fact that independent media still exist in Serbia is close to a miracle.

However, the independent media are still the healthiest part of civil society in Serbia, and they will, without a doubt, do their best to keep working professionally despite any, old or new, methods of repression the regime may invent and implement. We emphasize that the free and unhindered operation of independent Yugoslav media, is essential for the realization of a peaceful solution to the crisis and for the rebuilding of trust and mutu-

al tolerance among ethnic groups and among opposition political factions. In the near future, free media are a crucial pre-condition for free and fair elections and democratization in Serbia. Therefore, it is of utmost importance to establish co-operation between media outlets and opposition movements in Serbia whose goal would be the creation of a democratic environment, which would enable truly free and independent media over the long term. One should also pay more attention to recommendations by the independent media regarding the conditions for free and fair elections.

At the end of this report, in order to warn the public that the forecasts for the year 2000 could be worse than ever for those intent on doing their job in accordance with their professional and personal ethics, we hereby attach the transcript of an argument between the hardline Serbian Deputy Prime Minister, Vojislav Seselj, and a senior *B2-92* journalist. At the press conference held on 10 February, Seselj accused journalists from a number of Belgrade media of involvement in the murder of Yugoslav Defence Minister Pavle Bulatovic, who was gunned down in Belgrade earlier that week: (source: *B2-92* website)

B2-92: What measures will the State take against state terrorism from the West?

Seselj: Our response will be adequate, based on the Constitution and the law, with the use of every instrument we have at our disposal for the defence of our country.

B2-92: Against whom?

Seselj: Against all who are instruments of Western countries. Against them all. Perhaps against your paper as well. You're from Novosti, right?

B2-92: B2-92.

Seselj: Ah! From B2-92! What's that? I've not heard about that. Is it registered? Minister, is there anything like that? (*Ed.: he was speaking to his close aide, Aleksandar Vucic, Serbian Minister of Information who was also present*) Against all those who act on instructions from the West, who receive money from the Americans and their allies to act against Yugoslavia. In an adequate way. You are going to experience this adequate way in practice. The gloves are off. Now it's crystal clear: he who

lives by the sword may die by the sword, and all of you should bear that in mind. Don't think that we're going to let you kill us off like rabbits, or that we'll be coddling and caring for you like potted plants. Be careful! You from B2-92 and the other treacherous outlets. You can't really believe that you'll survive if we're executed. You're very wrong. Any more questions?

B2-92: Since this thing happened with Mr Bulatovic – this tragedy and crime – are you personally afraid, bearing in mind what you have said about the state terrorism currently being carried out by other countries? You're a prominent politician.

Seselj: You should know by now that I am afraid of nothing. Absolutely nothing!

B2-92: A few weeks ago, rumour had it that you'd been injured in an accident.

Seselj: Well you can see that I'm not hurt! Why would I be afraid? It's you who should be afraid. You work for a treacherous medium.

B2-92: It's not a treacherous medium.

Seselj: Ah! It's not a treacherous medium! All right! You can prove afterwards that it isn't.

B2-92: After what?

Seselj: After something. You'll see what. The gloves are off. You kill statesmen off like rabbits here, thinking you're safe. You're making a mistake. You're making a big mistake. Now the gloves are off. Anyone who works for the Americans must suffer the consequences. What consequences? The worst possible. You're working against your own country; you're paid American money to destroy your country. You're traitors, you're the worst! kind! There's nothing worse than you! You're worse than any kind of criminals!

B2-92: That's not true, Mr Seselj.

Seselj: It's very true. It's completely true. You're traitors because you take money from the Americans and you always have. You're the same, the ones who took money to kill the Defence Minister and you who are paid to spread propaganda against your country. You're the same, the same criminals. I'm quite certain about that because they

submit official reports about how much money they give you. And you're the same.

B2-92: Are you looking among journalists for the murderers?

Seselj: We're looking for the murderers among those of you who work for foreign intelligence services. You're accomplices in the murder. You're the same. You journalists think you're some kind of sacred cows? Some of you are cows, alright, but not sacred. You're murderers. You're murderers of your people and your country, potentially. Yes, those of you working for the Americans: you from Danas, you from B92 (Seselj was referring to B2-92), you from Glas Javnosti, from Novosti, you from Blic. You're traitors to the Serbian nation. You're deliberately working in the interests of those who were killing Serbian children. You're doing it deliberately. You've sold your souls. That's what you are!

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Anatoly Pristavkin

Chechnya - a Country at War¹

The most terrible cold is the cold of a soldier's death.

“Well, what kind of winter can we expect”? I asked the driver. It was late autumn and we were on our way to the dacha.

“Mmm what kind ...” he answered. “Watch the way the aspen leaf falls to the ground: face up, it'll be on the warm side; face down, you can expect cold”.

I didn't have time to watch the way the aspen leaf fell, and anyway we are not so much afraid of cold winters as of uneasy ones. At such times, even on warm days, people wrap themselves up in hope; frayed nerves hold no heat. And there are reasons to be uneasy – one knows that stability, even the shakiest, is better than any changes. And now on top of all our other “joys”, we have bloody terrorism, which is striking fear into the hearts of the inhabitants of Russian cities and which has ended with a new war in Chechnya.

Perhaps if we were able to puzzle out the root causes of what is happening in Chechnya, we would also be able to understand something about Russia and what is lying in store for it tomorrow.

But I can tell you right away, without any reservations, that this new war in the Caucasus is a new and major calamity for this country.

One day, in a Swedish prison, I saw an inscription on the wall, evidently written by a prisoner: “Everything has three sides – your side, my side and the side that counts”. I am trying to look at each event from two sides, let us say from the Chechen and Russian side. The third side I'll leave to the reader, to make up his own mind where the truth lies. Thus ...

Russia. The phrase is not my invention, it's what people are saying today – “the second Chechen war” – the idea being to distinguish it from the earlier one, although neither was referred to as a war in the

1 From: Moskovskie Novosti, 16-22 November 1999

official reports. Even in our Commission for Mercy the “first” war is referred to in official documents as the “establishment of constitutional order” in the case of former combatants in Chechnya who, following the Afghan vets, have begun arriving in droves in connection with all manner of criminal offences.

But if we take a deeper look, we ought to begin at the beginning of the last century, when the Caucasus, in the words of a chronicler of that time, V.A. Potto, was regarded as: “... a wild and mysterious land, where war was constantly raging and to which wave after wave of troops departed, a land perceived by the people as a country of murk and murder from which no one ever returned, and to which the people gave the name the ‘deadly Caucasus’”.

At the end of the last century, the same V.A. Potto, the author of a book dealing with that (really the first) Caucasian war, poignantly reported: “... can there be many Russian families on whom the Caucasus, through its long wars, has not visited irretrievable loss and who unflinching recall that loss with a proud awareness of a duty carried out to the great Motherland, which sends its sons to the mountainous confines of Asia, not for the purpose of warfare and devastation but for the eternal pacification of the land? The Caucasian war has ended, a noble goal has been achieved ...”.

But has it been achieved? Those words were spoken more than a hundred years ago, but in predicting the achievement of the “noble goal of pacification” (and you and I have seen how that has come about), the author could not have foreseen that war, “with incommensurate losses”, would continue to the end of the next century, and that even Stalin and Beria, who resettled the unruly peoples of the Caucasus – half a million persons – to the snowy steppes of Kazakhstan and Siberia (with the loss of the lives of half of those deported, mainly children, elderly persons and women), would be unable to bring about the long-awaited pacification of the Caucasus. Instead, the Chechens’ hatred and resistance to any form of force, which had already been nurtured through years of persecution, grew even stronger.

Chechnya. I do not want to tell at great length what we, the children who arrived here in that tragic 44th year of the enforced resettlement of the original inhabitants (anyone unable to be taken out was killed, amounting to some 7,000 persons) personally experienced when we saw this blessed land, which had been devastated and put to the torch as a result of the punitive actions of the Red Army (involving more than a 120,000 Interior Ministry and security apparatus forces). Enough has been said about this in the documents of that time and to some degree in my short story (*Nochevala tuchka zolotaya*). But nowhere has anyone described how the Chechens, after having survived the repressions, returned from exile to their desolate land, carrying in their suitcases the bones of their compatriots who had perished far from home; how they dug holes in the ground for themselves in the courtyards of what had been their own houses but were now occupied by persons who had been resettled there; and how they began a new life in places where there was nothing, with neither money nor assistance from our great State. Chechnya survived, but it remained a semi-feudal country, and by the time that Djokhar Dudaev came to power, three-quarters of the young and active population were unemployed – a sufficient reserve for the fighters of the future.

Russia. It is not only the fate of tiny Chechnya but what is more the fate of Russia in all its vastness that is being decided today. Indeed, the fate of Russia has come to be directly linked by a “bond of blood” (in the words of V.A. Potto) with the fate and life of the nations of the Caucasus, which Russia may suddenly lose. The Caucasus is a unique region in the world. Misha Glenny, the English translator of my book, found in Shakespeare the following graphic definition when searching for a poetic analogy:

“O, who can hold a fire in his hand

By thinking on the frosty Caucasus?”

The first impression following the start of hostilities, after the crossing of the Terek River (the crossing of the Rubicon) was that the State and the people – i.e., the army, the politicians, public opinion and the press – had for the first time in many years closed ranks and were united in

a single front against a common enemy. The main thing is that that enemy had to be identified (and named).

We were also told that our enemy were terrorists, that is Chechens, and that Chechens were terrorists. One need not take seriously all the references to the peaceful objectives of our forces (remember the words about “pacification”). A single shell landing on a market place in Grozny is quite capable of erasing even the finest words.

By the way, the start of the “first” Chechen war was similar. This is what I wrote in 1994: “Politicians, almost to a man, all became patriots, and the military, from the young generation to the retirees, could be seen on our television screens resplendent in their officers’ insignia and with their reborn spirit of combat. The militarization of the national consciousness was plain to see.”

Today, too, as far as the army is concerned, everything is obvious: the ambitiousness of our generals, who even externally resemble the inspired and self-satisfied faces of the NATO warriors shown time and again on television; their irrelevance to the political life of Russia; the limited resources allocated for armaments (now they’ll get them!); and simply the complexes of not particularly talented military men who suffered a shameful defeat in the previous Chechen campaign – from a former colonel of artillery to poorly educated field commanders. The situation as regards the politicians is even simpler. In their fight for power in Moscow, they are using as pawns not only Chechnya and the Caucasus, but even their own local regions. Having given their support to the struggle against terrorism, they are attempting to explain to us, intricately mixing lies with lies, how helicopters and tanks can be used to seek out and destroy these very terrorists on the roads and passes of Chechnya.

The only exception has been Grigori Yavlinski, who has openly warned Russians about the peril of embarking on a reckless war. On the eve of elections, this is undoubtedly an act of civil courage, given that our electorate, which is still in a bellicose mood, (and at the same time frightened, as sometimes happens), may in fact not forgive him his defeatist sentiments. It is a paradox that extremism may also take root in the complexes of national inferiority.

The most difficult thing for me to talk about is the so-called society involving those thought to be the country's best people – members of the intelligentsia, defenders of human rights, cultural figures, and the like. I cannot understand their stubborn silence. The isolated voices behind the general televised chorus celebrating the made-to-order successes are virtually inaudible. There is the occasional sharp statement by the group “Common Cause” (L.M. Alekseeva, Z. Krakhmalnikova, L. Ponomarev, E. Bonner and two or three others) and there is this fellow Popkov, an eccentric and almost exotic personality, who has, as a sign of protest against the war, declared a hunger strike in the public garden near the “Memorial” Centre. To these examples we might also add a handful of journalists, but that would be about all.

But where are the “Committees of Soldiers’ Mothers”, which during the first war so desperately waged their unequal struggle with the generals for the lives of their sons? Where is the renowned Sergei Kovalev? Why is the “Russian PEN Centre” silent and why is nothing to be heard from my fellow writers, brave front-line veterans, who know the true cost of any war? And is not Lev Tolstoy, who during a time of no less a crisis raised his lone voice against the Japanese campaign, a moral exemplar of resistance to the braying of the crowd?

But on the other hand, there has been a noteworthy statement by a well-known writer, who came to know the “truth” about the war from the radio during a holiday in the Greek islands. Referring to the innocent souls who always make up the majority in any nation, he has virtually given his approval to the actions of the Russian armed forces, who are fighting not, as it were, against the people but against its “hard core”, which is, according to him, “infected” with “absolute evil”. The author does not explain how our forces manage to distinguish between the “evil hard core” and the “innocent souls” when they are shelling and bombing. But he is firmly convinced that the battles are being waged along a “true fault-line”. What he means by that is clearly Chechnya.

Imagination can sometimes be a substitute for information, but it is not for the writer to scoff at a female correspondent who risked travelling to Chechnya to report from a foxhole about the truth of the war

there. If, in fact, she is to be refuted then that should be done in the way real men have done it – say Hemmingway – that is, by travelling to the scene of the events and confronting the hard truth.

Comrade Dzhugashvili also called small nations “bandits” (the vocabulary of our writer and of the “leader of all peoples” is in remarkable agreement), but he went much further and, having sensed (a class perception!) the same “hard core of absolute evil” in our intelligentsia, lost no time packing them off on journeys of misery to labour camps and exile in Siberia

In all probability, the “true fault-line” may lie both in Chechnya and everywhere, between those who have forgotten about the victims of Stalinist terror and those who remember it.

Chechnya. I happened to be in Chechnya and Grozny during the last – the “first” – war and had occasion to see the kind of suffering war inflicts on ordinary men and women. In retaliation for the misfortunes that terrorists inflicted on our women and children (I use the term “terrorists” without referring to their nationality since in my opinion they have none), we are striking not at the terrorists (they – if they are the ones – are sitting it out somewhere in the mountains, or perhaps the writer mentioned earlier will meet them on the beaches of the Mediterranean), but rather at the women and children of another, similarly unfortunate nation. I personally witnessed the results of precision strikes in 1995 – a children’s home where all that remained of the children were traces of blood on the ground. And as for the highly-publicized precision bombing of power stations or oil depots, is this not also a strike against the population, who will simply die without heating and electricity?

Even our now docile television, which is filtered and edited by the military censors, is unable to conceal the suffering of the hundreds of thousands of refugees crowded into the tent cities that have been erected in Ingushetia. What is actually happening there? These refugees are bluntly telling international observers (and more often than not screaming it into their faces) that they are not fleeing from bandits or terrorists, but from the war.

It is understandable that no references by our humanitarians in camouflage to a new life – free of fighters – in the liberated areas will lure these women, now that their fathers, husbands and sons have in fact been branded as those very fighters. And when a senior military figure, to the accompaniment of artillery salvos, announces for all to hear over all the country's television channels: "We have come never to leave again!", this simply serves as the best argument for those local inhabitants who have so far not intended to resort to arms to do just that.

Russia. So what is in store for us? Shall we awake from this deafness and indifference that have afflicted us, having suddenly remembered that such elementary notions as legality and humanity and something called conscience do exist?

The last war devoured \$7 billion. We could have rebuilt the economy for that amount. And how much we will fork out from your pocket and mine this time? A veil of military secrecy has already been drawn over the true cost of the war and the weapons being used to fight it, but it is, in any case, quite clear that the current increase in old-age pensions is merely a crumb from the banquet table of the military.

I very much fear that it will not be that easy to stop the war. The momentum of a war is like that of a train hurtling down a steep slope; the further it travels the more irreversible its movement. And sometimes pensions and medals are handed out to the very persons who have caused the derailment, while the problems of dealing with the disaster fall on the shoulders of different people altogether.

Of the boys sent to fight, already today, even according to official figures, 280 have been killed and 600 wounded. Perhaps these figures seem a little low to you, but they hide hundreds of lives cut short, and each and every one of them is priceless.

During the last Chechen war, one of the generals, referring to the casualties is said to have blurted out that they had turned out to be much fewer than planned. It would be interesting to know how many have been planned for the current "anti-terrorist campaign". And shall

we not soon come to believe that for the life of each terrorist – on whom we have yet to set eyes – we are already paying too high a price?

On one occasion, Dudaev made the following statement: “You are wrong in thinking that it is we who will take vengeance on you. The vengeance will be taken by your own boys who return from this war.” His prediction has turned out to be true. We have a flood of criminal cases involving veterans from the Afghan and Chechen conflicts.

The mother of one of them has written to us. V.N. Shevchenko fought in Afghanistan, first as a sniper and later as a scout. He then went to work as a forester. While hunting a stag, something that is prohibited, he shot and killed two persons instead, for which he was sentenced to death. The mother has written to us as follows:

“For more than 25 years, I have worked with children in school, guiding them, helping them and encouraging them to follow the proper path. I have three children of my own and never had cause to warn them against doing anything, particularly in the case of the older one, Vladimir, the one now sentenced to death. More than any of the others, he would sit at my bedside when I was ill, began to help his father even before he went to school and later always did his share of the work.”

Then came the time for him to serve in the army and he was sent to Afghanistan. We – my husband and I – could do nothing to prevent it. We did not make a deal with our own conscience since we knew that other parents also loved their children and were suffering as well. And so he was in hell there for more than a year. His father and I learned that, during the three years after his return from the war, he suffered terrible sleepless nights, with his eyes always open and his body like a taught spring ready to uncoil at any moment, not at the sound of a plane, mind you, but merely of some birds flying overhead. The events in Chechnya turned Vladimir’s life upside down again. His attentiveness and considerateness even towards the girl he loved faded. He used to come to us, sit down in front of the television, turn on the news and say nothing. The terrible events were beginning in Chechnya – December 1994 and January 1995. His only words were:

“Why? Why children and peaceful civilians?” He would go out in silence, upset, and when I asked: “Why don’t you talk to me?” He would reply laconically: “What’s there to say?” “He was extremely upset during that time and this is the reaction you get from a man with a gun pointed at an Afghan veteran”. At the trial, Shevchenko, while not denying the fact that he had committed the killings, explained that he had so acted when one of the victims pointed a sub-machine-gun at him, Shevchenko. “At the trial I was reproached for not having sought medical help to sort out my son’s mental problems. Until my last breath, I shall do everything I can to heal his wounded soul. I beg you only to save my son from a slow or instantaneous death”.

It’s late autumn. I am wandering through a snow-covered forest, trying to make out under my feet which way the aspen leaf is lying. But none is to be seen. Nothing is to be seen. And it is already getting cold.

Freimut Duve

There is a war going and everyone is watching

I. The media trap in the Kosovo conflict. “If we disregard the visit of the British Prime Minister to Brussels, then the 28th day of the NATO air operation against Yugoslavia did not achieve anything special. The bombing of strategic targets and Serb troops continued. Pictures of burning industrial plants and aerial photographs of installations that had been directly hit were shown at the NATO press conference. The NATO press spokesman also gave accounts of Serb atrocities in Kosovo, based on the personal experiences of refugees.”

After starting off in this run-of-the-mill fashion, the lead article from the *Neue Zürcher Zeitung* of Wednesday, 21 April 1999, then shifts directly from a reporting style to a commentary. “The television images beamed out daily suggesting something bordering on desolation leave little hope that the reports of crimes against Albanian civilians are perhaps groundless after all.”

NATO announced and began military actions against Yugoslavia on 24 March. Two days later, on 26 March, Serb officials visited the studios of B92, the only independent radio station, and took down the names and addresses of all employees and journalists. They confiscated the broadcasting equipment and detained the founder and director of the station, Veran Matic, for around eight hours. The war declared against the independent media, which had been under way since autumn 1998, had become a real war.

Radio B92 is now broadcasting government news on the old frequency but without its old crew. There are no longer any independent media in Yugoslavia, and foreign reporters are subject to the strict controls that states waging war feel themselves entitled to. Belgrade justifies its action by referring to the history of journalism in war (Tanjung, 11 April): “The history of journalism tells us that official military censorship of journalistic reports was first introduced by Great Britain in 1854 during the Crimean War. At that time, the British had

suffered a heavy defeat at the hands of the Russians.” The official government statement of 13 April then goes on to cite the American example in the Iraq conflict, where correspondents’ work was also subject to stringent restrictions.

In this way the Belgrade Government justifies measures that it had introduced long before the war.

The Government has thus been caught in the media trap set by war – as in all the other military actions of the 1990s that we can bring to mind. What is wanted, what is allowed and what should be reported? These three questions are held in check by the simple journalistic logistics of war, which have now become much more important than the endeavours of the warring partners to exercise control: what *can* be reported? Where is there a journalist still able to broadcast? The tremendous speed of technological change and the increased ease, particularly in outside broadcasting, has not freed journalistic reporting on military conflicts from the media trap of war. Even the then *CNN* reporter in Baghdad could only report what he saw from his hotel window and what the controllers allowed him to broadcast. This was nevertheless sensational, in view of the total silence of all the other journalists. The most important item of news was – look, here I am in Baghdad reporting for *CNN*. It was the same story almost every evening.

I clearly remember the World War II bombing of Hamburg, but there was no television and my mother didn’t have a radio. The *BBC* couldn’t be received easily with the *Volksempfänger*, the official “wireless” of the time, and yet it remained the only additional source of information for critically-minded Germans. We learnt of the crimes of “our own side” through rumours. The Klemperer diaries show how much we could know even in extreme isolation without the media.

Today again, 50 years later, it is still the journalists and their media that provide the only access in the difficult search for truth about the realities of war. The dramatic, understated article written from Pristina by *Spiegel* correspondent, Renate Flottau, who had been missing for days, tells a story experienced at first hand of the media crime against the Kosovo politician, Ibrahim Rugova. Rugova, a virtual prisoner, had

been Belgrade's media sensation a few days earlier. This is perhaps the most important piece of reporting to have escaped from the media trap of the Kosovo conflict.

II. The media war within. Hitler's propaganda chief Goebbels was the first person to use modern radio successfully for the war at home. A German diplomat had been shot dead in Paris and a few days later synagogues were burning throughout Germany. Goebbels had managed to shift the blame of one person to a whole people, namely hundreds and thousands of the Jews (the assassin had a Jewish name). The act of an individual became the collective crime of a large number of citizens, who had been systematically humiliated and excluded from public life since 1933. The telephone – to instruct local party officials – and the radio ensured a rapid and complete dissemination of information.

War creates a *betrayal syndrome* – anyone who passes on information that was not formulated by the government is a traitor to “the cause”. Therefore, anyone who publishes discrepant information is suspected of working “for the other side”. In times of war, things are easier for authoritarians and dictators, whereas democrats find life difficult. They thrive on debate, they examine conflicting information and they need people who speak the truth.

In the 1990s, the expulsions in the former Yugoslavia dramatically intensified the problematic role of the media in the conflict. The interests of the “parties to the conflict” were muddled with the images that European schoolteachers of the previous generation had left behind in the heads of writers. Because so little was known about the reality of the old Yugoslavia, the imprints of earlier conflicts came back with a vengeance. When there were still around 15 per cent of Catholic Bosnian Croats serving in the hastily cobbled together Bosnian army and, according to figures at that time, around one per cent of that army was made up of Orthodox Bosnian Serbs, all Western journalists called this army the “Muslim” army.

The 1990s also introduced a new protagonist into the media war: the assertion by “both sides” that the “other side” was working with

Western news agencies. Friends of Belgrade and Sarajevo had both called upon the services of an agency in the United States. This provided an ideal way for crimes associated with the expulsions to be denied. When anyone mentioned the murder of civilian villagers, it would be intimated immediately that a highly paid private press agency had spread the assertions. For years the civilians in the encircled city of Sarajevo were fired upon and sniped at from the surrounding mountains. Some streets were too dangerous to go down and some districts in range of the marksmen and guns were completely destroyed. But when a deliberately placed bomb in a market square exploded and killed dozens of citizens, some journalists in the West were saying that it had been planted by the Bosnians themselves to mobilize public opinion against the Serbs. This was supposed to put the shooting of all those people in their houses and on the streets of Sarajevo into perspective. To this day the truth remains unknown. The agency's assertion of a bomb allegedly detonated by the Bosnians themselves has at all events allowed the memory of the murder of more than 14,000 citizens of the city to fade.

III. Ethnic terror. In a war, truth becomes a luxury and it is only with very great effort that it can be uncovered. An error in establishing the existence of a mass grave – the number of people killed or the status of the dead – can be stylized as horrific proof of propaganda being used by the “other side” and thereby enable other crimes to be hushed up more easily.

The Kosovo conflict has been accompanied by media errors from the very beginning. In 1989, at a mass demonstration at Kosovo Polje, when Milosevic rhetorically declared Serb citizens of Albanian descent to be Serbia's enemies because the Serbs “had lost a battle against the Turks 600 years ago”, this hostile declaration, which was then followed by numerous administrative acts depriving ethnic Albanians of their rights, passed almost without comment. A person responsible for the citizens of his country had declared the vast majority of these citizens in Kosovo to be historical enemies. Imagine a German politician who sudden-

ly declares the Peace of Westphalia invalid and the Catholics or Protestants non-citizens because “they” had committed this or that scandalous deed 350 years earlier.

Months ago, the strategy familiar from the Bosnian war was employed again: in Pristina houses were marked to show soldiers or paramilitaries the way, just as they had been in Banja Luka in 1992. What is going on in Kosovo at the moment is not a reaction to NATO, but rather a policy which began ten years ago. On 28 June 1989, Slobodan Milosevic summoned a million Serbs to a national mass rally at Kosovo Polje.

On this day, Party Secretary Milosevic made himself an ethnic national socialist. He declared that the Albanian citizens, for whom he bore political responsibility, had always been enemies. And he said that Kosovo was sacred ground that had been settled by enemies of the people. That was a declaration of war against citizens of Yugoslavia of Albanian descent and Muslim belief.

Not a peep was heard from Belgrade’s opponents in Slovenia and Croatia, and even in Sarajevo there was no outcry over this absurd resort by a declared Marxist to a bogus national myth, which divided the population into those who belonged and those who had to be disposed of. Yugoslav intellectuals did not express criticism that ethnic Albanians had been politically deprived of citizenship.

Unlike the citizens of Croatia and Slovenia, the Albanians kept quiet. They did not take up arms when their schools were closed and their teachers dismissed. Until 1998, they hoped that, through negotiations, they would be able to recover the original status they had enjoyed under Tito. Only then did some begin to arm themselves.

However, war and terror also pose new (age-old) questions about journalistic ethics. News about raped women is very credible. But what is to be done with it? We Germans know that thousands of women who were raped by soldiers in 1945 could not and would not speak about it, in many cases for the rest of their lives. No one should be allowed to take it upon themselves to make public the identity of a woman who has been the victim of this traumatizing crime. The crime

has traumatized her soul and its publication could jeopardize her future existence within the family. The interviewers working for the OSCE are trained in psychology to deal cautiously with the refugees' testimonies, which are also prepared for The Hague International Criminal Tribunal for former Yugoslavia. Journalistic ethics demand that the media also deal with this material differently than it is sometimes treated in "peaceful" daily business. This appears to be a lesson from the Bosnian experience – care when publishing reports by victims of these terrorist war crimes against women.

IV. What next? The subject of *media ethics in times of war* will have to be discussed with the democratic governments of the NATO members. The journalistic dramas of these last few months will have to be reappraised – with the involvement as soon as possible of those in Belgrade who will bear responsibility for their country in the future. Western media have learnt something from earlier conflicts of the 1990s. According to observations by the media authorities in Sarajevo, the Serbian television of the Bosnian Republika Srpska has also gone back to objective reporting to a large extent, while Serbian State television has remained an instrument of pure propaganda. Serb and American, British and German journalists will sit together after this conflict to learn lessons from it. However, this will not be enough to overcome the scars of terror – particularly those born by the Kosovo Albanians, who were once Yugoslavian citizens and now do not even have identity papers, regardless of how they return and what the new political situation looks like. We Germans have many memories of the efforts to establish peace after 1945, after dictatorship, after Auschwitz, after the crimes, after the bombs and after the deportations.

Possibly the most important project in the German post-war era (under the Allied military government) for the future democratic peace was the rapid revival of critical and investigative journalism, the return of journalists from the war, from captivity and from other countries. They wrote about the truth of war that they had experienced but had been unable to describe in detail, even in postcards to

their families. They stood up for a culture of discussion and demilitarized public debate. This was particularly true of authors. We Germans have a story to tell about the post-war period. Perhaps, even in this era of the media, it will be of interest in the 21st century and now in the post-Yugoslav regions. Perhaps it can give a little hope to the war-torn countries and families.

As early as 1947, authors came together from the zones left over from the Reich – not, however, to discuss political plans and strategies. Their country lay in ruins. At the start of the terror, pictures had been banned and books burnt. The targets were free-thinking authors, and artists and sculptors. Now the country had been burnt. The *Gruppe 47*, which these authors formed, became a literary emblem in the true sense of the word and the symbol of truth in the refound German self-respect. Even before, literature was already being printed again at breathtaking speed and published in slim booklets on coarse paper. Free speech was bubbling over.

Thirty years later, Günter Grass invented a similar meeting in 1648 in Telgte after the Thirty Years War. He recorded the exciting proof of how many authors, publishers and printers in Prague and in Hamburg had also worked and published during the terrible war – in a common language in that war-torn land.

Since 1991, the Zagreb publisher, Nenad Popovic, has been for the shattered Yugoslavia of the 1990s what Hans Werner Richter became for our country after 1947 – convener, admonisher and publisher. He was already building a literary and political *Gruppe 47* for his country during this war of terror. And now, while the expulsions rage and the bombs fall, he is committed once again to the future and is communicating in order to establish the truth and to influence reality with authors and journalists who have fled.

Some authors have collaborated in the ethnic madness that is at the root of these conflicts, and have encouraged it by writing about it, but many others have been silent because they know what the ethnic domination, sought by a political elite, signifies for a large cultural space with a common language, even if it is not written in the same alphabet.

We are quite happy to call this the “Balkans” and then read about the atrocities of the past in the wonderful tales written by great authors. We are less often aware of the cultural power of civility, which the citizens, journalists and authors are cultivating, methodically and courageously, in the post-Yugoslav States.

What does democratic civility mean? We all need the discussion and debate on the very divergent points of view. We also need civil opposition, which stimulates democracy. However, anyone who calls their opponents “enemies”, who makes critical journalists and authors into “traitors”, destroys democracy.

It would be a pleasant surprise if Peter Handke, the Austrian writer, had understood at least once, perhaps only for one day, what the invitation to this then young author had truly meant to the *Gruppe 47*. The authors, who had returned from war and had survived expulsion, wanted to turn their back forever on the ethnic classification that had led to the destruction of their own country and to the Holocaust. Peter Handke ought to have been one of the first to recognize that ethnic classification of this kind – Milosevic and his wife determining who is classed as a Serb – also applied implacably and damagingly to journalists and authors who express themselves in the common language.

Many Albanian authors and journalists from Kosovo who fled to Macedonia and Serb journalists who are now obliged to live abroad look in horror as their former friend has now become a national *hero*, while they – Milosevic’s critics – are declared *enemies* of the State. The ethnic nationalism, which Handke has raised to mythical status, replaces the civil patriotism of many young Serb journalists and authors who have tried to keep their own discussion alive with humour and irony. A *Gruppe 99* of authors from all five States of the former Yugoslavia should meet soon somewhere for two or three days. Perhaps they should not talk so much about the war, or even about the shared shock and wounds, but rather about the tales they have to tell – in their common language with its two alphabets. Written stories know no borders, however old or new. Literature tells of what divides us, just as it tells of what we have in common.

On 6 April, the *Spiegel* correspondent, Renate Flottau, returned to Belgrade from Pristina by bus. She had to pretend to be a Swiss journalist (Switzerland is not a NATO country). “The radio was turned to full volume in the bus. Clinton was being compared to Hitler and NATO to terrorists. Every item of propaganda, whether it was about destroyed Serb houses or downed NATO aircraft, was met with cheers or sighs.”

Perhaps the expulsions and military attacks will soon be over. But the media war threatens to continue.

Reconstruction and humanitarian and economic aid will be necessary and will be offered. However, contemplation on the truth and the search for reality will be key elements of civil peace. After this war, everybody must escape from the media trap, and democracies must find out how they can help avoid this trap the next time there is a conflict.

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Katharina Hadjidimos

The Role of the Media in Greek-Turkish Relations

This analysis is based on research of the role of media in Greek-Turkish relations during stays in Turkey and in Greece between February and August 1999. Since then, Greek-Turkish relations have begun to improve, and this has had a positive effect on the media coverage in both countries. On 5-6 February 2000, the first major conference of Greek and Turkish journalists took place in Athens. During that conference which was opened by the Ministers of Foreign Affairs of Greece and of Turkey the journalists present committed themselves to closer media co-operation and to a different approach in their coverage of the neighbouring country.

This analysis of the role of media describes the starting point of the recent “rapprochement” as well as a number of structural elements fostering bilateral conflicts through the media.

The basic questions at the beginning of the research were the following: How is it possible that nearly all journalists in one country hold the same opinion and use the same language about the neighbour? How can media reports deal mainly with politics and security issues without informing about the ordinary aspects of life in the neighbouring country? How in fact is it possible that most Greeks know as little about Turkey as West Germans used to know about East Germany – Turkey being little else than just a blank spot on the map and enemy number one?

I. Changes in Greek-Turkish relations

In February 1999, the Turkish newspaper *Milliyet* ran the headline “**Ultimatum ... last warning to Athens**” and threatened to make use of Turkey’s right to “self-defence”¹.

In July 1999, the daily *Hürriyet*, under the headline “**Bravo Yorgo**”², expressed praise that was directed at new Greek Foreign Minister Georgios

¹ *Milliyet*, 23 February 1999

² *Hürriyet*, 28 July 1999

Papandreou. Curiously enough, a period of six months, from February to July 1999, lay between the threat of war and this praise of the Foreign Minister of Greece.

Without doubt, Greece and Turkey were on the brink of a serious conflict in February 1999, when the Kurdish leader, Abdullah Öcalan, was kidnapped from the Greek embassy in Nairobi. The fact that it should have been Greece, of all countries, that played host to Turkey's number one enemy – a man regarded by the Turks as responsible for the death of some 30,000 people during the 15-year-long war – brought years of tension in Greek-Turkish relations to a climax.

The sudden and unexpected turn in events, the unexpected praise for Greece's chief diplomat, is due to the fact that the former Greek Minister of Foreign Affairs, Theodoros Pangalos, had to resign over the Öcalan affair and was succeeded by George Papandreou. In the meantime, Papandreou acknowledged the existence of a Turkish minority in Greece. Turkish-Greek round table talks started, and Athens sent generous help to victims of the Turkish earthquake in July – revolutionary and unprecedented events in Greek-Turkish relations.

For many decades historic traumata, conflicts and disputes over a variety of issues dominated bilateral relations. Therefore, the *détente* can only be expected to last if it is backed by popular will in both countries. The headlines in the press mirror the emotional atmosphere surrounding bilateral relations – extreme emotions switching from aggression to praise in the space of six months. Thus, the process of *rapprochement* needs to be supported by changes in media coverage and a better information policy in both countries.

Where the media come in

Few fact-based reports. Neither country's government works in a vacuum. They are guided by national opinion and vice versa. National opinion, however, is moulded by the mass media. Compared to other Western European countries, the media in Greece and Turkey play an especially important role. This is due mainly to two factors: the lack of pluralism in the structure of the media landscape

and the dearth of factual reporting. The approach of the media is often far from being a sober reflection of reality or an objective assessment of realistic dangers. The effect is that political analyses are ill thought out and decisions are not taken on the basis of factual assumptions.

Media as a 'watchdog of democracy'. Moreover, the role and importance of the media should also be viewed in a more general, but equally important, context: their often-quoted role as "watchdogs of democracy". Media have the task of informing the population, of providing the people with facts on the basis of which they may make a responsible political decision in electing their government. In a democracy, the media are also indispensable as a forum of discussion and public debate between political adversaries.

Hate speech. Hate speech is a common phenomenon both in Greece and Turkey. Diatribes are usually directed against 'the other', that is the Turkish or Greek State or aimed at national minorities in their own country.

Alkis Kourkoulas, correspondent of the Athens News Agency in Istanbul, rightly observed that there is no respect for the other in the Balkans³. In Greece there is the general notion of the Turks as "barbarian", uncivilised people, while the Turks perceive the Greeks as greedy for 'lost territories' and still supportive of the "Megali Idea", the big idea. There is no respect for the culture, traditions and achievements of the other – in fact, people are completely ignorant of what *is* the culture of the other country. Few Greeks are informed about Islam, the great architect Sinan, contemporary Turkish literature or music. The Turkish people are more open concerning contemporary Greek music and writers, but the Turkish State cares little about ancient Greek sites and Byzantine churches or villages deserted by Greeks during the 20th century. Nationalists have desecrated Muslim cemeteries in Greece and Greek Orthodox cemeteries in Turkey.⁴

3 Interview with Alkis Kourkoulas, 4 May 1999

4 *Süddeutsche Zeitung*, 12/13 May, 1999

It is this lack of respect and the need to stick to historic stereotypes for the purpose of defining one's own nation state that make the initiation of a dialogue so difficult and make it so easy for the media to follow in these old footsteps and to maintain the same stereotyped notion of the other.

The role of the media is twofold: it both reflects and feeds public opinion, thus creating a vicious circle concerning the perception of "the other". Decade-old stereotypes have not failed to make their mark on a whole generation of journalists. The views of the same people find their way back into society through their articles.

Hate speech, however, is also directed against intellectuals in the home countries. This observation was confirmed in a letter from the prominent journalist, Ricardos Someritis, addressed to the Athens Journalists Union in March 1999, during the Kosovo war. Someritis wrote: "...Many Greek journalists, mainly on radio and television, behave like soldiers on the front: they have chosen their camp, their uniform, their flag. If they are columnists, it is their right to do so. Nevertheless, how come that even the Patriarch is censored by many media? ..." And he continues in the same letter: "... All journalists with a point of view different from the dominant one or who have dared to offer the information that others refused to give are being threatened or humiliated (e.g. a newspaper agreed to publish an interview in which I am called a 'Franco-Levantine').⁵ Others have lost the right of expression (our colleague Manolis Vasilakis was fired by the newspaper Exousia...)."

The example of the Imia/ Kardak crisis

The crisis over the island of Imia (its Turkish name is Kardak) in 1996 is a most convincing example of how the media brought Greece and Turkey to the brink of war. Had American President Clinton not intervened, the populist action of a mayor and of some journalists would have resulted in more than one casualty. The "story" runs as follows:

⁵ Letter by Ricardos Someritis to Nikos Kiaos, President of ESIEA, dated 31 March 1999

In late December 1995, a Turkish merchant vessel ran aground on the coast of the rocky islet of Imia/ Kardak in the Aegean. This incident was followed by a small and relatively unobtrusive dispute between Greek and Turkish authorities on who was to rescue the ship, the Turkish captain demanding to be rescued by a Turkish tugboat. The Turkish Government argued in a note verbale that Imia/Kardak was Turkish territory, which was disputed by Athens. After an exchange of notes, Greek authorities finally sent a Greek tugboat to the aid of the vessel.

This incident, taking place on an islet of a size that was appropriate only for keeping goats but hardly for any other use, would have gone unnoticed, had the Greek TV station, *ANT1*, not aired the exchange of diplomatic notes nearly four weeks after the incident occurred. Only one day later, 25 January 1996, the mayor of Kalymnos (an island situated next to Imia in the Aegean) took action and put the Greek flag on the rocky soil of the island. This was the spark that inspired the Turkish newspaper, *Hürriyet*, to fly in a helicopter with a team of journalists and photographers to the tiny islet, asking them to remove the Greek flag and hoist the Turkish one. The action took place and *Hürriyet* could not refrain from triumphantly publishing the photograph of the journalists removing the Greek flag on its front page the very next day.

As may be expected, things took a more serious turn from that moment on: the Greek Navy changed the flag within 24 hours and by 30/31 January, Greek and Turkish naval forces were opposing each other in the Aegean.⁶ A Greek helicopter crashed causing the death of its pilot. If it had not been for the intervention by the President of the United States, the situation would have escalated into a military confrontation between NATO allies.

In January 1999, the journalist Stratis Balaskas published an interview in the Greek daily *Eleftherotypia*, with a photo-reporter of the newspaper *Hürriyet*, the very person who had raised the Turkish flag on

⁶ The facts of the incident stem from *Hate speech in the Balkans*, edited by Maria Lenkova and Internationals Helsinki Federation for Human Rights, ETEPE, Athens 1998

Imia/Kardak. The interview is worth reading for its revelations about the motives of the young reporter, then in his early twenties, and about the ignorance of those who sent him. It was not an “invasion of Turkish forces”, as the Greek media had presented it in great exaggeration, but the greed of the media that sparked off the crisis.⁷

It would be too monotonous to cite hate speech in both the Greek and the Turkish press, which accompanied the coverage of this crisis. Intermingling facts and opinion achieved ample exploitation of emotions. The terms used in the reports were not intended to describe the event accurately, but were solely chosen to evoke anti-Turk or anti-Greek stereotypes in the minds of the general public. While the Greek press depicted the “landing” of Turkish journalists using vocabulary such as “agents assault”, “invasion”, “provocative action by Ankara”, the Turkish press indulged in praise of the country’s strength – “Turkey can overwhelm Greece in 72 hours” (*Sabah*).⁸

The dangerous consequence of this media coverage was that public opinion, inflamed by the media, put considerable pressure on both governments to react “tough”.

“Let’s stand up at Thermopylae” and “Ciller for Imia? Us for Constantinople” wrote Greek newspapers. The Turkish equivalent was “Soysal: There must be war”.⁹

II. Features of Greek and Turkish mass media

The Structure of Turkish Media

Media structure dominated by holdings. The most striking feature of the Turkish media sector is the fact that it is dominated by a duopolist structure: the Sabah/Bilgin Group and the Milliyet/Dogan Group. These two groups hold about 70 percent of the market share in national daily newspapers and are the owners of *ATV*, *Kanal D* and *CNN Türk*¹⁰. In 1998,

⁷ Stratis Balaskas in Eleftherotypia, 19 January 1999: Interview with the former Hürriyet photo-reporter Cesur Sert

⁸ Vasiliki Neofotistos and Ferhat Kentel in *Hate speech in the Balkans*, ibid.

⁹ *Hate speech in the Balkans* p. 67, ibid.

¹⁰ *Medien in der Türkei* Publikation der Deutschen Botschaft Ankara, 1998

the two television channels together with Show TV, owned by Erol Aksoy, were considered the most important private television channels. For both the Dogan and the Sabah Group, the media business is just one sector of their investments. Both holdings are engaged in a number of other businesses. The fact that television and the big national dailies are in the hands of a number of holdings has important implications for the media coverage. The companies or groups concerned are greatly involved in public works and depend to a great extent on works commissioned by the State. It is an open secret that former Prime Minister, Mesut Yilmaz, gave lucrative energy contracts to media bosses who were also involved in the electricity market. These contracts are now being disputed in the Supreme Court.¹¹

Moreover, the holdings receive a considerable number of public loans. Experts believe that several million dollars worth of loans originating from the State was directed to the media sector via banks in the 1990s.

The medium with the greatest impact on public opinion is television. Although the history of private television in Turkey is not even yet a decade old, today television is a prospering sector with 17 national and some 360 regional television stations.

Radio plays a lesser role in providing information. Many of the estimated 2000 private radio stations throughout Turkey are tiny amateur stations providing just music programmes.

The impact of print media in Turkey is fairly low. The average daily newspaper circulation of four million serves a population of 64 million.¹² This is partly due to the fairly high price of newspapers. One newspaper costs more than two loaves of bread.

These figures also show that profits in the print media market do not come from the sale of some four million issues per day, but mainly from advertisement revenues. Some 41 percent of the countrywide expenditure on advertising is invested in newspaper adverts.¹³

¹¹ Ilnur Cevik in *Turkish Daily News*, 11/12 April 1999

¹² World Association of Newspapers WAN, *World Press Trends 1999*, Turkey

¹³ WAN, *World Press Trends 1999*, Turkey

Due to the dependence on state-commissioned works and public loans, press reports will never take an adversary position on State interests. In order to guarantee that this remains unchanged, the State ensures that the duopolist structure in the print media remains untouched. According to observers of Turkish print media, the best proof of the silent and mutual understanding between State and the media was the case of the building contractor and owner of Türkbank, Korkmaz Yigit.¹⁴

The readership of newspapers has continuously declined since the 1980s. An alarm signal for the print media sector was a further decline in newspaper circulation even prior to the national elections in April 1999. Professor Sezer Akarcali of the Communication Faculty in Ankara University explained this trend by reference to the big media scandals of the past years. “How can I trust papers to give impartial and unbiased information, when I’m pretty sure that some of their columnists are lobbying on behalf of their bosses, while others are involved with political parties?”¹⁵

Headlines and contents designed by sales experts. When trying to answer the question as to why the views expressed by most big dailies are rather nationalist, especially on relations with Greece, some additional non-economic factors must be taken into account. One, for example, is the fact that subscription to newspapers is rare and single copy sales amount to 90 percent of circulation.¹⁶ This means that a newspaper cannot count on a guaranteed number of readers but has to “conquer” its readership anew every day. To attract the attention of the public, there is a continuous search for headlines proclaiming either scandals or raising nationalist issues in foreign affairs. As regards the latter, Greece, the Republic of Cyprus and the relations to the European Union are a never-ending source of attraction. Such headlines are not written by the investigating journalists but by professional headline writers, aiming at increasing the day’s single copy sales.

¹⁴ *Turkish Daily News*, 8-9 April 1999;

¹⁵ *ibid.*

¹⁶ WAN, World Press Trends 1999, Turkey

Contents: hard policy and opinions issues prevail. Moreover, and just as in Greece, opinions prevail over fact-based reports in journalism. In Turkey, all newspapers have a number of so-called “köşe” (“corner”) writers. These corners are exclusively designed for opinions, and journalists or academics publishing them on a regular basis enjoy a high reputation and high fees.

As to the contents of coverage, issues of hard politics prevailed from February to August 1999: the capture of Öcalan, Greece’s support for the Kosovo Liberation Army (KLA), the resignation of Rahmen Koc from the Greek- Turkish Businessmen’s Association, the crises over the islands of Limnos, Agathonisi/ Esek adasi and Plati and so on.

Sources of information. Following the Turkish and Greek press, one gets the impression that only a limited number of sources of information are used by journalists. Such sources are rarely quoted, and, in many cases, even interview partners are not named. Nevertheless, neither in Turkey nor in Greece could the possible sources of information be described as limited. Apart from the news agencies, all kinds of international newspapers, magazines and other sources are available to journalists. It seems, however, that these sources are not fully exploited by journalists, most of them relying on information from national sources, especially national press agencies. This practice is not only due to the generally insufficient training of journalists. Especially in Turkey, many journalists who do not belong to the professional elite have no command of English or of other foreign languages.

Legislative restrictions. Self-censorship is a common feature of both Greek and Turkish journalism. In both countries there are specific factors that encourage the practice of self-censorship on the part of journalists.

In Turkey, regulations of the Penal Code, of the Anti-Terror Law and of Law No. 5816 concerning crimes committed against Atatürk restrict the right to freedom of expression. Thus, articles are forbidden that make people unwilling to serve in the army. Insulting the moral personality of Turkishness, the Republic, Government and State ministers

as well as the military are a crime according to the Penal Code. Article 8 of the Anti-Terror law forbids propaganda against the indivisibility of the State. Insulting the memory of Atatürk in a single sentence may incur a prison term of up to three years.¹⁷

It is obvious that the wording of the above-mentioned stipulations is very much open to interpretation. Thus, owners of newspapers, Editors and journalists can never clearly anticipate whether a critical report will trigger charges from the State prosecutor or not.

State prosecution does not only take place in cases when journalists express their own views that are in conflict with State interests, but also when they publish interviews with, or statements by, third persons. This was the case with the journalist Oral Calislar (*Cumhuriyet*) who was sentenced to imprisonment and to large fines for publishing an interview with Abdullah Öcalan and the KLA activist, Kemal Burkay¹⁸. Another example was the imprisonment of Ragip Duran, who worked for the *BBC* and the French newspaper, *Libération*, for publishing an interview with Öcalan in 1994 (another interview with the KLA leader published in 1991 got through without prosecution by public authorities).¹⁹ The most recent example are the charges against Nadine Mater in autumn 1999 for her book *Mehmetin kitabı* which contains interviews with soldiers based in south-east Turkey.

The High Council on Radio and Television (RTÜK). An important role is played by the State institution, RTÜK, the High Council on Radio and Television consisting of nine members, five of whom are appointed by the Government and four named by the Opposition parties.

The RTÜK not only issues licences to private broadcasting companies but also controls the contents of programmes. According to the Radio and Television Law of 1994, programmes contradicting “the

¹⁷ Human Rights Watch Report, April 1999; Reporters Sans Frontieres 1998 Report

¹⁸ Open letter of Article XIX Director Andrew Puddephatt to Minister of Justice Hikmet Sami Turk, dated July 8, 1999; Human Rights Watch Report, April 1999

¹⁹ Human Rights Watch Report, April 1999

national and spiritual values of society” and “the general morality, civil peace, and structure of the Turkish family” are forbidden. If radio or television do not comply with the provisions, the RTÜK may either issue a warning or decide on a temporary closure of the relevant station. Thus, any viewer of Turkish television soon gets used to a blank screen.

In a report covering the period from 20 September to 4 November, 1999, the non-governmental organization, *Reporters sans frontières*, counted nine television stations and eight radio stations that had been censored by RTÜK. Several stations were suspended for periods lasting from one to 180 days. On 6 October, 1999, five television and four radio stations were reported to have been forced off the air for a total period of 225 days, and on 13 October, four television and four radio stations were suspended for a period of 311 days.²⁰

This practice of RTÜK tends to force smaller stations to give up their activities, altogether due to losses in advertising revenues and market shares.

Implications for freedom and standards of reporting. Thus, political news undergo a process of multiple stages of selection: at the first level, in the stage of pre-selection, news items are eliminated which are not considered to be exciting enough for the market. Although this elimination is a normal process, it seems that, in Turkey and Greece, most of the news concerning cultural or academic issues is already eliminated at this stage. On the second level, self-censorship comes in: i.e. those news items that risk provoking a negative reaction on the part of the Editor or of state officials are excluded. In a third step, even if the issue itself remains untouched, the language and the presentation, the headlines for example, are changed in order to increase the single copy sales for the day. Once the news has passed these stages, little of its original character will be left. And news on civil society issues or international relations usually do not even enter this selection procedure.

²⁰ IFEX/RSF, Communiqué de presse no.8: violations de la liberté de la presse en Turquie, 4 November 1999

As to direct pressure put on journalists by their Editors or by politicians, information remains contradictory. Some observers and journalists confirm such pressure.

Many journalists are charged with some offence and receive prison sentences or heavy fines. There are numerous cases which are reported by *Reporters Sans Frontiers*, *Human Rights Watch*, *Ifex Action Alert* and others.

On the other hand, very critical articles can be found at times in newspapers. When the journalist Oral Calislar went to prison for conducting and publishing interviews with Abdullah Öcalan²¹ in spring 1999, lengthy interviews with a lawyer of the KLA leader appeared in *Turkish Daily News* without any legal consequences for the journalists. Prosecution is somewhat unpredictable. Ahmet Altan, a novelist and columnist is quoted in a report from *Human Rights Watch*: “You can say there is no freedom of expression, you can say there is press freedom, and you are right in both statements. It’s not like in a typical dictatorship – the borders are not clear, you can’t know where they are.”²²

On 26 July, 1999, İlnur Cevik entitled his editorial in the daily *Turkish Daily News*: “As we mark 91 years of life without censorship... Is this a bad joke?”. In his comment, he analysed the situation in Turkey: “So 91 year ago, the authorities decided that they would no longer apply censorship to the press. Ever since then, censorship has been applied in the press in various forms in Turkey, and press freedom in recent years has become a meaningless phrase, as the authorities have imprisoned so many journalists and writers for expressing their views.... Authorities have summoned Turkish journalists to various state departments and told them what is taboo and what is not, and thus many newspapers have applied self-censorship. Newspapers that have refused to toe the official line on certain sensitive issues, like the Kurdish problem or religion, have faced official harassment and financial pressure.” Referring to the media landscape, he continued: “Another form of censorship has been the result of monopolistic trends in the media. If you resign from one newspaper you will not get a job in a rival newspaper because the bosses have agreed not

²¹ Human Rights Watch Report, April 1999, online edition

²² HRW Report 1998, online edition

to hire such journalists. So, many prominent journalists have to stay with their newspapers and do what they are told. Then, of course, there is the notoriously conservative establishment in Turkey, which is used to intimidating journalists who decide to speak their minds on taboo subjects such as religion, secularism, ethnic problems and the military. If a journalist steps out of line, he is punished with character assassination, and if that has not deterred the person, they create an excuse to put him behind bars...".²³

The Structure of Greek Media

Media concentration in Greece. There are currently some 22 national dailies and 17 Sunday editions published in Greece. A downward trend in the circulation of daily newspapers has been recorded since 1990, the average circulation of Athenian dailies dropping from 930 000 in 1988 to only 420,000 in 1998.²⁴ As in Turkey, newspaper sales to subscribers are a negligible figure amounting to only 5 percent, while 95 percent of the newspapers are sold as single copies.

The Greek print media market is less concentrated than in Turkey. Nevertheless, only five publishers account for more than 65 percent of newspaper sales and absorb three-quarters of advertising. Lambrakis Press and Tegopoulos Publications show the highest profits. Both companies are also shareholders in Teletypos, a group of publishers running the TV channel, Mega, one of Greece's most important private channels.

The media market in Greece is highly competitive. A total number of 124 private TV stations (12 operating nationwide), 1,200 radio stations (300 broadcasting nationwide) and 22 national dailies compete in a country with a population of only 10 million. It is obvious that the profits do not come from sales but rather from advertising revenues. About 50 percent of newspaper and 80–90 percent of magazine revenues come from advertising.²⁵ But, because competition for adverts is similarly high, it is suspected that the owners of newspapers are less interested in profit making than in politically motivated factors.

²³ *Turkish Daily News*, 26 July 1999

²⁴ *Hermes*, monthly magazine, February 1999

²⁵ WAN World Press Trends 1999, Greece

With readership of print media declining, the operation of TV channels has become a booming market for investors in the media sector. The private television market lacks regulation. The absence of legislation and regulation of this sector has been widely criticised.

Until 1990, Greek television was completely in the hands of the State. Television started in Greece in the 1960s under the dictatorship of the colonels. Since then, it has always been under state control and linked to the Government's interests. It was only in 1989 that the first private channel started broadcasting, followed by a burgeoning of other TV stations. Private channels and business interests came to dominate the market. Public broadcasters lost audience.

But the TV market was still subject to the interests of day-to-day politics and could be manipulated easily through awarding or refusing licences. In 1994, for example, when the *Pasok* party won back power from the conservative party, licences were awarded to Sky TV and 902 TV which had been denied by the former Government because of the televisions' support to the Socialist Opposition.²⁶

Implications for reporting. As in Turkey, most newspaper reports do not distinguish between fact and opinion. Reports on Turkey are usually restricted to political meetings and to security issues. There seem to be two reasons for the one-sidedness of reporting:

First, journalists argue that news on issues other than hard politics or security problems "would not sell" regarding Turkey. As outlined above, the media market is highly competitive and, with 95 percent single copy sales, newspapers have to "win" their readership with exciting headlines on a day-to-day basis. Nationalist slogans are a relatively strong selling factor.

The second reason is the trend towards strong nationalism in Greek society over the past years, fuelled by the disintegration process of former Yugoslavia, the coming into existence of the former Yugoslav Republic of Macedonia, immigration of Albanians and a stream of

²⁶ Stylianos Papathanassopoulos, *The Politics and the Effects of the Deregulation of Greek Television*, in *European Journal of Communication*, 1997, Vol. 12(3), pp. 351-368

refugees, the war in Kosovo and territorial disputes in the Aegean. During the war in Kosovo, representatives of the Greek Orthodox church kept reminding the Greek people of its common religious roots and traumas with its Serb “brothers”. Journalists are part of this society, of course, and cannot stay immune to these perceptions.

Unfortunately, professionally skilled journalists who conduct thorough investigations are still lacking, although more than 58 percent have a university degree²⁷. Most journalists remain content with the news offered by the national agencies and only a few make an effort to check facts and consult additional sources of information. This may be one explanation as to why there are so few dissenting voices on subjects regarding Turkey. Those journalists speaking in favour of a more constructive approach towards Greek-Turkish relations were subject to verbal attacks and even threats from their colleagues and compatriots.

It seems that the main source of information on Turkey is the Athens News Agency (ANA). Considering the fact that Turkey plays the most important role in Greek foreign policy, it is remarkable how few sources of information there are. Apart from the correspondent of ANA, only four to five journalists report from Turkey on a regular basis (while 20 correspondents work for German newspapers and TV stations).

Defining the structural problems in Greek media contributing to the unbalanced reports on Turkey is much more difficult than analysing the Turkish media structure. This is probably due to the fact that, in Greece, there are fewer legislative instruments restricting freedom of expression (with the exception of libel laws) and that the National Broadcast Council has far less competence than its Turkish counterpart, RTÜK. The phenomenon of hate speech in Greek media, however, is the same. Only very few deviating opinions can be found, and this raises concern. Greek journalists face much less pressure from outside, but the need to be accepted within their own professional group seems to be extremely important. As a journalist, it is easier to survive swimming with the mainstream.

²⁷ Interview with Stylianos Papathanassopoulos, Athens University, Department of Communication and Media Studies

III. Forms of hate speech

Perception of 'Greeks' and 'Turks' as collectives. It is one of the most harmful factors in bilateral relations that Turkish media usually talk about "Greece" or "Athens" and Greek media cite "Turkey" or "Ankara" when talking about hostile actions. This creates the impression that it is the Turkish or Greek State, that acts in a hostile manner. A closer look at specific constellations of inner-state organizations or even the composition of the Government or of ruling parties shows that this impression is not accurate. In the case of the Imia/ Kardak crisis, the planting of the Turkish flag on the island by a group of journalists was wrongly attributed to the Turkish State by calling it "invasion", "landing", "agents assault" in Greek media.

The same applies to reports in the Turkish press on the Öcalan scandal. Although the antagonism within the ruling *Pasok* party, and even within the Foreign Ministry, was a well known fact to close observers, the action of hosting Öcalan in Greece and later in the Greek Embassy in Nairobi was ascribed to the Greek Government without any differentiation. "Athens supports terrorism" and "Kivrikoglu: Athens caught red-handed" were the headlines in the newspapers, *Cumhuriyet* and *Turkish Daily News*²⁸.

Use of stereotypes. The use of stereotypes is obviously widespread. Nevertheless, in South-East Europe and especially in Greece and Turkey, this use of stereotypes has some specific aspects, probably due to the history of the Balkans. Both Greece and Turkey tend to define their national identity in its opposition to "the other". The Greeks spent some 400 years under Ottoman rule, from 1453 to the declaration of independence in 1822. Turkey, therefore, can still be regarded as the historic enemy. The 1923 Treaty of Versailles and the corresponding convention²⁹ provided for the "exchange" of the Greek and Turkish population

²⁸ *Cumhuriyet*, 23 February 1999; *Turkish Daily News*, February 27 1999

²⁹ Lausanne Treaty of July 1923 in Article 142 and the Convention concerning the exchange of Greek and Turkish populations, signed by Greece and Turkey on 30 January 1923

– except for the Greek inhabitants of Constantinople and the Moslem inhabitants of Western Thrace. The atrocities during this “exchange” inflicted enormous national trauma on both sides.

Except for a short period of *détente* during the era of Eleftherios Venizelos and Mustafa Kemal in the 1930s, the historic animosity between the two peoples continued. In 1955, riots in Istanbul broke out and a mob attacked Greek houses, shops and churches, demanding the annexation of Cyprus by the Turkish Government. In 1973, the Greek Junta initiated a *coup* against the Cypriot Government of Archbishop Makarios and replaced him by an old enemy of Turkey, Nicol Sampson. In 1974, Turkey invaded Cyprus, arguing that this was necessary in order to protect the Turkish population. In 1996, there was the territorial dispute over the island of Imia/Kardak and, in 1999, Turkey’s national enemy number one, the KLA leader Öcalan, was kidnapped from the Greek Embassy in Nairobi.

All these crises that take place at regular intervals keep the old animosities and prejudices alive. The Greek Press does not fail to remind the Greek people of the atrocities committed by the Turks during the expulsion of the Greek population from old Smyrna (present day Izmir) and the invasion of Cyprus by the Turkish army in 1974. The Turks, on the other hand, keep alive the memory of the aggression of the Greek army invading Anatolian territory in 1919 and the attempted coup by the Greek Junta on Cyprus in 1973. When Öcalan was captured and brought to Turkey in 1999, Prime Minister Ecevit, who had been responsible for the operation in Cyprus in 1974, was once more celebrated as the one that caused the “Cypriot defeat” and now “Apo defeat as well” in the daily *Sabah*³⁰.

The repetition of such stereotypes has the “advantage” that the media no longer have to make an effort to explain political incidents to their readers, but that catchwords such as “Cyprus”, the “Catastrophe of Smyrna” or the “Megali Idea” of the Greeks trigger off the appropriate association in the readers/viewers.

This seems to be one of the reasons why the articles and reports in both countries are becoming more and more stripped of facts.

30 *Sabah*, 19 February 1999

Other forms of hate speech

Omission of information/ Silencing of non-nationalist voices. In late May 1999, the ecumenical Patriarch of the Greek Orthodox church, Bartholomew, stated in an interview with Stratis Balaskas in Istanbul that “nationalism is a heresy and a threat to Orthodoxy”. This statement sounded fairly unusual in the ears of Greek Orthodox citizens, who are used to more nationalist comments on the part of their church. The interview was announced on the front page of the daily *Eleftherotypia*³¹ and printed in full length in the same edition. This interview was, however, not mentioned by other Greek media. The non-governmental organization, Greek Helsinki Monitor, observed: “...A thorough look at the media in Greece, including the State news agencies, would show that these statements went unnoticed and usually totally unreported, except for the Patriarch’s appeal for a ceasefire...”.³²

Another example of omission of information is the press coverage of a meeting of a prominent group of Greek and Turkish women, WinPeace in spring 1998. Zeynep Oral, a founding member of WinPeace and a senior journalist, complained that while the meeting got abundant press coverage in Turkey, hardly any Greek newspaper had taken notice of this event³³ – a phenomenon that must have seemed like sabotage to the Turkish initiators.

Opinions rather than facts. Editorial writers enjoy a high reputation and even higher salaries. The so-called “köse” writers in Turkey receive salaries that most West European journalists can only dream of. “Köse” writers and their Greek counterparts have the advantage that their readers are aware of reading comments, not reports.

A more disagreeable point is that in most factual reporting facts are mingled with opinions and could easily be mistaken for comments – except that they are not labelled as such.

³¹ Interview in *Eleftherotypia* of 29 March 1999

³² Report of Greek Helsinki Monitor of 1 April 1999

³³ Interview with Zeynep Oral, 8 April 1999

The use of opinions disguised as facts and the attribution of plenty of adjectives in factual reporting is one of the greatest blemishes in the journalism of both countries. This especially applies to the misleading coverage of certain incidents disregarding standards of international law.

An incident concerning the Greek island of Limnos may serve as an example of how attributes change the perception of what really happened. On 19 March 1999, a Turkish F 16 fighter reportedly flew over Limnos, was detected and followed by Greek defence fire. The Turkish daily, *Hürriyet*, reported the incident as follows: “The cool-headed pilot prevented war. Our F-16 pilot, merely doing a test flight, behaved very rationally. Without hitting the automatic fire battery, he called his headquarters. The headquarters gave instructions to the pilot to ‘keep cool, and return immediately’...”³⁴. *Hürriyet* added that in violation of the Lausanne Treaty, Greece had installed a military base on the island. This information is incorrect; Article 13 of the Lausanne Treaty only provides for the demilitarization of the islands of Mytilene, Chios, Samos and Ikaria, but does not mention the island of Limnos.³⁵

Unspecified allegations on hostile incidents. Mutual suspicion about acts of sabotage is common in the media of both countries. When woods are burning in Greece, which happens every summer, Greek media tend to suspect Turkish agents of causing the fire.³⁶ In turn, when the Canadian scientist, Karl Bucktought, predicted a major earthquake in Thrace in mid-July 1999 also comprising the European part of Istanbul, his Turkish colleagues rejected the warning. The Turkish media found out that he was of Greek origin and accused him of trying to harm the Turkish tourism business.³⁷

False information – a wedding ceremony shakes bilateral relations. Another mixture of tragedy and comedy, although rather a tragedy as to the quality of journalism, was the assumed crisis over the island of

³⁴ *Hürriyet*, 29 March 1999

³⁵ Lausanne Treaty of July 1923

³⁶ *Stuttgarter Zeitung*, 7 July 1998

³⁷ *Stuttgarter Zeitung*, 21 August 1999

Platia (in Turkish Keci) in May 1999. Information on a planned wedding ceremony of a Greek fisherman with his Italian bride on the island of Plati in the Aegean caused hot tempers and harsh accusations against Greece in the Turkish press, since Ankara considered the sovereignty of the said island to be undetermined.³⁸ The incident might have had more serious repercussions but, in fact, it turned out to be not an incident at all. A Turkish official had confused the name and location of the islands 'Plati' and 'Platia', the latter being disputed by Turkish authorities. It turned out that the ceremony took place on 'Plati'. Nevertheless, there were serious tensions. Greek and Turkish patrol boats were summoned to the area, and journalists lingered in the neighbourhood, waiting for 'their story'³⁹.

Greek officials could not withhold their mockery: "Why don't you look at a map?" suggested Greek newspapers, citing Greek Minister of Defence, Akis Tzochatzopoulos.⁴⁰

Quoting officials: vague terms and outspoken insults. Hate speech is hardly disguised when used by government officials. Media in both countries would not miss a chance to pick up strong statements and they would do so without scrutinising their justification, softening their criticism or criticising their own politicians.

"Grey zones", for example, is an attribute given to a number of Greek islands in the Aegean by Turkey's President, Süleyman Demirel,⁴¹ implying a threat of action over these territories, should the need arise.

The daily *Kathimerini* quoted Prime Minister Simitis, when referring to Ankara in a conversation with Romano Prodi, thus: "foreign policy cannot be made by idiots".⁴²

Moreover, Turkish media, as well as government officials, accuse Greece of blocking Turkey's access to the European Union. Although

³⁸ *Hürriyet*, 15 May, 1999; *Cumhuriyet*, 16 May 1999; *Turkish Daily News*, 17 May 1999;

³⁹ *Turkish Daily News*, 17 May 1999; *Cumhuriyet*, 16 May 1999

⁴⁰ *Eleftherotypia*, 17 May 1999

⁴¹ *Turkish Daily News*, May 17 1999

⁴² *I Kathimerini*, 18 May 1999

Greece has opposed Turkey's access to the EU, this does not mean that Turkey is not yet a member of the European Union just *because* of objections by Greece. Such accusations, without mention of other relevant factors in the EU's policy towards Turkey, should be also regarded as open hate speech.

The former Foreign Minister, Theodoros Pangalos, was even more explicit. All those claiming the existence of a Macedonian minority in Greece were insulted as "perverted intellectuals and perverted journalists", "monkeys and animals". In January 1999, he stated, "Greek journalists are the worst enemies of the Greek Government". These remarks led Ludmilla Alexeyeva and Aaron Rhodes, respectively President and Director of the International Helsinki Federation, to express their serious concern over such statements in an open letter of 25 January, 1999.

A Greek Archbishop who enjoys overwhelming respect among the Greek people does not lag behind Mr Pangalos. He commented on the situation in Kosovo that: "our Orthodox brethren are being bombarded" and that the whole situation "has its origin in the Muslim element".⁴³

Whenever leading personalities go to extremes, the media do not miss the opportunity to quote them.

IV. A step towards a new understanding: a programme window co-produced by Greek and Turkish journalists

During interviews conducted with Greek and Turkish journalists in the context of this research, their sincere interest in discussing the role of the media in bilateral relations became clear. They showed openness and sensitivity on this issue. A practical result of the research was the bilateral media project, aiming at better mutual understanding and reduction of hate speech elements of mainstream journalism.

⁴³ GHM Report, 1 April 1999

The co-production of a programme window by Greek and Turkish journalists is meant to create a forum for all those journalists and intellectuals in both countries who take a different stand from the main-stream journalism of the media.

This programme window will take the shape of a series of six documentaries on issues of civil society which are of interest to both Greece and Turkey. The documentaries will not touch “hot spots” in bi-national relations, but deal with issues on which a dialogue between civil societies may be developed.

The characteristic of this initiative is that, for each documentary, one Greek and one Turkish journalist will work together: they will travel together, conduct the relevant investigations and interviews, collect the same facts and – most important – interpret the facts together. Thus, they will be forced to deal in detail with the perceptions and the viewpoint of “the other” and are encouraged to cross-check facts and figures coming from national sources of information (national news agencies, history textbooks, etc.).

The journalists themselves will determine the subjects of the documentaries. Given the political delicacy of such a programme, only those journalists have been asked to participate who have already some experience with Greek-Turkish issues and who have shown a non-nationalist and constructive approach.

The documentaries will be produced by two independent companies in Greece and in Turkey. To ensure their editorial independence, half of the production costs will be funded by the MEDA programme of the European Commission. The programmes will be broadcast by private television stations in both countries in both languages.

III. Twenty-five Years of the Helsinki Process: 1975 – 2000

“The participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion.”

*Final Act of the Helsinki Conference on Security
and Co-Operation in Europe, 1 August 1975*

Roy Gutman

Twenty-five Years of Helsinki Process

A Personal Reminder

In a cavernous auditorium in central Belgrade, legislators from all over Europe and the United States assembled in mid-1974 to debate and publicize an unprecedented initiative then being negotiated in Helsinki. The idea was to produce an accord the following year that would detail basic human rights in Europe, in exchange for Western acquiescence to the Soviet-imposed post-war borders.

As the resident correspondent in Yugoslavia of a major Western news agency, I listened carefully. In the aftermath of the Warsaw Pact's invasion of Czechoslovakia in 1968 and the crushing of the reform movement, I thought universal acceptance of the human rights provisions — the so called “third Basket” was the only way to achieve peaceful change in Europe. I wrote a feature that went around the world.

I learned during the parliamentarian's assembly that the participants at Helsinki intended to improve conditions for the Press as well. Indeed, the final text promised to examine reporter's visa requests in a favourable spirit and within a suitable and reasonable time-scale and to provide multiple entry and exit visas for permanently accredited journalists. It also stipulated that journalists should not be expelled or penalized for going about “the legitimate pursuit of their professional activity.” This would be a real change, for we all knew the pressures put upon reporters by totalitarian regimes, starting with Russia.

Little did I realize that, following an unsuccessful attempt to obtain a Russian visa, I would become perhaps the first “Basket Three case.” Of course, my own encounter with the Helsinki Final Act was modest and fleeting, but if multiplied many, many times, it helps explain the impact that process had on the late Cold War period. No one could have anticipated, just 15 years after that Belgrade meeting, the end of the

Cold War, the peaceful collapse of Communist power in Europe, the end of the Russian Empire, the opening of European borders, and the democratic transformation that is still under way.

Nor could anyone have anticipated that Yugoslavia, the most free and open Communist state in Europe and the case study in socialism with a human face, could become the model for pernicious nationalism and the setting for the worst atrocities committed on European soil since the Holocaust.

My story began in late summer 1974, when my then-employer, the Reuters News Agency, asked me to become deputy bureau chief in Moscow. At the time, I was daily breaking elements of a strange story about the reputed machinations of the Russian, Czech, and Hungarian governments to support an orthodox Communist party challenge to the Tito regime. I worried that my high profile coverage would hurt my chances of getting to Moscow, but saw no alternative to reporting the story. Intriguingly, the letter of assignment never arrived in the Yugoslav post, and I received a photocopy six weeks late. With trepidation I agreed that Reuters submit my visa application in December 1974. A short time later, I went through the customary “processing,” which in those days consisted of being visited by a Russian “reporter” in Belgrade, who interviewed me about my interests, language capabilities, and ethnic and family background. I departed Belgrade early in March 1975 to begin a Russian language refresher course in London. As I began it, the Soviet Embassy formally rejected my application “for reasons that are known,” and asked Reuters for “another applicant.” There was no further explanation.

My career suddenly plunged into the deep freeze over an arbitrary and capricious, but familiar, abuse of power. I decided to try and convince Reuters to fight the rejection. My colleagues in Moscow, London, and Eastern Europe threw their support behind me. For one thing, I was the fourth Reuters reporter to be “blackballed” in a short time from Moscow. Two reporters had been the victims of official smear campaigns while in Moscow or upon departing, and a third was denied a visa before me. I detailed this for Gerald Long, the Reuters general

manager. But the context was broader, and I compiled a documentation of 15 cases of expulsions of Western journalists and 17 of harassment in the previous decade. The pattern I detected was that organizations like Reuters, which tried to keep a low profile and tended to suffer in silence, received ever-worsening treatment. Mr Long mulled it over and decided on a complete reversal of previous practice.

The centerpiece of the new approach was a lengthy letter of complaint to the Foreign Minister, Andrei Gromyko, demanding an end to the harassment of journalists. The methods Russian authorities used to intimidate journalists – detention by the police, threats of expulsion, personal and sexual smears – “would be unworthy of any country having strangers in its midst,” he said in it. He decided it should be delivered to Gromyko during the Helsinki Summit on 30 July. The Russian Embassy would not accept it. So Long submitted it to the CSCE Executive Secretary, sent copies to 175 other news organizations with reporters in Moscow, and had an article published on the main Reuter newswire. Reuters also asked the International Press Institute in Zurich to collect data on harassment and expulsions from then on.

Back in London, the Russian Embassy routinely invited Reuters to staff press conferences. On at least two occasions, my name was put forward, and each time, the Russian Embassy refused to allow me in. The then-Editor, Jonathan Fenby, protested in letters, in person, and on the wire. When the Russian Embassy Press Counselor replied that they had not prevented me from coming, Mr Fenby fired back a letter and wire story that they indeed had. The confrontation continued until the Embassy signalled a ceasefire. Reuters pressed my case for nearly a year, but I never received a visa and ended up in Washington instead. I could not pursue my interest in East-West relations.

While my own encounter with the Helsinki Final Act did not end satisfactorily, the fact there was a norm that could be referred to and elaborated upon in a follow-up procedure provided my news organization a vehicle for protest, and a point to rally the profession. I understand that after the public confrontation, the Reuters bureau in Moscow went a good 10 years without harassment or visa delays.

During the five years I covered the State Department for Reuters, I visited Moscow frequently, travelling with the US Secretary of State, and kept tabs on the efforts made by the US delegation, led by Max Kampelman, to push and develop human rights under the CSCE rubric. Possibly because I was more sensitized than most reporters to the possibilities of the Helsinki process, I became convinced that the Carter and Reagan administrations, in their very different ways, gave sustenance to a dynamic process. For many colleagues and politicians alike, the role of the CSCE in bringing about Europe's greatest revolution, was a little-known fact of international life. The assessment of former CIA director, Robert Gates, published in 1996, parallels my analysis. In *From the Shadows* (Simon & Schuster), Gates notes ironically: "The Soviets desperately wanted the CSCE, they got it, and it laid the foundations for the end of their empire. We resisted it for years, went grudgingly, (then-President Gerald) Ford paid a terrible political price for going, perhaps re-election itself, only to discover years later that CSCE had yielded benefits to us beyond our wildest imagination."

After more than decade of covering everything but the "East bloc," I had the fortune to be assigned to Europe by Newsday in 1989, and reported the peaceful revolutions in Poland, East Germany, and Czechoslovakia. After the Wall came down, I was convinced that the CSCE process held the key for the security of a Europe, whole and free, and that NATO would have to begin working together with the CSCE to uphold the principles of the Helsinki Act. In November 1990, on the eve of the Paris Summit, I went to Vienna to test the theory, and learned from CSCE ambassadors about an internal dispute, centering on the creation of a proposed Conflict Prevention Center (CPC), to address future security challenges. The then German Foreign Minister, Hans Dietrich Genscher, envisioned the CSCE becoming an umbrella over NATO, and the CPC a permanent forum for discussions of political disputes between European States. Russia, seeking to end NATO's military structure, backed Germany, as did the Eastern European States, whose main concern was the opposite of Russia's: namely, the security vacuum created in their neighbourhood by the demise

of the Warsaw Pact and NATO's drawdown. The United States and Britain worried out loud that the CSCE forum might supplant NATO, and insisted on a weak CPC. They carried the day. So despite President George Bush's proclamation of a New World Order in Paris, there was no underlying concept or mechanism. In retrospect, I cannot help thinking that the failure to grasp and build upon the central role of the CSCE was a key factor in the calamitously shortsighted decisions made by the US and other governments in addressing the Balkans.

Months later, conflict began in the former Yugoslavia. It took my colleagues and me some time to determine that this was an attempt to change borders by force, using the most savage means to carry the day. In so doing, Slobodan Milosevic stood on its head the entire order built around Helsinki, with the tacit agreement of the United States, its allies, and Russia. No instrument was available to address effectively what he had done. Only neutral Austria and the leaders of some of the newly independent East European states, in particular the Czechoslovak President Vaclav Havel, sounded the alarm.

The Bosnia conflict was, in retrospect, an enormous crime against humanity, masquerading as a war; it was one of Europe's darkest hours. Every security structure — the UN Security Council, NATO, and the European Defence Community failed, and even the CSCE was nowhere to be seen. To a large extent, reporters, humanitarian aid workers, and some human rights organizations became the keepers of the Helsinki standards. Massive and systematic war crimes were not the only factor that drove the news media to investigate, develop, and stick with the story. The other was the sense that governments had walked away from the principles that had transformed Europe, and to cover their tracks, they consistently misled the public by claiming nothing important was at stake.

In time, prodded by such bodies as the US Congressional CSCE Commission, states rediscovered CSCE. At the Budapest Summit in December 1994, the international community tried to revive it by renaming it Organization for Security and Co-operation in Europe (OSCE) and providing it a role in resolving some of the conflicts in the

former Soviet Union; but my main memory of Budapest was the public battle between Russia and the United States and a brave attempt by Christine von Kohl und Libal, a colleague from my Belgrade days and now a Helsinki Watch Group organizer from Vienna, to engage the then German Chancellor, Helmut Kohl, on why Europe was closing its eyes to Bosnia. Other than serving as a sparring forum, the OSCE was seemingly irrelevant to the conflict in Bosnia. Nevertheless, I think because the CSCE had been at the centre of the most momentous events of the late 20th century as a sort of constitution for modern European human rights, there was no alternative to it resuming its role as keeper of standards.

Human rights, at the core of the OSCE's principles, are still not observed in one part of Europe. This time the rump Yugoslavia is denying journalists visas (including, incidentally, my own), among wholesale other human rights violations, and the OSCE actively protests this. Yet the long-term outlook is positive. If one recalls the late Cold War era, the Helsinki Final Act acquired enormous impact as a result of governments, news media, and independent non-governmental organizations continuing to hammer away at violations of the agreed norms. I believe a democratic opening in this last European holdout is also only a question of time.

**IV. Our Work – What We Think,
Why It Matters**
Reflections by Staff Members

Stanley Schrager

None of Your Business

Alexander Ivanko

Damned if You Do and Damned if You Don't

Hanna Vuokko

Minority Media: The Case of the Swedish-Speaking Finns

Mihaylo Milovanovitch

The Forbidden Language

Katarzyna Cortés

A child of 'Solidarity'

Stanley N. Schrager
None of Your Business

At an OSCE-sponsored conference late in 1999, I began my address by posing a series of questions: I asked first, can toads hear? Why or why not? Write an essay referring to Elvis Presley, the moon, a snowstorm, and electrical current. If you were writing your 300-page autobiography, what would page 217 look like? Obviously, this was not your typical OSCE-type address, and I am certain that more than a few members of the audience wondered from what local psychiatric hospital I had escaped, or perhaps I was simply at the wrong conference. But I later explained, to the best of my ability, that these questions were taken from recent university admissions applications in the United States; that the former instructions to students asking them to tell a little about themselves and why they wanted to attend Such-and-Such a University had been overtaken by more thoughtful subjects for essays designed to get the students to “think outside the box,” as they say, to be more creative, to find new answers to new questions.

All of which led to a discussion on my part on how the OSCE today needed new answers to new questions; and I ventured so far as to say that, if the OSCE Office of the Representative on Freedom of the Media was writing its autobiography, here is what page 217 might look like.

Back in Chicago where I grew up, schoolyard bullies were fond of telling the smaller kids to mind their own business. This was particularly true when one was trying to interfere with a discussion between a bulky young fellow and his new high school girlfriend. “Mind your own business” was the inarticulate young man’s way of saying that this particular affair did not concern the other person. (Occasionally, if the situation got out of control, the contretemps was often punctuated with a poke in the eye, but this could usually be avoided, given either a strategic sense of how to avoid such entanglements or quick feet to run away with). Today, the stage is more sophisticated, and the “partly-democratic” country (always, it appears, in some kind of transition or other)

rather than blurt out that what it is doing is none of our business, might be more likely to invoke words that suggest that its actions are “not in your mandate.”

While that might have been a good argument, and was certainly a common one 25 years ago when this OSCE work-in-progress began under another name, it has, now, become overtaken by events.

About a decade ago, an American wrote a book called *The End of History*, which received acclaim and controversial discussion not so much for its content as for its title; the presumptuous idea that history was at an end, the ideological battle was won, “We” had won, and “They” had lost. Perhaps the celebration was a bit premature, but certainly the handwriting was on the wall for the few remaining really repressive regimes in the world. The tired old clichés, along with their tired old rulers, were crumbling. This century which began with the drawing and reshuffling of national boundaries, characterized by invocations of national sovereignty, the inviolability of national borders, and allusions in diplomatic language to minding your own business, and suggestions that such forays were “not in your mandate” have now given way to a clear loss of national sovereignty, at least in the realm of ideas. In fact, if the 20th century saw the zenith of national sovereignty, the 21st century may perhaps be the century that witnesses the demise of national sovereignty as we know it, and as history has seen it over the past hundred years.

No longer can governments say “None of your business,” or “This is not in your mandate.” Because what governments do internally now IS our business, and our mandate covers it.

Nowhere is this transition from national sovereignty to the sovereignty, not of borders, but of ideas, more clear than in the continuing struggle for freedom of the media in the OSCE and elsewhere in the world. This fight is in the forefront of this new ideological struggle between the former forces of repression and those who would welcome citizens into the 21st century, free of the constraints of the past.

As I conclude my two years in the OSCE Office of the Representative on Freedom of the Media for reassignment with the Department

of State, I feel more strongly than ever that the media will have to show the way in this transition to democracy, this process that seems to be endless to both governments and its citizens. The picture I take away is a mixed one. We are told that a healthy democracy moves in lock-step with a healthy media. Eighty years ago the eminent American journalist, Walter Lippmann, suggested that, “the present crisis of Western democracy is a crisis in journalism,” claiming quite a bit for himself and his colleagues. Hubris aside, one might suggest that the present crisis in the transition to democracy is a crisis in the media as well. What we continue to be missing is a clarity of purpose and civility of manner among journalists and politicians. We need to find answers to the question of what precisely is the proper place for the media in the contemporary life of the OSCE countries moving toward democracy. How can we break down the barriers of mistrust and of distrust between politicians and the media?

It should be said here that I am not suggesting forgoing what is known in the United States as the “adversary relationship” between government and media; for the most part, with the occasional exception, this adversary relationship has served the United States well. “Adversary” is okay, “antagonistic” is not, and we need to move further away from the chronic distrust which seems to so characterize so many governments and media representatives in the OSCE area.

But how to do this? I so often hear how journalists need “training,” as if training will solve the problem. It won’t; if carried to its logical conclusion, “training” will only produce more effective spokesmen for repressive regimes. I would rather have an untrained journalist trying to make propaganda for a repressive government than a “trained” journalists who knows only too well how to sway public opinion in the wrong direction. If training is to have any productive effect at all, it will come from creating enough “trained” – and here I mean “responsible,” but not in the terms that repressive governments mean “responsible” – journalists that they form a critical mass that they will no longer tolerate being pushed around by governments who pay only lip service to democracy.

Politicians, too, share a heavy responsibility for cheapening the public life. We need a rapprochement between the media and politicians. This raises the question of what is the proper place for the media in the contemporary life of the OSCE?

The two years of existence of this Office has attempted, to some degree, to answer this question. What has become eminently clear is that this is not an Office ON Freedom of the Media, but an Office FOR Freedom of the Media. This is of more than academic interest; “on” freedom of the media suggests an objective assessment of the situation; “for” Freedom of the Media more clearly connotes the reality of the situation of the past two years – an active advocacy FOR Freedom of the Media throughout the OSCE region. But we still need to answer the question of what is the best way of advocating and championing that cause.

Ten years or so ago, a handful of journalists around the United States consorted to establish a movement called “public” or “civic” journalism, which sought to expand, even reconfigure, journalism’s presumption of reporting objectively on the news. The lines commonly separating the reportorial and editorial functions were to be, if not crossed, certainly thinned. No longer, for example, was the local newspaper idly to report the goings-on in city hall; it was to stir up its readership to act, for example, by sponsoring evening forums on local problems and perhaps forcing the government’s hand to solve them.

I suggest we extend that concept of “civic journalism” to the OSCE region. Instead of the usual training courses about objective reporting, the hallowed lectures on the differences between fact and opinion, we need the media in the OSCE region actively engaged in “civic” journalism. Let them come down strongly on the side of advocacy journalism, let them beat the drums for community involvement in the issues that concern the everyday lives of their citizens. What we need are not the traditional “training” courses on objective accurate reporting, but seminars on advocacy and civic journalism. Some governments will, of course, not particularly appreciate this new media activism I suggest, but it is a way of moving this glacial-like process of

democratization along. It essentially skips a phase in the evolution of the media, and seeks to channel the enthusiasm and commitment of the abundant number of young journalists throughout the OSCE region whom we have met on our visits. This idea, of course, if realized, will mean increasing involvement of this Office in the “sovereign” internal affairs of some countries; actively encouraging the media to become involved in civic affairs, to write about them, to generate public interest and support for solving the problems which concern the citizens of those countries. It means a localization of the profession of journalism; why is there no electricity? Why are the roads in such poor condition? (More importantly, what is the government doing or not doing about it?) Why are the schools overcrowded, and, often, unheated? Why are people afraid to go out at night? What is the government doing to create jobs? And so on. It is the role of the media to hold governments accountable.

If we are to localize the profession of journalism, then we need to look, too, for specific instances where we can bring together government and media to resolve a problem. We need to take on a mediation function as well as advocating freedom of the media. For example, in my opinion, governments take action against the media and then occasionally have second thoughts about what they have done. They generally have to defend these actions for political reasons, but often look for a way out, particularly if their actions have precipitated negative publicity from this Office and NGOs. We can work with governments and media to resolve these issues, on a selective basis. We need a willingness both on the part of the government and the presumably aggrieved media to sit down and talk, with this Office acting as an intermediary to resolve specific issues. OSCE governments should be able, and willing, to come to us and say: help us out of this situation; play a mediating role and help us resolve this issue while it is still resolvable.

Many of these issues will be lingering in the judicial system of the country and it will be easy for governments to say that it is a legal matter, that we can't interfere with the judiciary, etc. Let's face it, in a number of countries the “independent judiciary” is merely a pretence,

but an easy one for a government to fall back on. Mediation, however, will seek to circumvent the time-consuming and usually intensely partisan process. It will seek political solutions to the time-consuming and often inherently prejudicial legal process. But Governments will have to be willing to look for a resolution outside the legal system. Our first attempt at volunteering our Office as a mediator, in a specific instance of a conflict between an OSCE government and a media outlet that had been closed, led to a letter to us from the high government official involved, stating, that, first, this was a legal issue and fell under the mandate of the Ministry of Justice, the court system, etc. Then we got the desired conciliatory paragraph that said something like, despite this, “my office, defending the rights and interests of the media, is willing to provide assistance to you in resolving the problem. In that respect, I would be happy to meet with your advisor or with you personally as well as with any other people that you recommend.” We take the official at his word.

The concept of mediation is a localized, individualized way of dealing with conflicts between government and media in the OSCE region. It is time-consuming, and with no assurance of success. The role of advocacy is a well-known one for this Office; it can now turn the influence and official prestige it enjoys among the OSCE governments and media in the direction of mediating specific conflicts between media and government. Intrusive? Perhaps, but again in an era where national sovereignty gives way increasingly to transnational ideas of human rights and freedoms, and free media, the opportunity is there.

It is not that I am insensitive to what struggling governments are going through. I have been the recipient of a number of often emotional statements by government officials of how difficult it is to deal with the “irresponsible” media, and how the development of democratic traditions takes time. In fact, for the past year, every two weeks I have delivered statements to orientations of new OSCE individuals on the work of this office. Most, by the way, were bored since they failed to see any relevance of this Office to their work with the OSCE; try as I might, I could never really connect our work with their inter-

ests, outside of that small group of OSCE individuals who were either interested for one reason or another in the media or whose jobs compelled them to know something about the media. The only technique that seemed to work at all was when I asked them to put themselves in the role of someone else.

Imagine yourself, I said, as the president of an emerging democracy going through a difficult transition from autocratic rule of some sort to a democratic way of life. You, as the president, understand how difficult it is to motivate your people, to bring their expectations in line with what your government can realistically hope to accomplish. You recognize that in this new environment it is crucial to gain the support of your people. Let's even assume you are a benevolent ruler, and not a former apparatchik eager to hold onto power. You know that to engender support, the best way to do it is through the media. Your average journalist is young, new to the profession, poorly trained, and, frankly, often a pain in the neck. You know, too, that without the support of your people, you will be unable to succeed. Even under the best of circumstances, frankly, the last thing you want is an independent, or opposition (for many such presidents they are the same things, unfortunately) media; you want a supportive media that will reflect your actions positively.

That is normal, but what is one to do? While we believe in the relentless pursuit of a free media as a positive development in the evolution of a democracy, your short-term needs can easily outweigh the philosophical concepts of the role of a free media in society (nearly always a topic of "training" seminars). We are dealing here, you say, with the difference between a philosophical concept and the reality of governing a fragile nation in transition to democracy. A free media can wait, you say; in fact, a free media at this particular time in the development of this country would be detrimental to the progress of democracy, and the need to gain popular support for the initiatives of the government.

I understand, I sympathize; if I were the president of this particular country, I would feel the same way. It is, perhaps, too much to expect that these developing democracies be led by enlightened lead-

ers who see not only the long term benefits, but also the short term advantages of a free media. I have no easy solutions, except that occasionally these governments will have to be figuratively dragged kicking and screaming into this new media world.

And so as we reach the bottom of page 217 of this continuing story, it will no longer be enough to tell me that what happens in your country, and with your media, is no longer my business. Because now it is.

Alexander Ivanko

Damned if You Do and Damned if You Don't
Reporters Defending a Cause: Advocacy Journalism
at its "Best" and Worst

In 1995, a senior United Nations official working in Sarajevo labelled the Western media corps covering the Bosnian war from the besieged city, as "reptiles." His scorn was aimed at these reporters because he perceived them to be the Bosnian Government's "public relations officers," projecting an image to the world public that it was only the Bosnian Serbs who were committing all the crimes in the country. This senior UN Official, an American, failed to grasp one fundamental change that has quietly crept into journalism over the past years, especially in areas in conflict. Although objectivity was still applauded, subjectivity became the "name of the game." No longer were journalists reporting on a conflict, they were taking moral stands, often supporting one out of many warring parties. In Sarajevo during the 1992-1995 war, objectivity led to accusations of "pro-Serb" bias, not only by the Government but by one's own colleagues, who could not perceive how can anybody be "objective" among all this mayhem.

Misha Glenny, one of the best British reporters covering the Balkan wars of the 90s, is a classic example. He tried, whenever it was possible, to be objective, he gave all sides the benefit of the doubt, he reported on what he heard and saw, but he avoided being the moral judge who knows best. As a result, he was thrown out, at various times, from Belgrade *and* Sarajevo, threatened by local heavies, Bosniaks and Serbs alike, and ostracised by many Western journalists working in Sarajevo. Why? Because he did not advocate a cause that many thought was the "right one." The Bosnian Government *did* have the moral high ground. The Bosnian Serbs *were* besieging Sarajevo, killing off its citizens like scared rabbits. Concentration camps were established in 1992 by the Bosnian Serbs on territory that they controlled. And journalists covering these stories were often appalled to a point

when they could no longer take it. The crimes committed by the Bosnian Serbs were so horrific that only a completely heartless person could not feel compassion for the Bosniaks. Western journalists, many of them of very liberal views, were no exception. They sympathised and they tried to help the only way they knew – through the media. Professionalism is a different matter.

Can a reporter, when working in a war zone, be expected to be fully objective, giving a clinical review of events, avoiding any commentary and high moral grounds? When civilians are killed, children tortured and women raped, how can one avoid becoming an advocate for the “right” cause, with “right” defined by every journalist usually in line with the views of one of the warring parties. Kurt Schork, the *Reuters* correspondent in Sarajevo throughout the war, spent most of 1993-94 helping wounded civilians, using his car as a makeshift ambulance, while UN cars sped by ignoring their pleas. Back in 1994, he told me that at one point he ran out of clean clothes; everything he had was covered in blood. Mr Schork was also one of the biggest advocates of the Bosniak cause, as well as one of the UN’s fiercest critics. The UN official I mentioned in the beginning – his name is Philip Corwin – was finally declared *persona non grata* by the Bosnian Government, mainly because of the stories written about him by the Sarajevo press corps, including Kurt Schork. The end result was a positive one, since Mr Corwin openly supported the Bosnian Serbs. But is it up to journalists to make these calls?

In 1994-98, I worked as the United Nations Spokesman in Sarajevo. Before coming to Bosnia, for ten years I was with *Izvestia*, a leading Moscow daily. All the examples I am mentioning here I have come across personally in my professional life.

John Bosnic, a Canadian of Serb origin, covered the Bosnian war mostly for the Japanese media. He also advocated a cause, albeit a different one. Working out of Pale, the Bosnian Serb stronghold, Banja Luka and Belgrade, he insisted, through the media, that the Serbs were the only victims of this war, and that the alleged crimes perpetrated by the Bosnian Serbs were a hoax cooked up by the “pro-Muslim” Western media. His cause may have been despicable, but were his methods

any different? Just like his colleagues from the “other side of the barricade,” he was using the media to propagate rather than inform. The audience did not always know and understand the difference.

When this article goes to print, hopefully, the case of Andrei Babitsky will be resolved. As of mid-February, Mr Babitsky, a Russian reporter for *Radio Liberty*, who initially went missing in Chechnya and later re-surfaced in the custody of Russian troops, was, at some point, allegedly exchanged for five Russian soldiers. The Russian Government insisted that Mr Babitsky was “alive and well” and currently somewhere in Chechnya held by local Chechen commanders. His case has gained world-wide attention. His plight is being followed by dozens of international governmental and non-governmental organizations. What had happened to him has cast doubt on the Government’s dedication to freedom of expression. However, the Russian press, even the most liberal editors, has reacted to Mr Babitsky’s exchange rather coolly. Many journalists see him as an advocate of a cause that is, in their view, fundamentally “anti-Russian.”

Izvestia quoted one of Mr Babitsky’s reports, where he said that the Chechens slit the throats of Russian soldiers “not because they were sadists but to raise the awareness of their cause.” A highly charged issue, emotionally and historically, the Chechen war has turned many professional journalists into advocates, including Andrei Babitsky. The cool response among his colleagues to all the outrages Mr Babitsky was subjected to by the Russian authorities is a clear result of advocacy journalism at work. Not only Mr Babitsky is a “public relations officer” in this war. Many others, reasonable people, support the Russian offensive wholeheartedly, demanding, through the media, more blood. Their loud chorus drowns out the few voices, like Mr Babitsky’s, whose sympathies are with the Chechen rebels. But all of them do not inform the public, they try to lead it. Be it in support of Russian hegemonism or Chechen separatism.

Western reporters covering the Chechen war are not much different. They side with the underdog – the Chechens, whom they see as the proud defenders of a just cause. Why the Russian forces started the

offensive last year is not always mentioned. Shamil Basayev, one of the leading Chechen commanders, whom the Russian government brands as a “terrorist,” is portrayed as a heroic warrior, a sort-of modern Che Guevara, fondly remembered by many Western journalists who grew up in the 60s. All the kidnappings, all the terrorist acts, committed by people loyal to Basayev, tend to miss the front page. Reality ends up being impaled on the views of the reporter, who is stuck in some God-forsaken hole, trying to get in touch with his offices in London, Paris or New York. Satellite phone breaks down, food and water are scarce, if any, and the airforce is bombing the area. Try being objective.

Advocacy journalism is on a roll. In today’s New World Disorder, with local wars springing up left and right, reporting the news takes on a new, and some would say improved, meaning. Down with objectivity, down with the facts, here is what I think and you better listen! These are the “good guys” and these are the “bad guys,” and whoever thinks otherwise is complacent to crimes against humanity, if not genocide. We saw this approach to reporting very clearly in Bosnia, and we are seeing it today in Chechnya. The causes may be the noblest in the world, but defending them is not exactly what journalism is all about, at least not what they teach in college. Reporting the facts as one sees and understands them just seems so boring.

In my view, one of the reasons that advocacy journalism is dominating the airwaves is, that because of a proliferation of conflicts, there is a proliferation of freelancers willing to cover them. Major networks, newspapers, magazines prefer not to send their star reporters to areas where one could get easily killed. Insurance companies also have a say. At one point in 1995, Peter Jennings from *ABC* was prevented from coming to Sarajevo by his insurance company that refused to cover his trip. As a result, people straight out of journalism school end up going to war zones to make a name for themselves. And often they do. Joel Brandt, a 17-year old kid, landed in the Balkans wars in the early 90s and left in 1995 as a seasoned war reporter filing for *The Times* in London and *CNN*, highly respected by his peers and senior international officials. His success pushed many other young people into the Balkan fire, some of them never came back alive.

When a war ends up being your first professional assignment, you tend to immediately take sides. The “good guys” are usually the side you are reporting from. Once associated with it, you will rarely get a chance to see life across the “front-line.” You have now surrendered your “objectivity credentials” and became an advocate of a cause. The same “syndrome” also affects the senior, more seasoned reporters, but they usually end up being a minority in a conflict area. The freelancers rule.

Brent Sadler of *CNN* and John Simpson of the *BBC* covered the NATO bombing campaign against Yugoslavia from Belgrade. Both tried to be objective, both tried to give their viewers the other side of the story. John Simpson wrote about his experience in the book *The Kosovo News and Propaganda War*, published by the International Press Institute. Here is what he had to say: “...Officials at the British Ministry of Defence began to let it be known that I was pro-Serbian, and that my reporting was outrageously biased. Tony Blair’s press secretary, Alistair Campbell, briefed the lobby journalists at Westminster to the effect that what I was saying from Belgrade was unbalanced and impossible to believe. Worse, Tony Blair himself told the House of Commons that my reports ‘were compiled under the instruction and guidance of the Serbian authorities.’ Had this been repeated outside the Commons, I should have sued the Prime Minister for slander.”

Not all of Sadler’s and Simpson’s colleagues were very supportive as one would have hoped. A prominent journalist complained to me about Mr Sadler in basically the same words that had been used by Mr Blair in the Commons. Objectivity was seen as accommodating the “wrong” side. In the end, journalists rallied behind John Simpson, he was too well known and professional to be considered a “Serb stooge.” However, Misha Glenny still has to fight off the pro-Serbian bias he is accused off, even today, more than four years after the war in Bosnia ended.

A proliferation of advocates, in reality, tends to increase pluralism and decrease independence. This is especially true in Russia, where there is plenty of pluralism, every view represented, from extreme left to extreme right, but very little, if any, independent journalism that just gives you the facts. Nothing more and nothing less. Even such bastions

of free journalism as *Izvestia* and *Moscow News* tend to add commentary when it is not needed. Most reporters, working for these newspapers, do not see themselves as “just plain reporters.” They fight for “just” causes, they stand in elections, both local and national, they shout from the pages demanding this and that. They have views on everything and they use the media to ensure that the rest of the public knows their opinions. But they rarely inform.

When the legendary US television anchorman, Walter Cronkite, decided to make an editorial comment on the evening news programme, basically against the Vietnam War, the *CBS* management had to approve. He was making public his personal views and not just reporting the facts. Those days are long gone. Commentary has become an integral part of news programmes and has ended up on the front pages of the most respected newspapers. Often it is the facts that are difficult to find, when one has to go through lines and lines of commentary before one gets to the basic news story. The op-ed pages are not enough anymore. Still, the situation is not as bad in the West as it is in the newly emerging democracies, where there is pluralism in abundance and straight news rarely found.

As a former media professional, spin-doctor for the United Nations and news junky, I miss a good news story. Down with all the comments, numerous debates and talk-shows. Give me news, facts, as one sees them. Not as one perceives them to be. Maybe the good-old-days of factual journalism will come back and once again we will be spoon-fed facts and not opinions. The likes of Misha Glenny, Brent Sadler and John Simpson are out there and I look forward to their reports from the many local conflicts we will see in the 21st century.

Hanna Vuokko

Minority Media: The Case of the Swedish-Speaking Finns

In addition to having the most mobile phones per capita in the world and being the biggest coffee drinkers, the Finns are also excelling in something else: newspaper reading. When you compare the population, a mere five million people, to the circulation, the Finns reach third place worldwide, after Norway and Japan. The circulation is 455 newspapers per 1000 inhabitants. In 1999, 207 newspapers were published. Of these, 30 were published seven days a week (a feat unusual even for European standards), and a quarter at least four times a week. One of the differences from many other countries is that the newspapers are mainly subscribed by the families to their homes, arrive early in the morning, and are read over breakfast before the working day begins.

Another interesting feature in the Finnish media landscape is the Swedish minority media. The Swedish-speaking minority is often used as a textbook example of minority status and conditions, and this applies for the media situation as well. Strictly speaking, however, this minority is not a minority at all, as both the Finnish and the Swedish languages have equal constitutional status as national languages. To explain the Swedish-speaking population, one has to look back briefly on the historical context.

Finland was a political vacuum until the neighbouring Sweden and Novgorod (Russia) started to push their influence on it. Sweden won this competition and, in the peace treaty of 1323, it acquired all of Western and Southern Finland, whereas only the Eastern-most areas fell under Russian rule. During these centuries of Swedish domination, Finland was immersed with the Swedish legal, social and religious systems, as well as the Swedish culture and language. According to somewhat uncertain statistics, about 20 percent of the population was Swedish-speaking in the 18th century. This group included, naturally, Swedes who moved to Finland to deal with the admin-

istration in the province, as well as Finns who needed to speak Swedish for various reasons, including employment, education, and commerce. In addition to these two categories, a third group included foreigners who moved to Finland and learned the official language of the state. Although this third group was not necessarily a very large one, it was quite influential when it comes to “content”, i.e. the foreigners brought with them especially new business ideas and started many companies – many of the products and trade marks are today corner-stones of the Finnish business market.

When Sweden was losing influence in Europe and lost its status as a great power, it also lost Finland. In the peace treaty of 1809, Finland became an autonomous Grand Duchy of Russia. The Russian Emperor Alexander I originally gave Finland extensive autonomy, which included retaining Swedish as the official language. During the century-long Russian period, the Finnish national movement gained momentum. The Finnish language culture had experienced a first wave during the Reformation, when written Finnish was created and the Bible translated. In 1863, Emperor Alexander II finally made Finnish into an official administrative language alongside Swedish. And then, in 1917 when Finland gained its independence, both Finnish and Swedish were confirmed as national languages in the Constitution.

Today the Swedish-speaking minority has shrunk to six percent, comprising about 300,000 individuals. Of these, 25,000 live in the Åland Islands, which are an autonomous Swedish-language island group between Finland and Sweden. Today, the Swedish-speakers can pretty much be seen as a mirror image of the population as a whole and can be found in all sectors of society and in all professions. Two-thirds speak Finnish to some extent, whereas a third can be characterized as unilingual. The Swedish-speaking population has a “double identity”, i.e. they clearly identify themselves as Finnish citizens, but as Finnish citizens who speak Swedish. This can be seen in the Swedish name for the group, “finlandssvenskar.” An answer to a commonly asked question is that, yes, in an ice hockey game between Finland and Sweden the “finlandssvenskar” would certainly support Finland. The reason for this is, as was men-

tioned earlier, that the background of this group is varied and most do not have roots in Sweden at all. Therefore it would also be incorrect to use the term “Swede” as this would link the group to a foreign state. Personally, when asked where I am from, I am reluctant to give an “incomplete” answer such as only saying I am a Finnish citizen, and I will therefore most likely add that I belong to the Swedish-speaking minority.

There are several building blocks in the system to maintain and support the possibilities of this minority to use its language and develop its distinct culture. The Swedish-speakers can use their language before the official authorities and the court system, and they will get service in Swedish when needed, e.g. in hospitals. A Swedish-speaking child can first go to a Swedish-speaking kindergarten, then to a Swedish-speaking elementary and high school, and finally to university where the language of instruction is Swedish. Language is at the very core of self-identity for any individual, no matter whether the person belongs to a minority or a majority. However, more effort is needed in the case of minorities, to defend and preserve the language. One of the corner-stones in the struggle to affirm a cultural and lingual identity is, quite naturally, the media. Not only does the media reinforce and support the language in itself, it also adds to the social identity of the minority group and strengthens the feelings of kinship. As there are some different characteristics between the Swedish spoken in Finland and the one spoken in Sweden, one of the ways to distinguish a special identity is to keep the two separate, and also in this task the media is at the forefront. The minority media thus interlinks the individuals all over “Svenskfinland”, the mythological “Swedish Finland” without visible borders but with substantial content.

Bertold Brecht has said, when commenting on Finland, that it is a country where the people keep a bilingual silence. Considering that this preconception of the mute Finn, and according to Brecht also a mute Swedish-speaking Finn, who prefers to keep his space is widespread and well known, it must be said that the media must be breaking all the rules. The Swedish minority media is certainly alive and kicking, in both its printed and broadcast form.

The main newspaper in Swedish is *Hufvudstadsbladet* which is published seven days a week and has a circulation of about 60,000. In addition to this national paper there are more than a dozen regional and local newspapers that are published between one and six times per week. Furthermore, there are more than 200 Swedish periodicals and close to 300 bilingual Swedish-Finnish periodicals. Apart from spreading the news, one of the main side-effects, maybe especially for the local and regional media, is to act as a kind of glue, holding the Swedish-speakers together as a group.

The Finnish Broadcasting Company is the state-owned national public service broadcaster. It has two TV channels, a dozen national radio channels and two dozen regional radio channels. The Act regulating the Company holds that it has “to treat in its broadcasting Finnish and Swedish speaking citizens on equal grounds.” There has been Swedish broadcasting for 40 years, from the very beginning, when the Swedish share constituted half an hour of TV broadcasting. Today, it is close to 20 hours a week. Furthermore, TV programmes in Finland are not dubbed but subtitled, which means that many Finnish programmes are accessible to the minority because of the Swedish subtitles. This of course also applies vice versa: the Swedish programmes are accessible to the Finnish-speakers, which should promote understanding and tolerance. Additionally, there are two commercial TV channels with only Finnish programming. The watching habits are supplemented by the broadcasting from Sweden which can be seen in many Finnish homes, just as the reading habits are complemented by Swedish magazines.

The Swedish minority radio has experienced a surge in the last couple of years. This is a result of the creation of two new Swedish radio channels two years ago, Radio Extrem and Radio Vega. Generally the numbers are very good: the radio reaches 80 percent of the population every day and 95 percent listen weekly. What is really positive, though, is that the numbers are going up especially for the Swedish-speaking channels. The average listening time to the Swedish channels has increased in two years from 90 minutes to 130 minutes per day, where-

as the Finnish channels have decreased from 70 to 60 minutes per day. This is largely due to the fact that the Broadcasting Company has succeeded in attracting new listeners among the young people and managed to keep them from switching channels.

In this context, the Internet should not be forgotten, especially since this is a cause of pride for the Finns. Finland has been leading the statistics concerning internet for many years in having more Internet users per capita than any other location in the world. Here, however, I can't provide you with separate statistics for the different language groups. That the communications sector is one of the fastest-growing sectors in Finland can also be seen in the fact that it has the highest per capita mobile phone network in the world. This emphasis put on the information society should reap benefits for all its different sectors. Brecht would not recognize the country anymore, with over sixty percent of the Finns happily chatting away on their mobile phones...

This positive picture of the minority media must also have a deep significance for the minority population. It is, nevertheless, quite interesting to note how this is expressed. When writing this article, I asked around among family and friends what thoughts Swedish minority media brought to their minds. It is a telling sign that it was very difficult to get any concrete answers, even though practically everybody admits to reading the main papers and watching the Swedish TV news. The media is so much a part of our everyday lives, so intertwined in "normality," that it is difficult to define what it means to us. We take it for granted. What do you feel about brushing your teeth in the morning or about taking the bus to the office? When confronted with a follow-up question, about whether it wouldn't be just as well to survive without it, everybody was appalled. This is when the strong emotions were shown. Obviously everybody wants to be able to brush their teeth in the morning, and everybody wants to be able to read the morning paper over breakfast, and it is not the same if you have to do it in another language. Why it would not be the same is a very abstract notion and very difficult to put in more concrete terms.

The Swedish-speaking minority obviously differs from many other minorities in Europe and elsewhere, whose history is filled with bloody battles and repression by the majorities. The Swedish-speaking minority has not had to struggle fiercely for the existence of a specific minority media, and the minority programmes are commonly accepted by the majority and read, watched and listened to by them as well. Even so, the situation in Finland can serve as a model and something to strive for in other countries and for other minorities. In a world where most of the conflicts can be traced to minority-majority relationships, the trend should be towards preventing issues from becoming problems, rather than solving conflicts afterwards. One of the basic rights for a language-based minority is, naturally, the right to use its language, and what better way to support this than through a living and vital media.

Mihaylo Milovanovitch

The Forbidden Language

Pristina, October 1999. A Group of Kosovo Albanians asked a Bulgarian United Nations mission member in front of a bar visited mainly by internationals at the UN HQ's in Pristina about the time. They asked in Serbian. Being Bulgarian he understood the question and threw a look at his wristwatch. Several moments later one member of the group shot him down. He made the mistake of demonstrating comprehension in the wrong language, a language considered to be "forbidden".

Pristina, one week later. A Kosovo Albanian told me the story of his brother's family that lived in a village near Pristina. He witnessed how the Serb forces urged his brother to pay for his life and his family to speak Serb and not Albanian. His brother was a poor man and the children never learned any other language than Albanian. As consequence he was decapitated together with his entire family. He made the mistake of speaking the wrong language, a language which at that time was "forbidden".

A "forbidden" language. Your language. It is the language of your mother and your forefathers, which all of a sudden threatens to kill you. But you cannot be silent, nobody can. You always need to say to yourself and to the others who you are and what you hope, what you want and where you go. Maybe you can hide the truth about yourself from yourself and from the others. Maybe you can let the falsehood rule your thoughts and deeds. But you are and stay a prisoner, an unjustly sentenced prisoner, a hostage robbed of everything: of his personality, of his free expression, individuality and being – of his language. It is the basic need of expression that threatens to kill you.

People today seem to be ruled by the conviction that one can be informed on everything, even on the smallest part of life at any time and any point. The time we live in threatens to overwhelm us with a seemingly endless stream of information about almost everything. But there is no gaining of information without expressing information. Even the

choice of the information source is an act of expression, an act of declaring something more or less important. We communicate. And we, especially the Western and Western-oriented people, are deeply convinced that free communication and expression is something to be taken for granted – like having electricity or breathing.

Today, most people don't need to experience the fear of thinking the way they think anymore. Few people remember and even less really know this peculiar conviction that someone might see what you think, the fear born of the knowledge of being in mortal danger for being what you are, for feeling the way you feel, for thinking the way you think. There have been different periods in the history of the Old Continent when, as in the present day, language and expression as such had been raised or better – lowered to the level of a simple but very reliable instrument for the classification of people into groups. Even in groups to be exterminated. And at that time, like today, there were two major feelings that dominated this phenomenon: those of hate and fear.

The Albanian man witnessed his brother's death. He knows this fear. When you see the blood on the sidewalk where the UN member got killed, and when you get official instructions to be silent and non-reacting on the streets of Pristina when addressed in one of your mother tongues – Serbian – you know this fear too. The only thing left after experiencing this feeling is the need to understand, the painful, aching need of answers to one single question: why?

But who should understand? The international staff members? Or maybe the people who returned to their places or those that left their homes – all of them forced to migrate and still migrating through a country which all used to call “homeland”? Maybe it is exactly this single word which has the power to forbid a language and incite a killing? Maybe it is just some deviated way of interpreting this single word that makes the gift of multiethnicity and the free exchange of thoughts into anathema for a whole region?

The word homeland is one of the bloodiest words on the Balkans, just like the words “nation”, “history”, “neighbour” and “identity”. These are crucial words for the peninsula. These words nurture you,

they accompany you in your everyday life as an omnipresent, tempting alternative to excuse yourself through something else, they nail you down to a certain and very specific point of view till the end – the “we – they” coloured world. “We” are better than “they”. All these words are very often the beginning, and the meaning and the end of every rational attempt to explain the social, political and even the personal dimensions of life, for the Balkans are ethnically and linguistically one of the most mixed regions in Europe.

It is true and it is precious that this mixture makes the bi- or even trilinguality appear as a normal phenomenon and deprives it of its exclusivity. But it also puts the tolerance as such to the test of life – a test seldom passed. All the Balkan countries suffered constant invasions from each other and from their neighbours throughout their entire history. The Balkans were never ever really united against somebody, they never represented a unified whole simply because each of the small countries there pursued its own interests at the cost of the others and each of them was often supported by some of the Great Powers. The Balkans don't have any tradition in the matters of tolerance. The presence of some other ethnic group speaking some other language and expressing itself in some other way was always a threat.

The Balkans have experienced a lot of bloodshed in the past 20th century: the liberation war of the Greeks, the Bulgarians, the Serbs against the Turks, the two Balkan wars, the Bulgarian - Serb war, the First World War, the Yugoslavian wars... And all of them have something in common, something very specific and tragic, which makes them notorious. They were not merely political wars for territory or for influence. No, they were more than this. They were all the personal wars of entire nations against other nations, they were carried out with a lot of emotion and devastating hate against the neighbour. They were also deadly consistent, aiming at the complete extermination of the alien population as such. These wars took place first of all in the hearts of the people, motivated through the deep conviction that the achievement of historical and geographical safety must go through the elimination of the “we – they” relation. “They” should either change in order

to become “we” or “they” should be thrown out, expelled, eliminated. During each war and after it the first thing to do was to rob the minorities of their freedom to express themselves as such by forbidding their language, religion and tradition. For to work for the future in order to make it better, often meant to look at the past and to change the present in a way that supported the illusion of security which these states longed for. And they longed for it because they longed for freedom.

There are no more bombs falling in Kosovo anymore. There are no more refugees camps. There is no more fighting. The war is over and the province liberated. But the war in Kosovo was also a Balkan war. It was a war of the heart, a war for freedom from the others and not with them. It was a war making the past more powerful than it should be, a war that crucified the people to the pain of the memories, to the tombstones of their relatives. And this war still lasts. As long as there are people killed for what they are, for speaking the way they speak, thinking the way they think, the war still lasts. Because there is a much higher freedom than the one guaranteed by institutions – it is the freedom to feel the way you are, the freedom to express yourself. It is liberation from the fear of the past and the hate of the present.

Not until people become free to express themselves will the killing stop. Not until this will the war end. Because it is a war of the heart, killing not only the others but you as well. You must have your language back. The language of your mother and your forefathers. The language you are aching to speak when your heart is speaking. The language in which you say: “Forgive me”, and really mean it. The people there must have their freedom back. All of them. Their real freedom.

Katarzyna Cortés
A Child of 'Solidarity'

Rain. In a compartment of a train going from Munich to Vienna there are three passengers; a young man beside me is reading a computer magazine, an older woman opposite is reading *Die Zeit*. I have got the best seat by the window and am trying to take myself back to my childhood and adolescence in Poland (I have just turned 30).

Just as I am remembering about my childhood, the young man starts talking to me, with the clear intention of chatting me up. This is slightly inconvenient, since, first, I am married, secondly, he is at most 20 years old, and thirdly, I have an important task ahead of me: I have to write a contribution for the OSCE Representative on Freedom of the Media Yearbook 2000. And the five hour journey from Munich to Vienna is slipping by very quickly.

Salzburg. Fortunately, the young man and the older woman get off. I barricade myself into my compartment and once again look out of the window to try and get inspiration. In the meantime, night has fallen, and only the distant lights are glowing; the lights of my life...

Why am I travelling to Vienna when my family and home are in Poland and my husband and my journalism studies are in Munich? Only one thing can have brought me here: an internship at the Office of the OSCE Representative on Freedom of the Media. This Office was set up in 1997 with a mandate from 54 member States of the OSCE. Its task is to campaign for press freedom and to protect journalists in military conflicts, an important and responsible task.

If a person wishes to become a journalist, then the *leitmotiv* should be freedom. A journalist should question critically, report objectively, champion ideas and promote tolerance, freedom and cosmopolitan attitudes, following the example that Countess Dönhoff, the co-founder of the weekly magazine *Die Zeit* and the driving force behind the publication, set for us. However, one also should not forget one's roots; she did not forget hers. Through her promotion of

understanding and reconciliation with the neighbours of the East and West, above all, with Poland, she did great service to democracy. She is a true role model for me.

It was the hour of birth of the CSCE, the later OSCE: on 1 August 1975, the Helsinki Final Act was signed by the then 35 Heads of State and Government. The so-called Helsinki process led to a new era of co-operation and dialogue in a divided Europe. The CSCE became a security forum in which the struggle for human rights, long a taboo subject in East-West relations, could no longer be objected to as interference in domestic affairs. The Helsinki process paved the way for the emergence of *Solidarity* in Poland and to *glasnost* and *perestroika* in Russia. At the time I was only five years old.

I spent my childhood in Poland under socialism and was a teenager during the time of the *Solidarity* movement and the radical political changes of 1989.

What was life like in socialist Poland? Although I was only a child, if I remember well the period when Poles were prevented from travelling abroad, my family had the impression that we could only travel to other socialist countries, and that was only if our parents had enough money and were members of the Communist Party.

The older I got the more unacceptable this fact was for me, since I was curious about other countries and other cultures. I therefore started to become more involved. I joined a democratic youth organization, at first only so that I could travel abroad, but later, also out of interest and conviction. The organization's work interested me greatly and I tried to win my friends over to it. It was my own little struggle for democracy. I felt that I was on the right path as I had experienced the hypocrisy of socialism. *Solidarity* was already an underground movement at that time.

Poland had never voted for socialism; it had had socialism forced on it following the Second World War. People in Poland reacted in different ways; some went underground and tried, more or less, to work as agitators, others "went with the flow" and secured good jobs and a comfortable life for themselves by co-operating with Moscow. Others

still were fascinated by Marxism, which they saw as a counter-doctrine to fascism. Many of these had a change of heart following the exposure of the Stalinist horrors in 1956 and the uprising in Hungary, and withdrew from the Party following the invasion of Prague in 1968.

The collapse of the Soviet system of rule in Eastern Europe began in Poland. The year 1975 saw the beginnings of the protest movement when “Friendship with the Soviet Union” was enshrined in a draft constitution. This was followed a year later by price increases, strikes, reprisals against workers and the founding of the Committee for the Defence of Workers (KOR), one of the forerunners of Solidarity.

The democratic protest in 1979, in Gdansk, was the first in the process leading to the overthrow of the communist dictatorship. At the time of Pope John Paul II’s pilgrimage to Poland in June 1979, I was nine years old, but I knew that it was important, since it was much discussed in my family.

With the founding of Solidarity, which was the first free trade union in the Warsaw Pact, Poland opened up the first crack in the Eastern bloc in 1980/81. The beginnings in Poland of the Solidarity trade union movement represent the beginning of the end of communist rule in Poland and Eastern Europe.

The shipyards of the Polish Baltic coast and, in particular, the Lenin shipyard in Gdansk were at the epicentre of the nationwide strikes during the summer of 1980 which rocked all of Poland. Out of the wave of strikes in many Polish cities, supported by workers and intellectuals, developed the first democratic mass organization in Eastern Europe, which succeeded in wresting more political rights and economic concessions from the bankrupt system. I followed the development of the strikes with great interest on television.

The protracted negotiations to end the strike wave led to the Gdansk Agreement of 31 August 1980, which laid the basis for independent and autonomous trade unions in Poland. “Solidarity” recognized the foundations of the Polish post-war order, but called for a different organization of society and the implementation of basic human and civil rights.

Led by Lech Walesa and supported by the Polish Catholic Church and Pope John Paul II, who originally came from Poland, “Solidarity” was successful in forging an alliance between socialist reformers and religious forces which accelerated the freeing up of political society from the communist system. This was the first step in the struggle for an opposition. In a short time, “Solidarity” had more than ten million members.

The appointment of General Jaruzelski in the winter of 1980/81 as head of the Communist Party and of the Government, the first “Solidarity” congress in September of the same year, the social struggles and political crises culminated in the state of emergency of 13 December 1981. General Jaruzelski’s televised speech that day in which he declared martial law in Poland, remains etched in my memory, as children’s cartoons would normally have been broadcast at this hour. Instead, General Jaruzelski came on the air, in his dark glasses. For an 11-year-old that was quite a shock and the word martial law was also quite difficult for me to comprehend. Until then, I had experienced neither war nor martial law. Now I was told that I had to be cautious and always get home as quickly as possible.

The declaration of martial law, the banning of “Solidarity” and the detention of its leaders, including Lech Walesa, did not spell the end for this movement; quite the contrary, the ideas spread in the underground and moral support for Walesa and “Solidarity” increased in the West. The Polish Pope and his “pilgrimages” to Poland, especially his visit of June 1983, played a key role in this. Martial law was lifted one month later. There was a further visit by the Pope in June 1987, when he called for a return to the Gdansk Agreement. Many intellectuals fled abroad for fear of reprisals or imprisonment, but those who had the courage to stay in Poland during this time have my fullest admiration and respect. There then followed the murder of Father Popieluszko, a partial amnesty and a full amnesty.

Radio Free Europe used to broadcast its programmes and we listened frequently, for we knew that this was the most reliable source of information. However, there was also an underground press and Polish intellectuals were also active in the underground.

The media in Eastern Europe played a key role in the collapse of communist power. Reports of mass demonstrations in Leipzig, scenes of the police fighting with students on the streets of Prague and scenes of protest in Bucharest contributed to strengthening the impression of change and accelerating it.

However, the media were not entirely free from State influence. People became experts in the art of “reading between the lines”. As they were aware of the inconsistencies and vagueness in the information that they got from the media, they tended to be sceptical about everything they heard, saw or read. The media, however, provided an outlet for the intelligentsia to guardedly criticize the Government.

The patriotic motives for Jaruzelski’s declaration of martial law were questioned by many Poles. From his memoirs we have learnt that, on the one hand, the Soviet Union was concerned about the developments in Poland and demanded counter-measures but, on the other hand, was ready to give generous financial and economic help to remedy the system’s most serious defects. Almost ten year’s of stagnation and transition resulted from the temporary state of emergency that Jaruzelski wished to establish. Gorbachev’s assumption of power in 1985 altered the external political conditions in favour of the Polish opposition.

A fresh wave of strikes in the early summer of 1988 once again brought matters to a head. There followed the roundtable negotiations, which resulted in the “historical compromise”, a form of co-existence of the old power elite with the power monopoly of what was now the Workers’ party. The first semi-free elections went in favour of Walesa and Mazowiecki, who in August 1989, became the first non-communist Prime Minister in a socialist country since 1945. The election the following year of Walesa as President completed “Solidarity’s” victory.

Following “Solidarity’s” entry into government in 1989, more than 600 newspapers appeared in Poland. Many of these newly founded publications either were formerly *Samizdat* publications or underground publications now published in the open. Still others had given themselves a makeover following their closure or banning when the Communists took power.

Shortly after its triumph, the “Solidarity” movement splintered into rival groups. The Polish electorate voted them out of power and entrusted power to the post-communists. In 1995, Walesa narrowly lost the presidential elections in the second round against Alexander Kwasniewski of the Democratic Left Alliance. The parliamentary elections of 1997 brought a conservative electoral coalition, that was registered under the name of “Solidarity”, a relative minority in Parliament with 33 per cent of votes. The current Government includes Bronislaw Geremek, a leading light of “Solidarity” as Foreign Minister. From July to December 1998 he was the OSCE Chairperson and an intermediary in Kosovo.

The democratization of the former Eastern bloc also brought about favourable conditions for negotiations on German reunification, which became more likely following the fall of the Berlin wall on 9 November 1989 and became a reality on 3 October 1990.

That is how the “revolution of awareness” which prepared the way for Poland’s entry into the European Union (EU) came about. The German Foreign Minister, Joschka Fischer, has said that Poland’s entry into the EU was the natural outcome of this revolution: “It is not a generous present from the current EU members but rather a joint objective”.

The former headquarters of Radio Free Europe in Munich is now home to, among others, the Institute for Journalism and Communication Studies, the institute where I study and work. I have had the fortune to be able to study in Germany and to complete my internship with the OSCE in Austria.

I owe all of this to “Solidarity” and to those people who had the courage to fight for a free and democratic Poland. They secured freedom for the young generation, my generation. By way of thanks, I wanted to describe once more their struggles and ups and downs and show how the seemingly impossible could become reality. I am very proud that Poland contributed so much to the changes of 1989.

V. Overview – What We Have Done

The Mandate

1. Reports

- *Regular Reports to the Permanent Council*
- *Urgent Reports on Current Issues to the Permanent Council*
- *Statement to the Standing Committee of the OSCE Parliamentary Assembly*
- *Report to the OSCE Review Conference*

2. Projects 1999/2000

- *Protection of Journalists*
- *The Media in Central Asia: The Present and Future*
- *School Newspapers in Central Asia*
- *Other Projects*

3. Current Media Situation in Ukraine

4. Visits and Interventions in 1999/2000

Decision No. 193

Mandate of the OSCE Representation on Freedom of the Media

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PC.DEC/193
5 November 1997
Annex

By the delegation of France:

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

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

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

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

1. Reports

Regular Reports to the Permanent Council

First Report to the Permanent Council

25 March 1999

My Office has been increasingly engaged in various actions during the four months which have passed since my last comprehensive report to you here in the Permanent Council. Therefore, I would like to focus on our main concerns and activities.

My Office actively monitored the media situation in the **Federal Republic of Yugoslavia (FRY)**. The Belgrade authorities continued their onslaught on freedom of expression ignoring calls from the international community to guarantee a free and open debate on issues of concern to its citizens.

Leading opposition newspapers, its editors and journalists, were singled out for regular harassment at the hands of the authorities. Using the Serbian Law on Public Information, widely condemned by journalists, experts and international organizations, independent publications were heavily fined and only recently the owner and two journalists from the daily *Dnevni Telegraph* received five-month prison terms.

Last week, Serbian authorities have started to implement the Law on Public Information against Albanian language newspapers in Kosovo. Extremely high fees were imposed on *Kosova Sot* and *Gazete Shiptare* for dubious reasons, as a result *Kosova Sot* closed down. As recently as Monday the authorities did the same to *Koha Ditore*, a well-respected Albanian-language newspaper in the region.

I have said it on several occasions: this Law was and is a declaration of war against independent media. Now, it is the war against the media in Pristina.

According to the Association of Independent Electronic Media in FRY (ANEM), the past weeks “showed a drastic peak in the ongoing wave of repression against the media in Serbia.” I have continued to intervene with the Belgrade Government demanding that it rectify the current appalling situation. I am still awaiting a positive answer.

All of us have been closely watching the dramatic talks in Paris on the future of Kosovo. I do not wish to go into the details of the negotiations but would like to make a few points regarding media development in that region.

If peace is reached, I believe that it will be imperative for the main civilian implementing agency, and one assumes it will be OSCE, to establish executive authority over the media in Kosovo. The example of Bosnia and Herzegovina has shown us that only through an assertive approach can hate speech be curtailed and media pluralism established. We should not lose time in Kosovo.

That is why I have suggested that the post of a Media Commissioner be established in Kosovo, reporting directly to the OSCE Chairman-in-Office. The Media Commissioner should have full executive authority over all media related matters backed by a strong mandate. In my view, this is the only way to ensure an open and pluralistic debate on the future of Kosovo without hate speech that so often has historically distorted such debates in the region. As to the recent action of Serbian authorities against media in Kosovo, a Media Commissioner with a strong mandate would theoretically had been able to overturn this decision by the authorities.

I will now get back briefly to my visits to **Croatia and to Azerbaijan**.

On 11 February I spoke to you regarding my concerns in **Croatia**. Just to reiterate: At the meeting the OSCE Heads of Institutions had on 9 February with the Croatian Government led by Prime Minister Zlatko Matesa, I once again stressed the need for the authorities to re-consider the Law on Croatian Radio and Television (HRT). This Law as amended last year did not take into consideration some of the suggestions made by the Council of Europe and the OSCE Mission. I am also concerned with the re-broadcasting of HRT into Bosnia and Herzegovina, where it favours one specific political party putting at a disadvantage all the other political players.

In our meeting with the Croatian Government, Prime Minister Matesa appealed to my Office to help his country in developing freedom of the media and has stressed that his government is willing to fully co-operate with my Office. This is a positive sign.

I had the opportunity to review in this forum, my visit to **Azerbaijan**, in late February, where I met with President Aliyev and other government authorities as well as attending several roundtable discussions with both print and electronic media journalists. As I noted in my report, I continue to urge the release from prison of the sole incarcerated journalist in Azerbaijan. I expect positive action to be taken in the very near future.

My Office has continued to focus on the media situation in **Ukraine**. In early March two of my advisers visited Kyiv preparing my visit to Ukraine in early May. They met with government officials, editors, parliamentarians and NGOs. I believe that we have singled out the main problem that needs to be solved as soon as possible: high libel fees issued by courts against journalists and publications.

There seems to be broad agreement between the executive and legislative branches of government that this issue needs to be dealt with urgently. In Ukraine, as in several other countries with which we deal, defamation laws are used to protect officials from public criticism especially from rivalling political groupings. High libel fees have thus become the surest way to bankruptcy for many publications which barely make

ends meet during these difficult economic times. From my contacts with the Ukrainian authorities I am optimistic that through co-operation between the Government and Parliament and with the support of journalists this problem could be resolved. The Ukrainian Government's ambition to undertake reforms with a view to reaching European standards is promising. As to possible legal amendments, I believe that the Council of Europe of which Ukraine is a member could be of assistance to lawmakers and to Government.

My other concern is the overall situation regarding freedom of expression prior to the October presidential elections. While there may be no overt censorship in Ukraine, my Office receives an alarmingly high number of reports of harassment of journalists usually by over-zealous local officials. I think that the Government is capable to ensure a free media landscape at every level and I urge it to do so before the pre-election campaign period starts.

Last week I visited **Minsk** where I addressed the seminar on information society organized by the OSCE Advisory and Monitoring Group. The Seminar was another useful occasion to promote dialogue between Government officials, members of the opposition and the independent media.

In addition, I had two meetings with Government officials, with the Deputy Head of the presidential administration, Mr Pashkievitch, and with Deputy Foreign Minister, Mr Petrov. I raised with them the practice of admonitions by the State Committee for the Press against independent newspapers. These admonitions are based on Article 5 of the Law on Press which entitles the State Committee – an executive body – to check newspapers for information causing intolerance or offending the dignity of citizens and officials and for violations of numerous other regulations. This practice of checking and warning newspapers, as it is now, is nothing but a form of censorship after publication which is not in conformity with Belarussian constitutional standards, nor with OSCE and other international standards. The admonitions can lead to the loss of a newspaper's licence and eventually to its closure. I have urged the Government to reconsider this practice and to revoke recent admonitions against the six independent newspapers in February. I believe, however, that the Law on Press, and in particular Article 5, as such needs to be amended to prevent the current practice as it is now.

Furthermore, I have urged the Government once again to undertake steps in order to transform the state TV and radio into public stations. Mr Pashkievitch agreed that the transformation of state media into public media was a normal and a necessary procedure.

The Government assured me of its readiness to fully cooperate with my Office.

I am also concerned with the approval by the **Russian Parliament** of a bill that creates so-called “high councils” to protect moral standards in broadcasting. It is my understanding that many critical voices view this bill as a step back to a form of censorship. I urge President Boris Yeltsin not to sign the bill into law. Some of my concerns I will address in Moscow in April where I will take part in a conference of regional TV networks.

My Office was informed about recent efforts of the **Uzbek Government** to take control over providing Internet service to the public. We understand that the only legitimate provider under this system would be a State agency. In my view this would be a violation of the principle of free flow of information.

Two final announcements now: My advisers and myself will be visiting all five of the **Central Asian republics** early next month: Kazakhstan, Kyrgyzstan, Uzbekistan, Turkmenistan and Tajikistan. I will, of course, report to this Council at the conclusion of our visits to this important region.

The second announcement is about our first annual **Yearbook** entitled *Freedom and Responsibility*. As you will see, this is not a standard yearbook that many of you are accustomed to and receive numerous copies of from international organizations. This is different. It not only documents our work over the past year but also provides a tribune to writers, experts and my staff to talk about freedom of expression, what it means to every one of us as individuals and to all of us as a society.

Second Report to the Permanent Council

12 May 1999

Today, my report will focus on the OSCE member States in Central Asia. My Office has monitored the situation over several months. In April, I visited Uzbekistan, Kazakhstan and Kyrgyzstan; at the same time, my Advisor, Stanley Schrager, visited Turkmenistan and Tajikistan. Let me share with you at this stage the results of our work: our assessment of the media situation in the five countries mentioned, our concerns and our conclusions.

During all five visits, we had meetings with what I call the “four constituencies”, with the Government, with Parliament, with media people and with NGOs. In this respect, I would like to acknowledge, first of all, the hospitality and the co-operation of the respective governments who welcomed us on every stop of our itinerary and worked closely with us in developing a suitable programme. Second, we were impressed with the work of the OSCE representations throughout Central Asia. Our visits could not have succeeded without their advance preparations and their experience.

Our visits to Central Asia have confirmed that the OSCE, through its offices in place and its institutions here in Vienna, in Warsaw and The Hague, can play a role of the catalyst in speeding up the difficult transition to democracy. But, to quote something we heard quite often during our conversations with government officials, the transition “cannot happen overnight.”

The question then is, really, how long is “overnight?”

However, Uzbekistan, Kazakhstan, Kyrgyzstan, Turkmenistan and Tajikistan have voluntarily joined the OSCE family of nations, and, as such, have obligations to fulfil. We need to continue to urge them to take these obligations seriously and move toward continued progress in the field of freedom of the media and freedom of expression.

Although we are talking about a distinct geographical region, with many historic and cultural similarities among the five countries, one would be mistaken to over-generalise about the status of media freedom in these nations. We can go to Kyrgyzstan with considerable media freedom; to Turkmenistan with a virtual absence of media freedom; to Kazakhstan which until 1997 enjoyed a relatively high degree of media freedom; to Uzbekistan with its particular problems; to the special case of Tajikistan, just coming out of a five-year civil war. Each country is different in how its governments have dealt with, and are dealing with, the issue of freedom of the media. The economic situation, too, varies from country to country and should be taken into account, since media independent from government and State can only exist if they are economically viable.

Let me now briefly make a few comments about each of the countries we visited.

Kyrgyzstan remains the example of how there can be media freedom in Central Asia.

Independent media clearly exist in Kyrgyzstan, large numbers of independent print and electronic media outlets function. The details are given in a report on media freedom in Kyrgyzstan which we distributed here early this year and which appears as well in our Yearbook.

There is an ongoing debate over the limits of media freedom in Kyrgyzstan, and, although its record thus far is good, it is not without problems as both members of Government and the media test the limits of freedom of the media in a series of potentially damaging libel suits. I hope these judicial cases can be solved without damage to the record Kyrgyzstan has compiled thus far. This includes one high-profile court case between the Head of State TV and the newspaper *Res publica*.

The Government of Kyrgyzstan has suggested to me that it host a conference on the media in Central Asia. I welcome and support such an initiative.

I feel obliged, however, to provide a cautionary note, as we receive occasional reports of problems with the independent media, and of attempts by Parliament to legislate restrictions on media freedom. This confirms that moving toward freedom of the media is a process, one that needs constant nurturing. During a meeting with President Akaev, I noted Kyrgyzstan's achievements thus far and expressed my hope that this kind of freedom of expression which he continues to champion could be institutionalised in the country so there would be no turning back.

In Uzbekistan, I expressed my concern about the country's poor record regarding the independent media and press freedom, noting it was still difficult to start and maintain a newspaper, television or radio station truly critical or independent of the Government. There is, in Uzbekistan, a near absence of independent media and, as we had to note, a great divergence between Government, Parliament and the media on their understandings of press freedom.

I am still concerned about the Government of Uzbekistan's attempt to monopolise and control access to the Internet and have requested further clarification on this matter. A major issue in my meetings with officials were the insidious effects of "structural censorship," a concept not unique to Uzbekistan, I might add. It includes difficulties in licensing and registration, discriminatory tax schemes, government control over ownership, office space and rental rates, printing facilities and distribution networks. At the same time, the government representatives took issue with some of my conclusions, insisting that there had been progress in freedom of the media since the country's independence.

Perhaps the most telling incident occurred after I was assured that there was no censorship in Uzbekistan. I was informed of an official agency that did, indeed, practice day-to-day censorship. While paying a surprise visit to this office, I witnessed government officials perusing newspapers paragraph by paragraph for unacceptable coverage.

Kazakhstan, until its elections last year, had a relatively enviable record regarding press freedom and the existence of independent media, but has not fully recovered from a pre-election crackdown on the media. Unlike the other Central Asian Republics, it offers economic viability to the independent media, which should partake in the country's financial prosperity, both now and in the future. The pressure on Kazakhstan independent media would appear to be mostly indirect. The Government apparently seeks to influence media coverage through licensing requirements, tax inspections and the occasional shut-down. I understand that pressure on the media somewhat alleviated after the election, but there are concerns that this kind of pressure might resurface in the days leading up to the parliamentary and local elections scheduled for later this year. I urged the Government to continue to encourage increasing press freedom.

A high-ranking Foreign Ministry official noted the vacuum created after the abolition of censorship. He said he did not believe in "absolute freedom," but rather noted that this vacuum should be filled in what he called, a "sophisticated process." He urged us to try to understand their "mentality," as he called it, and engage in constructive dialogue, rather than repeating the same thing over and over again. At a meeting with journalists, they expressed concern about a new proposed "law on mass media" and the interpretation of legislating restrictions on media freedom. This law will be an important step in defining the relationship between Government and media in Kazakhstan. From discussions with both parties, it is apparent that wide gaps remain. I have encouraged a parliament-sponsored hearing on this newly drafted media law. I have also encouraged the OSCE Office in Kazakhstan to host a one-day seminar which would bring Government and media representatives together to discuss issues of mutual concern.

Tajikistan is a special case; it has just come out a civil war which took thousands of lives. While the other countries have almost a decade of independence, one might say that Tajikistan, as an independent country in a transition to democracy, has had only two years' experience to implement these necessary reforms. One should not underestimate the difficult security situation as well which prevails throughout the country.

There is, however, a semblance, the faint stirrings, of independent media in Tajikistan. Even in this difficult environment, there are several nominally independent (that is to say non-government) newspapers and several television

stations. But these are often independent in name only, and the dire economic situation of the country mitigates against the growth, at least in the very near future, of independent media. Strangely enough, there is no independent Tajik radio station, although several have applied. Even in a society which is apparently nearly totally dominated by television, there is room for independent radio and we urge the Government to move forward expeditiously with the licensing procedure of at least one of the stations which has applied. We found, too, journalists who were willing to publicly air their grievances against what they perceived as government control of media. Most striking was the enormous economic difficulties the independent print media have in simply surviving in Tajikistan today. The OSCE Mission in Dushanbe has secured funding to rehabilitate several independent newspapers. We praise such an initiative and hope it could be expanded.

Unlike the other Central Asian countries, where some independent media exist, although they may be threatened, and journalists are willing to discuss their concerns openly to some degree, Turkmenistan offers no independent media nor any healthy debate on the issue.

While the Constitution guarantees freedom of expression, we could find no person willing to avail himself of that privilege. Government officials carefully qualified their statements; “We allow,” said one Government official, “only constructive criticism”. “Our concern, through the media,” said another, “is to bring about a positive perspective.” One journalist insisted that they “try to show the positive and good news.” Another journalist engaged in a bit of psychoanalysis, noting that Turkmen society was a “conflict-avoidance culture,” and that the reluctance to criticise an all-pervasive government structure might be culturally ingrained.

The most telling incident regarding media freedom in Turkmenistan came about as a result of a session which the OSCE Office arranged for my advisor to meet with journalists not employed by the state media, or unemployed. As reported by the OSCE Office subsequently in a memo to the CiO, nobody appeared. Some journalists invited reported that they had been contacted by the State Security Service and urged not to participate. Other invited journalists told OSCE representatives later that they did not attend the session because of their fear of government harassment.

We hold similar meetings with non-government media representatives everywhere we go; this is the first time that nobody attended such a meeting because of their fear of harassment.

We have expressed our concern regarding this incident to the authorities in Turkmenistan. We are urging, too, that any gains regarding media freedom which would come about through pending elections be institutionalised and that Turkmenistan begin to make progress on the issue of media freedom.

On the other hand, in a paradox which we still do not understand, there is a proliferation of satellite dishes throughout Ashgabat, and there appears to be no restrictions on the availability of these apparently quite popular satellite dishes.

I would like to conclude my report with some observations and proposals for the region as a whole and for our own activities.

We have, in Tashkent, Uzbekistan and Almaty, Kazakhstan, provided facilitative assistance for the establishment of two independent student newspapers. The idea is to cultivate in young, high-school-age students the spirit of independent thinking and journalistic professionalism. The student newspapers will receive financial help in the first year of their publication, so that they can purchase necessary office equipment and pay printing costs. Two student-journalists will travel from Europe to those countries in September, before editorial activities officially begin at the student newspapers, to share their expertise on student newspapers with would-be student journalists from those two schools.

As is the case with many of the countries in the OSCE region, virtually all the Central Asian countries are in the process of drafting new media legislation. This legislation will provide the structural foundation for media freedom setting out the parameters of government responsibilities and obligations. As an OSCE Institution we have been asked to provide comments wherever we go on the draft media laws, both by journalists and parliamentarians.

We believe we cannot neglect to become involved in something as important as the drafting of a media law, although in the past we have been reluctant to engage directly in strictly legal issues. We are aware that the Central Asian States may not have access to the kinds of legal and international expertise most other members of the OSCE enjoy. My Office will therefore look into appropriate ways and means of serving as a honest broker in assisting the Central Asian States in their efforts to reform the legislation.

Another observation concerns the parliamentary or presidential elections which are foreseen in Central Asian States before the end of the year or early next year. I believe that these elections may provide a small window of opportunity for opening up the media in this process. Turkmenistan, for example, has assured us that their government-controlled media will be available during the elections for all candidates to put their positions across to the public. We will want to look at ways, in consultation with ODIHR, to capitalise on this small window of opportunity that will presumably arise, and seek to keep open that window of media liberalisation.

My last observation is on the dire economic situation of independent media, particularly the print media, in all the Central Asian countries with the possible exception of Kazakhstan.

We noted the initiative of the OSCE Mission in Tajikistan, which, for a small amount of money, has been able to keep three independent newspapers from going out of business.

I believe the OSCE could and should undertake more such initiatives which would not involve large funds, but could help to save media with little means. We therefore propose to consider the establishment of a Media Fund for Central Asia. Working closely with OSCE Representations in the Central Asian countries and with our Office, modest funds would be designated to assist struggling independent media, mostly the print media, through a difficult economic transition. This would be a partnership endeavour with contributions from the Central Asian media.

Central Asia remains a great challenge for the OSCE, and for my Office, particularly. I have tried today to outline some of our concerns based on our recent visits, and to enlist the assistance of this Organization when possible. I want to pledge to the Governments our desire to work closely with them and their independent media to promote media freedom. We are of course willing to cooperate with the Chairman-in-Office's Personal Representative preparing a coordinated approach with respect to activities in Central Asia.

Despite my cautionary notes and my candour, which I hope is taken in the spirit in which it is offered, I remain optimistic.

Third Report to the Permanent Council

22 July 1999

This is my third regular report to the Council during this year. I would like to inform you on the results of our work in the two past months.

I shall, however, not focus today on media developments in Kosovo. My Office has made several contributions in this respect and will continue, within its mandate, to follow up on the development of journalistic freedom in the region.

My efforts and appeals to end the Serbian press law of October 1998 and to support independent journalists in their strive for independent media will continue. As you know, I have written to all Foreign Ministers of the OSCE Participating States encouraging them to use their influence, in whatever manner they deem appropriate, to support the repeal of this law which prevents the Serbian people from being informed about what is happening in their own country. I have received several positive responses. I also would hope that European parliaments will support repeal of this law, and have asked NGOs and media to do their part as well. I firmly believe that repeal of this law is a key to a more democratic Serbia.

Good news is the final release of Grigory Pasko, a Russian who was arrested in November 1997 and charged with spying. I intervened in his case last year. Pasko had covered ecological problems of the Pacific fleet. His publications contributed considerably to a public debate on issues of major concern such as nuclear safety and the ecological effects of toxic waste. In spite of the Military Court's decision to sentence him to three years in prison, he is now freed under a general amnesty by the Duma. On the hand, the similar case of Alexander Nikitin is still pending in St. Petersburg.

Now, I would like to focus on visits by my advisors to Romania and Moldova, and cite several concerns regarding negative trends in government-media relations in Ukraine, Belarus, Turkey and Azerbaijan.

My advisers, Stanley Schragger and Alex Ivanko, have visited two countries for the first time — Moldova and Romania.

Romania has a flourishing and extensive media environment characterised by large numbers of print and electronic media, and government officials extremely aware of the need to maintain and enhance relations with the media. The Government, besides abolishing the VAT tax, a policy we encourage of all governments, is working hard to get its message across and cultivate a positive relationship. Romania has come a long way in the past ten years, and we salute its efforts. We encourage increased dialogue between media, government and parliament, and will soon be putting forth a proposal to enhance this kind of

co-operation through NGOs resident here in Vienna and in Bucharest. We would be pleased to attend such a conference and urge the Romanian government to participate actively.

During its last session the Parliament rejected, in a close vote, a proposal to change several provisions of its Penal Code which criminalize libel and insult offences, and risk imprisonment for journalists who have been convicted of these offences. A similar bill will soon be introduced in Parliament. We hope for positive results and encourage Romania to provide an example for other countries in ameliorating long-standing provisions in the Criminal Code which threaten journalists with imprisonment for exercising their rights to freedom of expression.

My Office conducted an assessment visit to Moldova earlier this month. In general, the current media situation in Moldova is not much different from the other countries in the region. Once again we run into the same problems: lack of funding, lack of serious independent journalism, extensive domination of the media by political parties. Basically, the absolute majority of media are politically affiliated. However, because of a proliferation of political groups, most views are represented in the media. There is a genuine public debate in Moldova on issues of concern to the country, including the re-integration of the Trans-Dniestrian region. Journalists were refreshingly open and frank in their conversations with my Office. The Foreign Ministry representatives underlined that a lack of resources hampered freedom of expression and that often government structures pressured media through libel suits, a phenomenon not uncommon to the region.

In a country that is in the process of transition, there will be problems: certain sensitivities may be overlooked and a tendency exists among many government officials to be overly intrusive in media matters. Fully appreciating the need for the development of the state language, I would ask the authorities in Moldova to avoid for the time being any strict regulation of the Moldovan and Russian percentage of broadcast programming.

The assessment trip also included a visit to the Trans-Dniestrian region to specifically look into the case of *Novaya Gazeta*, a local newspaper harassed by the regional authorities. This case was raised at the 18 June OSCE Permanent Council. As to the background of this case, we were informed in Tiraspol that the situation in Trans-Dniestria “was unique” and that in some other regional conflicts in the OSCE region, for example, one could not even have a conversation on freedom of expression and that in those places these issues “were usually resolved with two shots behind a barn.” We were told that the people of Trans-Dniestria were in the process of building a “homogeneous democratic society,” however, a so-called ‘fifth column’ was undermining the unity of the people. The editors of *Novaya Gazeta* were specifically named as being part of

the 'fifth column' and by their work "promoted reintegration with Moldova and this position is not supported by the people". That is why the Ministry of State Security had to take action against *Novaya Gazeta*. The fact that recently a local court issued a decision in favour of *Novaya Gazeta* was mostly brushed off.

To say the least, such attitudes towards one of the basic human rights do not promote democracy nor a climate of reconciliation. While Moldova is trying to move ahead, one of its regions is still firmly stuck in a 'time warp' of *pre-glasnost* time.

On the other hand, it would be in the spirit of reconciliation and reintegration if journalists from Trans-Dniestria could be regularly accredited with the country's Parliament. I have suggested this already to the Moldovan members of the OSCE Parliamentary Assembly in St. Petersburg who promised to raise this matter with the Chairman of the Parliament in Chisinau.

We remain concerned about recent developments in other countries which continue to occupy a great deal of our attention: Ukraine, Belarus, Azerbaijan and Turkey.

In May, I paid an official visit to Ukraine following two previous visits of my Office. I had the opportunity of having substantive talks with the Government, with Parliament, with the Supreme Court and with a number of journalists. In addition, I was invited to give a keynote speech at a conference on Ukraine and European integration. During my visit, I also had the occasion of meeting two editors and founders of regional newspapers outside Kyiv who suffered from strong harassment by local authorities. These authorities used defamation laws and arbitrary measures to reduce the two editors and their newspapers to silence, thus making an open discussion on the urgency of basic reforms in the region impossible.

As a matter of fact, the various attempts to change the defamation laws have not yet led to any concrete result. Since there seemed to be a widespread conviction that things must change, I suggested to hold a roundtable on this issue in Kyiv later this year. Representatives of the different state institutions as well as of the media and some international experts should meet to discuss the current situation and options for change in accordance with international standards. My interlocutors agreed with my suggestion.

I have to state at this point that the media situation has not really improved over the past months. In this respect, I have recently addressed the President on several cases, including the harassment of TV channel STB. In view of the upcoming presidential elections end of October, the Director of ODIHR and I recently wrote a joint letter to the President raising our concerns with consistent reports indicating interference, sometimes even harassment and intimidation by the executive branch in the work of private media regarding their coverage of the upcoming elections.

As to developments in Belarus, my Office was informed of the hiding of two journalists, the editor of *Beloruskaya Delovaya Gazeta* and of *Imya* who both felt apparently under pressure from state security service. I made a public statement on this of which you are aware and I would like to urge your Governments represented in Belarus to take this matter up with the Government of Belarus.

A short time before, both newspapers had been officially warned by the State Committee for the Press for their coverage. Therefore, I wrote another letter to the Foreign Minister and to the Chairman of the State Committee to ask for an end to this practice of “warnings” and to change the relevant articles of the Press Law in accordance with international standards.

There are currently efforts by the OSCE at various levels to engage all political forces in a dialogue on parliamentary elections in the year 2000. I believe that free and fair elections next year would be an important achievement that could, however, not be realised without major changes in the field of media. Again, I want to stress that the constitutional framework of Belarus contains a number of sufficient provisions guaranteeing free, independent and pluralistic media as well as freedom of expression. The main requirement for implementing these provisions is the political will to do so.

Concerning Azerbaijan, I would first like to express my appreciation to President Aliyev for his recent grant of amnesty to the journalist Fuad Qahramanli. As you know, I visited Mr Qahramanli during my trip to Baku in February, and have called, in this forum and in others, for his release. I have communicated on several occasions with President Aliyev and I am pleased that Mr Qahramanli, Azerbaijan’s only imprisoned journalist, has been released.

However, I am obliged to express my concern over recent developments regarding free journalism. I have communicated with the Foreign Minister over these issues in considerable detail. My concerns revolve, first, around a series of recent reports of violence directed against media. The President himself seems to have criticised these acts of violence, and I urge the Government to initiate investigations of these acts of violence.

Second, I have highlighted several times the lack of licences for independent television stations. While most of them are broadcasting without licences, with the consent of the Government, I understand that, three months before scheduled municipal elections, the head of the frequency commission in the Ministry of Communications has apparently sent letters to local prosecutors demanding that they shut down any station broadcasting without a licence. In fact, several weeks ago, one such provincial station was closed by the police.

Finally, I want to express my concern about the new media law which has passed its first reading in Parliament. This law seems to place undue restrictions on the media and to limit access to information.

In Turkey, we understand that a relatively broad and unhindered coverage of the Öcalan trial has been possible. I am convinced that free coverage of this event will continue.

On the other hand, however, we are again receiving reports on alleged violations of journalistic freedom . These individual cases, which I have detailed in a recent letter to the Turkish Foreign Minister, refer to court decisions against journalists, writers, editors on such charges as, for example, insults of the army and separatist propaganda. In this context, I would like to remind this Council of several binding judgements of the European Court on Human Rights in Strasburg in early July. This Court stated in several cases a violation by Turkish jurisdiction of Art. 10 of the European Convention on Human Rights dealing with freedom of expression and decided in favour of the plaintiffs.

The series of new cases I have just mentioned seem to come at a particularly bad moment as we prepare for the OSCE Summit in Istanbul later this year. This Council will understand that this series of attacks on journalistic freedom cannot go unnoticed. I intend to follow up on this in the next months.

Fourth Report to the Permanent Council

25 November 1999

Coming back from the Summit in Istanbul, I would like to underline that my Office is satisfied with the commitments in the Summit documents. In particular, I am referring to the positive commitment in the European Security Charter “to take all necessary steps to ensure the basic conditions for free and independent media and unimpeded transborder and intra-State flow of information”. This will be a good basis for our future work.

Another general comment: free media and responsible journalism are common requirements for any democracy throughout the OSCE area. James D. Wolfensohn, the President of the World Bank, said the other day: “A free press is not a luxury. A free press is at the absolute core of equitable development, because if you cannot enfranchise poor people, if they do not have a right to expression, if there is no searchlight on corruption and inequitable practices, you cannot build the public consensus needed to bring about change.” Wolfensohn’s point, and one I have repeatedly returned to over the past two years, is that we need a free press to fight corruption, that development is inevitably tied to the ability of a free press to expose issues. Freedom of expression is not only a fundamental human right in and of itself, but it has ramifications for economic development as well.

Freedom of expression and public debate are also essential for reconciliation in any post conflict situation, Turkey being no exception. I would like to mention here the case of the Turkish book entitled *Mehmedin Kitabı*. The book contains interviews with soldiers who fought in the southeast and was well received by the public. However, it was banned in June upon request from the Turkish Armed Forces. The editor, Nadire Mater, will go on trial tomorrow for “insulting the military” according to article 159 of the Turkish Penal Code and face one to six years in prison. I believe that this is not a right step in a process of reconciliation.

Let me now brief you on our main activities during the past three months since my last report.

In late October, my Office organised together with the OSCE Centre in Bishkek and the Union of Kyrgyz Journalists the first-ever regional conference on ‘The Media in Central Asia: the Present and the Future.’ The Government of Kyrgyzstan, which remains in the forefront in the region in its commitment to democracy and a free media, hosted the conference. I would like to express our great appreciation to the OSCE Chairman-in-Office and the Government of the United States for their generous contributions to the funding of this conference.

Nearly 200 representatives from Kyrgyzstan, Kazakstan, Uzbekistan and Tajikistan attended the opening session, and nearly 80 of them participated actively in the whole conference held in Bishkek. We noted with regret, however, that the Government of Turkmenistan refused permission to allow a delegation to attend the conference.

The conference was a successful attempt to generate regional co-operation on freedom of the media issues and galvanize an exchange of views between like-minded journalists from the four Central Asian Republics represented. President Akaev confirmed to me in Istanbul that the conference helped in developing freedom of expression in the region and commended our Office for a very productive co-operative effort. One of the results of the meeting was the signing of a document between the participating countries at the conference for an exchange of information among themselves, the precursor, perhaps, to a more formal news agency for Central Asia.

A major result was the commitment to hold such a conference on an annual basis at different sites in Central Asia. Seizing on the desire to institutionalize such meetings, Kazakstan media representatives have offered to host a similar conference next year. We hope that the Government of Kazakstan will support this important project.

Another prominent issue was the favourable reception by all participants to this Office's initiative of a Media Fund for Central Asia. This fund, as I have noted previously, would enable my Office, in close collaboration with the OSCE Centres, to assist struggling independent media with small project grants of assistance for such elements as newsprint, paper, computers, and so forth.

Often the quick disbursement of several thousand dollars can make the difference between survival going out of business. Therefore, we ask the Permanent Council to give us the ability to work closely with the OSCE Centres in Central Asia to fund these valuable projects.

Let me finally inform you that the independent school newspapers which my Office has initiated in Tashkent and in Almaty after my visit to Central Asia in May have had a successful start. *Liceum Life*, an independent school magazine in Tashkent, and *School Matters*, a magazine of school no. 159 in Almaty, are now being published and newsprint will be provided also in the year 2000.

We have continued to monitor developments in the Federal Republic of Yugoslavia (FRY).

Recently I wrote to the Contact Group raising my concerns with the never-ending campaign by the Belgrade regime against independent media. I have noted numerous cases where media were being subjected to harassment, which is in contradiction to the major political developments in Europe since the fall of the Berlin Wall, the tenth anniversary of which we just celebrated.

Most of these actions were taken under the Serbian Law on Public Information. On 25 June, I appealed to all OSCE Foreign Ministers to bring about a repeal of this Law. The Law, which I once described as a “declaration of war” against independent journalists, is still in force. Now it is aggressively used against those who are trying to bring change to their country. I reiterate my call for us to join together to continue to highlight the necessity to bring about a repeal of this draconian Law.

I would also like to stress that no progress is being reported in the investigation, if there is one, into the 11 April murder of Slavko Curuvija, a leading independent editor.

In addition to this, my Office has received again complaints about the denial of visas to foreign journalists including, inter alia journalists from the *ZDF* and a delegation from the International Press Institute in Vienna. Such behaviour, which is not in line with basic Helsinki commitments, contributes to a climate of self-isolation. In the case of recent denials of visas, I have asked the UN Secretary General and some member States of the OSCE to use their good offices in Belgrade in order to solve these problems.

Over the last weeks we saw two attacks against journalists in Republika Srpska. On 22 October, Zeljko Kopanja, the editor of the independent newspaper *Nezavisne Novine*, was seriously injured in a bomb attack and lost both legs. His newspaper recently published a series of articles on war crimes committed by Serbs against Bosniaks. On 3 November, the journalist Mirko Srdic was attacked by Doboj mayor, Mirko Stojcinovic. The attack followed the broadcast of a report by Srdic on local corruption. Both journalists are described by some politicians as “traitors.” The “traitor syndrome” is the greatest danger to courageous and professional journalists.

The developments in the Balkans this year, but also in other OSCE regions, have confirmed our assessment that it will be necessary to look into ways and means to protect journalists in conflict areas.

After the murder of two journalists in Kosovo, on 14 June, I suggested that one of the ways to protect journalists would be by clearly identifying them as media professionals. A symbol could be developed that would act as a ‘Sign of Protection’ for journalists, just as the Red Cross signifies to the military a medical facility.

On 22 September, my Office, together with the non-governmental organization, Freedom Forum, held a roundtable in London on protection of journalists in conflict areas.

The debate ended up focusing on the broader aspects of protecting journalists. Participants agreed that one of the ways to protect journalists was by ensur-

ing that alleged killers would be brought to justice either through national courts or through an international one, along the lines of the International Criminal Tribunal in The Hague.

My Office will continue looking for new ways that could be utilized to ensure the safety and security of media professionals, and I plan to continue the debate we started in London. I would like to use this opportunity to announce that in the year 2000 my Office plans to invite OSCE participating States to take part in this discussion. I hope that together we will be able to develop a joint OSCE approach in trying to solve this important problem. It is my view that more media organizations should follow the example of the *BBC* in organizing special courses for journalists travelling to conflict areas. These should be specific courses tailored to the needs of media professionals and not just an extension of similar courses held by the military. Here the OSCE as a regional organization can help. I would like to appeal once again to your governments: let's work on this together.

The current conflict in Russia has implications also on the work of journalists who try to cover it in Chechnya . My Office notes that in spite of severe difficulties, Russian and international journalists seem to be generally able to cover the military action as well as the humanitarian aspects of this conflict. It is very important also with regard to a political solution that a free flow of information is not impeded.

I have addressed Foreign Minister Ivanov on 4 November on a number of alleged cases of harassment of journalists covering the war in Chechnya. My Office received a prompt reply on 17 November. It stressed that all the cases dealt with "underground trips by journalists to the region." This highlights a dilemma: journalists will try to enter the area any way they can, eventually disregarding the formal requirements for such visits. Given the situation as it is now, I believe that formalities should not be the first priority of the Russian authorities, but rather the security of the journalists.

I am also aware that two journalists were killed in Chechnya: Supian Ependiyev, a correspondent with the newspaper *Groznensky Rabochiy*, and *Ramzan Mezhidov*, a freelance correspondent with the Moscow TV company TV Centre.

On a different matter: Alexander Nikitin, who was arrested in February 1996 for writing a report to the Norwegian environmental group Bellona on the Russian fleet in the Arctic Sea, is once again facing charges in a St. Petersburg Court for espionage and divulging information on state secrets. I hope that this issue will be resolved soon and in favour of freedom of expression.

The presidential elections in Ukraine are over now. As to the media situation, preliminary statements from the ODIHR on the period of the election campaign seem to confirm some of our fundamental concerns on freedom of the media, which I have addressed here earlier.

One major problem with regard to ensuring freedom of media in Ukraine and elsewhere, is the widespread abuse of libel cases against media. For example, the independent weekly *Zerkalo Nedeli* has been sued for over \$1,5 million USD, the opposition daily *Den* is being sued for libel by government officials and, in addition, harassed by numerous tax inspections.

Therefore, my Office together with the Council of Europe and with IREX/ProMedia will hold a roundtable on free media and libel legislation in Ukraine, in Kyiv, on 2-3 December. It will be attended by representatives from all the three branches of the government of Ukraine, by journalists, and by local and international experts including those from the Council of Europe.

The objective of this meeting is to discuss the libel issue and to develop concrete recommendations on ways to bring this situation into compliance with OSCE commitments and European standards. We have taken into account the Government's basic commitment to undertake reforms with respect to adhering to European standards and, in particular, earlier initiatives of the Government, the Supreme Court and Parliament for improvement on the libel cases. The timing of this roundtable after the presidential elections should add to a productive debate and operational conclusions, which will be made known to you in due course.

The Istanbul Summit Declaration stressed the necessity of removing all remaining obstacles to a real political dialogue between the Government and the opposition in Belarus including also respect for rule of law and freedom of the media. My Office welcomes the beginning of a dialogue between Government and opposition in Minsk under the auspices of the OSCE Advisory and Monitoring Group which has led in early November to the renewal of licences revoked earlier under the Press Law as well as to a promising first agreement on the access of opposition to state controlled media.

However, we learned in Istanbul that this agreement on access to state media is again threatened by President Lukashenko's apparently negative attitude towards the opening of the state media to the Opposition. The Opposition, on the other hand, views this agreement as a conciliatory ploy by the Government prior to the summit. I have therefore urged those involved in the political dialogue and in particular the Government to pursue this issue in an open and public debate instead of hindering the process, which has just started.

As you know, my Office has outlined our concerns on the abuse of libel laws, on the *de facto* censorship through warnings according to the Press Law, and on

a number of presidential decrees in the PC here as well as in Minsk. We hope that the beginning of a political dialogue will also contribute to solving some of the structural problems of media freedom in Belarus and we are ready to provide the appropriate support. In this regard, upon a request of the Foreign Minister of Belarus in August, we have already made available to the Government a number of model laws and other relevant expertise on the transformation of state media into public media and on the existing legal framework in Belarus.

Let me now conclude my report by two announcements: Later today, on the occasion of a Seminar, organized by Article 19 in London, I shall meet the UN Special Rapporteur on Freedom of Opinion and Expression, and the OAS Special Rapporteur on Freedom of Expression. I hope we will be able to agree on certain joint approaches and activities that will help strengthen freedom of expression throughout the world.

On 30 November, my Office will present a publication here in Vienna entitled *Defence of the Future*. The book, available now in Serbo-Croatian and German, contains a number of articles from journalists of the former Yugoslavia on the perspectives of creating stability and democracy in the Balkans. The Serbo-Croat edition will be presented in Sarajevo in early December. The English version will be available to you also in early December.

Urgent Reports on Current Issues to the Permanent Council

Statement at the Permanent Council

25 February 1999

I would like to draw your attention to the current situation regarding freedom of the media in Belarus. I was informed that the State Committee for Press last week has addressed preliminary warnings against six independent newspapers about their coverage of the opposition's plans to hold presidential elections this May. These newspapers were accused of allegedly "calling for the seizure of power."

The six publications, *Naviny*, *Belorusskaya Delovaya Gazeta*, *Narodnaya Volya*, *Belorusskaya Gazeta*, *Belorussky Rynok* and *Imya*, risk to have their licence revoked after two admonitions by the State Committee for Press and could then be eventually closed.

The practice of this Committee has certainly never promoted freedom of the media, but rather favoured tendencies towards self-censorship among independent journalists. The Committee checks publications for violations of the law and of numerous financial regulations. It issues formal admonitions, if it considers that information could cause intolerance within the society or defame the honour of government officials. The Head of the State Committee claims to sign about a dozen admonitions a week.

I have noticed with interest that the State Committee agreed in November 1998 to form a tripartite working - group with the OSCE Advisory and Monitoring Group and with a representative of the independent media to discuss its decisions.

This tripartite group is expected to meet for the first time tomorrow in Minsk.

There is in my view an urgent need to review the preliminary warnings against the independent newspapers during this meeting. I therefore urge the Government of Belarus to ensure the success of this meeting which I hope will be an important step in safeguarding freedom of expression in Belarus.

I am intending to go to Minsk in mid-March and to raise these and other matters with the Government.

Statement at the Permanent Council

11 March 1999

I would like to draw your attention today to three country related issues:

The first one concerns **Turkey**. My Office received information that the Turkish Minister of Justice recently instructed the authorities to strictly implement all laws and decrees leading to the interdiction of the so-called “separatist propaganda” within an otherwise liberal and pluralistic media landscape in Turkey. These laws and decrees are often used to restrict the freedom of media to cover major political issues, including debates and conflicts within the country. Since the arrest of Mr Öcalan, certain issues have become of great public interest in Turkey and in the international community. Under the given circumstances, excessive interpretation of constitutional and legal prescriptions concerning the use of media could only lead to problems with the national and international media community asked to cover events and incidents in connection with the trial against Mr Öcalan.

I would therefore urge the Turkish Government to adopt a more liberal attitude in order to facilitate the public debate on the above-mentioned issues.

The second issue is **Azerbaijan**. At the end of February, I have paid an official visit to Baku following an earlier invitation of the Government.

The situation in Azerbaijan is more complex than it might be assumed. Censorship was officially abolished six months ago. The hunger strike of editors late last year, in which then Chairman-in-Office of the OSCE, Minister Gerecek, and myself intervened, was settled peacefully.

I had occasion to address this question to a large class of aspiring journalists at Baku State University: Is there media freedom in Azerbaijan? One third said yes; one third said no, and one third said “Yes-and-No.” This is not the time to go into the details of why these students journalist said what they said, but I rather bring it to your attention to emphasise the complexities of how an emerging democracy comes to grips with the idea of freedom of the media. Even the fact that one third of the journalists were willing to publicly declare that there was, in their opinion, no media freedom, is enlightening as well. If it is not clear to those involved in the profession whether media freedom exists or not, it is difficult to draw easy and definite conclusions.

President Aliyev told me that he is deeply committed to freedom of the media, the media has total freedom to express their opinion, but it is not easy, he said, to implement this process.

I have encouraged the Government to take steps in order to change the libel laws which are still used to punish critical journalists and to transform the state

television into a public broadcast station. Furthermore I have promoted the idea of establishing press councils as a useful instrument of self-regulation.

These issues will be part of the continued co-operation between the Government of Azerbaijan and my Office. In this respect, I would like to commend the Azerbaijan Government for the effective dialogue it has already established with my Office.

Finally, Mr Chairman, I am very glad to give you an information this morning which was not included in my statement originally. In Baku, I had the opportunity of visiting the only journalist in prison. I appealed to President Aliyev to release this young man. This morning, I was informed that President Aliyev is favourably considering my appeal and that I am free to inform you about it now. I would like to thank the President and the Government for this gesture.

The third issue is **Serbia**. I have received information that on 8 March the owner and two journalists from the daily *Dnevni Telegraph* were sentenced to five-month prison terms for publishing an article against Serbian Vice-Prime Minister Milovan Bojic. I have intervened with Yugoslav Foreign Minister Zivadin Jovanovic urging the Belgrade authorities to use their influence to ensure that the three journalists are not incarcerated and that their sentences are overturned.

Finally, I would like to draw your attention to **two special country reports** which my Office has produced with the support of external experts: one is on the media situation in Croatia, the other one on the media situation in Kyrgyzstan. These are two of a series of periodic reports we have commissioned to provide a broader perspective on how particular countries deal with freedom of the media in their particular environments. Both reports are available to you as of today. I look forward to your comments and suggestions.

Statement at the Permanent Council

22 April 1999

I would like to raise a number of media issues related to the current crisis in Kosovo. Under Paragraph 6 of the Mandate, the OSCE Representative on Freedom of the Media has a responsibility to monitor compliance with relevant OSCE principles and commitments, including alleged serious instances of intolerance by participating States. The Federal Republic of Yugoslavia (FRY) is suspended from the OSCE, however, it is still a signatory to the 1975 Helsinki Final Act. That is why I believe that certain broadcasting practices of Serbian State Television (RTS) are of relevance to this Organization.

Some of the *RTS* programmes are regularly re-broadcast in Europe and North America.

Here is a quote from a Belgrade journalist: “The vocabulary of the media for NATO and the international community (for example, “degenerate criminals”) has become the natural way of communication with the rest of the world.”

But this does not hold true for all the reports published or broadcast by Serbian journalists.

The Independent Media Commission in Bosnia and Herzegovina (IMC) has followed the programmes of the Republika Srpska Television and has observed that since the military conflict started the “style of news presentation has become more professional and credible. Presenters have resumed a normal, detached demeanour.” (IMC Assessment of 1 April 1999).

Point two. I want to draw your attention to a development which I find extremely disturbing: the use of terrorist tactics against individuals in order to be able to misuse them for war propaganda purposes in the media. I am disturbed by the use of the *RTS* in what might in the future be called a media-war-crime: utilizing a citizen and one of Kosovo’s leading politicians,

Ibrahim Rugova, as a media hostage. There are credible reports from foreign correspondent Renate Flottau that Rugova was forced to take part in the so-called Milosevic show broadcast on *RTS* while his children and his wife were under constant threat from police forces that controlled his house in Pristina. Belgrade denies that. The only way to find out the truth is for Rugova and his family to be allowed to leave the country, and I urge the FRY Government to do so.

Point three. I continue to be concerned for the safety of journalists, both local and foreign, working in FRY. In late March-early April, the Belgrade authorities wiped out all independent media – the few ones that continued to operate despite the numerous restrictions of the Serbian Law on Public Information. The leading independent broadcaster B92 was closed down and a radio

station under the same name has restarted broadcasting, however with new staff. Slavko Curuvija, a leading independent editor and publisher, was gunned down on 11 April in Belgrade. His wife was assaulted. This is another case of what I refer to as “censorship by killing.” The offices of the Association of Independent Electronic Media (ANEM) were raided and all employees expelled from the premises.

Numerous foreign correspondents were harassed, detained, expelled, their equipment confiscated. Here are a few examples from April alone: Russian TV correspondent Gleb Ovsyannikov – expelled. German TV journalist Pit Schnitzler – missing after leaving Belgrade en route to Zagreb. Italian reporter Lucia Annunciata – detained, threatened and questioned by the authorities before being allowed to leave the country. I would like to emphasise that this is only the tip of the iceberg.

Those who are still allowed to work in FRY have to file their reports through the *RTS* network and are subject to numerous restrictions including their freedom of movement. According to the Committee to Protect Journalists, the Russian NTV network has complained about being subject to military censorship. They are not alone.

The current media situation in FRY is very disturbing – voices of reason have been silenced, the open debate on issues of concern to the country’s citizens, which I have been urging for months, never materialised. After a political settlement is finally reached in Kosovo, the international community, and especially the OSCE, will have to look for new approaches in support of democratic media in Serbia.

Viable independent media are paramount to any democratic process and to a civil society that, one hopes, will be established sooner rather than later in Serbia. I believe this will be one of the OSCE’s biggest challenges in the near future where all its member States, especially the new European democracies and the Russian Federation, will play an important role.

Today, Russia has a free, democratic and lively media scene, something that is totally lacking in Serbia. In this as in other fields OSCE’s and especially Russia’s contribution could be vast.

Statement at the Permanent Council

12 May 1999

During the first week of May, I visited the Former Yugoslav Republic of Macedonia where I met with editors, journalists, writers and other representatives of the cultural elite from both the Macedonian and Albanian community as well as journalists and writers from Kosovo. I also travelled to Tetovo where I visited the offices of *Koha Ditore*, a leading Kosovo Albanian daily newspaper, that recently restarted publication and is being distributed among the refugees from Kosovo. Those journalists who were able to flee Kosovo informed me about the destruction of their offices in Pristina. I have asked them to provide additional information on this matter to my Office.

The issue I focused on during my trip was how can the OSCE as an organization and its member States support the independent media professionals who fled Kosovo and also how we can support the Former Yugoslav Republic of Macedonia. One thing that is absolutely clear: most of our interlocutors put it this way: "If you want to help the Albanian deportees you have to help Macedonia."

Relief agencies are extremely busy setting up camps for refugees, providing the basic necessities, bringing in food, water, other supplies. But people need more. When the first issue of *Koha Ditore* was distributed in the refugee camps there were small riots – everybody tried to get a copy. There is a definite hunger for intellectual food among the refugees and we should try to address this issue.

I believe there are four ways this can be done by utilizing relatively small financial grants from OSCE member States and NGOs:

- By publishing books on the Macedonian market, including children's books, for further free distribution in the refugee camps. This will provide additional financial support to the local publishers, and their situation is dire, and much needed reading material for a restless population.
- By extending the free distribution of newspapers to the refugees. *Koha Ditore* brings 10,000 copies to the camps. This is not enough. More copies should be printed by independent newspapers, and for that they need additional funding. Other publications should also be encouraged to distribute among the refugees. However, they will also need funding.
- By publishing texts now written by deportees, including fiction and poetry, in the local Macedonian media through international financial support.
- By buying advertising space in local Macedonian newspapers that can be used for discussions among the intellectuals from the Former Yugoslav Republic of Macedonia and Kosovo.

These are all small things that could make a huge difference not only among the refugees but also among the Macedonians who are somewhat frustrated with, what they refer to, as a lack of substantial support for their country.

I urge the OSCE member States to consider these proposals.

Statement at the Permanent Council

2 September 1999

I would like to draw your attention to most recent developments regarding freedom of the media in Ukraine. As the presidential election campaign is picking up speed, the incidents against independent media are increasing. These cases show a pattern of harassment towards non-governmental media, which is especially alarming in light of the upcoming elections in October.

The latest incident concerns *STB* TV channel. The bank accounts of *STB* were frozen on 26 August on request of the tax authorities motivated by alleged violations of existing tax laws.

According to *STB*, the TV channel cannot submit the documents required by the tax authorities as these are held by eight other state controlling agencies. Unless *STB* regains access to its bank accounts, the channel will have to stop broadcasting. This is not the first incident against *STB*. In June, I have addressed President Kuchma concerning previous incidents against the channel, including theft, death threats, and assaults.

The other recent disturbing incident concerns four private TV and radio stations in Crimea (the all-Crimean station *Chernomorskaya*, and three regional stations: *ITV* in Simferopol, *Ekran* in Dzhankoy, and *Kerch TV*), which were shut down on 26 July. The reason given by authorities for closure is the use of unlicensed transmitters. However, as this is not an unusual operating procedure and as other state-owned companies are still using the transmitters, the grounds for closing down the television stations do not appear convincing.

In light of these and earlier reports indicating interference and sometimes even harassment and intimidation by the executive branch in the work of private media regarding their coverage of the upcoming elections, I have urged the Ukrainian Government, in a joint letter with the Director of ODIHR of 14 July, to take necessary steps to ensure that State officials at all levels understand their obligations with regard to freedom of the media.

In addition to this intervention, I have turned to the Ukrainian Government on several earlier occasions concerning problems encountered by the media. My Office has nevertheless yet to receive an official reply.

Written Statement to the Permanent Council

30 September 1999

On 22 September my Office, together with The Freedom Forum, held a roundtable in London on *Protecting Journalists in Conflict Areas*. The roundtable was organised as a follow-up to the suggestion I made on 14 June 1999 that one of the ways to protect journalists in conflict areas would be by clearly identifying them as media professionals. This proposal was made after the murder of two journalists in Kosovo.

The roundtable was attended by TV and radio journalists, magazine editors, NGOs, journalism professors and by Martin Bell, a British MP and former *BBC* reporter. The debate ended up focusing on the more broad aspects of protecting journalists.

The participants agreed that one of the ways to protect journalists was by ensuring that alleged killers would be brought to justice either through national courts or through an international one, along the lines of the International Criminal Tribunal for the Former Yugoslavia in The Hague. One of the experts noted that suspending membership in international organizations of countries that harbour those known to have deliberately killed journalists could act as a deterrent.

Most participants often referred to training and awareness, stressing the importance of doing more in those fields and that some degree of protection through similar means should be provided to freelancers. One *leitmotif* throughout the roundtable: editors need to take a legal and moral responsibility for freelancers working in war zones, providing adequate training and insurance. One of the ways of doing this could be through establishing a relevant convention.

Some participants underlined the need for political will among governments to ensure accountability since most governments had signed relevant international conventions. However, often it was the governments that threatened journalists.

A number of concrete proposals were also made, including urging media outlets to lower the number of correspondents sent to war zones and to encourage the establishment of pools along the lines of the *Sarajevo Agency Pool* (SAP). The participants agreed that more co-operation between different media, including pooling, could help in lowering the risks for journalists.

The participants agreed that this debate should continue, possibly with senior military officers and that editors should be encouraged to improve training and insurance coverage, especially for freelancers.

In view of the situation when journalists are still targeted in the OSCE region, I would like to invite the OSCE member States to publicly re-emphasise their commitments to relevant international conventions and to ensure that any individual and/or individuals who might have committed crimes against journalists are brought to justice.

Statement at the Permanent Council

7 October 1999

The OSCE Representative on Freedom of the Media is seriously concerned by a commentary issued on 2 October by *Kosovapress*, a news agency in Pristina that calls itself a “state agency.” The commentary targeted two Kosovo leading independent journalists, Veton Surroi and Baton Haxhiu, referring to them as “pro-Serbian vampires.”

The author, Merxhan Avdyli, states that people like Veton Surroi and Baton Haxhiu “should not have a place in free Kosovo.” By using this radical wording, the author is trying to destroy democracy through the so-called “traitor syndrome.”

Kosovapress accused these two journalists of being “Serbian spies” and demanded that they go to The Hague Tribunal. *Kosovapress* also stated that “it would not be surprising if they [Veton Surroi and Baton Haxhiu] become victims of possible and understandable revenge acts...These ordinary Mafioso should not remain unpunished for their criminal acts since their idiotic behaviour only helps the leading criminal, Slobodan Milosevic.”

The Kosovo politicians who received help from the international community should unite to fight this dangerous path to self-destruction. They all should distance themselves from this commentary and offer an official apology to Veton Surroi and Baton Haxhiu.

The international community must also react to this hate speech. The Representative expects UNMIK to take appropriate action to ensure that Kosovo has a fair chance for a democratic future.

Statement at the Permanent Council

20 January 2000

Today, I would like again to focus on South-East Europe. First of all, I would like to introduce this book *In Defence of the Future* that I edited together with Nenad Popovic, a prominent Zagreb intellectual. In a way it is the first product of the idea of a Stability Pact. The book is published in Croatian, German and English. It can therefore be read in all the post-Yugoslav regions. It includes essays by leading journalists and authors from Sarajevo, Zagreb, Belgrade, Pristina and Ljubljana. Some of the contributors are members of *Group 99*, a circle of writers from South-East Europe who united as a result of a proposal I made at the Leipzig Book Fair last year.

The idea behind this book is to try to avoid referring to the past, to avoid mutual accusations, to avoid the old game of name-calling, as is very common in this region. The idea is to look to the future, to discuss and debate ways that can help the region prosper.

The *leitmotif* of *In Defence of the Future* is summed up by Zagreb writer, Miljenko Jergovic, who writes in his essay that "life without neighbourliness and without an ethnic mix is not possible in the Balkans. The cultures of the peoples of the area were created in a constant dialogue with others and in being mixed with others." I hope this book will contribute to reconciliation in South-East Europe. Croatia has already voted for a new generation, for breaking with its nationalist past. Now it is time for the others, especially Serbia and Bosnia and Herzegovina, to choose Europe and not the tribalism of the previous years. Here I would like again to draw your attention to the continued media repression in the **Federal Republic of Yugoslavia**, specifically in **Serbia**. On 21 October 1998, in line with my early warning function, I stressed publicly that the adoption on 20 October of the Serbian Law on Public Information basically institutionalised a state of war against independent media. On 23 October, I raised this Law with the Yugoslav Foreign Minister Zivadin Jovanovic, and four days later I met with journalists from Serbia to hear their views.

Since then I have been regularly appealing to the Belgrade regime to repeal this Law. On 25 June 1999, I wrote to all OSCE Foreign Ministers asking them to use their influence to bring about a repeal of the Law. In 1999, as predicted, we saw our worst fears materialise in Serbia. The Law has been used on numerous occasions to silence independent media, to prosecute those who have tried to inform the public on the state of affairs in their country.

Here are some recent facts: in the first year since the Law's adoption, 30 media outlets were sentenced to pay fines totalling 18 million dinars. Only last month, *Danas*, *Blic* and *Studio B* were fined a total of 970,000 dinars for carry-

ing a statement by the opposition party SPO. According to the Independent Association of Journalists of Serbia, of its 1,100 registered members, 70 percent lost their jobs since the adoption of the Law. I can spend here hours going case after case after case.

But not only this Law is being used to harass media. Outright intimidation and sabotage are also common. A few days ago, unknown perpetrators damaged the *Studio B* transmitter on Mt. Kosmaj. As a result, the audience of this leading opposition television station was halved. According to *Studio B* management it will take some time to fix this problem. I assume that the Belgrade authorities, if they were not involved in this act of sabotage, as is being implied by the independent media, will take action and bring the perpetrators to justice.

I would also like to mention Milosevic's interview to *Politika* given this New Year's eve. Milosevic believed that the Serbian Law on Public Information had not been used "sufficiently enough." Milosevic told *Politika* that there was complete freedom of the media in Serbia while in Western countries the media was controlled by the state. It seems that Milosevic is living in his own world, a world that has very little to do with reality. However, his interview will once again have a chilling effect on media in Serbia, and not only on those who consider themselves in opposition to the current regime, but also on the media that tries to be apolitical.

Media and universities are the last bastions of free expression in Serbia. They are now being strangled. We have an obligation to do something about it. I urge your countries to unite in the struggle for civility in Serbia. Without a democratic Serbia one can not guarantee stability in South-East Europe. The challenges in this region will dominate the work of the OSCE in the year 2000.

Statement at the Permanent Council

10 February 2000

I would like to draw your attention to the case of Andrei Babitsky, a Russian journalist working for *Radio Liberty*, who has been missing in Chechnya since 15 January. Russian authorities initially denied any knowledge regarding his whereabouts. Later they confirmed that he was being held by the Russian Federal Forces on suspicion of being a member of an "illegal armed group." While the NGOs, media and my Office were demanding that Andrei

Babitsky should be released, suddenly the Russian authorities informed the public that he was “exchanged” for two Russian soldiers held by the Chechens. Russian officials insisted that the “exchange” was conducted with Babitsky’s approval. As proof, a videotape of the alleged “exchange” had been shown on Russian television.

On 7 February, we learned that two more officers, Captain Andrei Ostranitse and Lieutenant Alexander Kazakov, had been released by the Chechens “in exchange for Andrei Babitsky.” According to Russian officials, they are currently recuperating in a hospital in Mozdok. However, no further information had been provided to the media.

A journalist and a citizen is being turned over to a group of people who the Russian government only refers to as “bandits.” This is being done secretly, with no lawyers or human rights groups present. To add farce to tragedy, the State Prosecutor is now demanding that Andrei Babitsky should report to his Office. If he fails to do so an arrest warrant will be issued by the Prosecutor.

On two occasions I asked Russian Foreign Minister, Igor Ivanov, for clarifications: on 27 January and on 7 February. I have spoken publicly regarding this case, both in Austria and Germany. I am still waiting for an official reply from Minister Ivanov and with surprise I read the Minister’s comments of 8 February that “Babitsky’s problems should not be overestimated.”

I have asked the Russian Foreign Minister to produce concrete information on Babitsky by yesterday. A number of individuals and organizations had asked me to do so since they fear that Andrei Babitsky might no longer be alive. I gave a deadline and it passed, now I have to take further action. One of the few steps I can take is to increase international public awareness of this case. I will continue publicly raising Andrei Babitsky’s plight if we do not get concrete information.

Radio Liberty informed my Office of some worrying details:

- They had been sold a tape that shows Babitsky alive, although looking somewhat uneasy, on, allegedly, 6 February. The tape is currently being reviewed by Radio Liberty lawyers.
- There are reports that he had been seen, badly beaten, in Gudermes on 7 February.

There are also reports in the Russian media that Babitsky might actually be held by a Chechen commander. However, these reports were not confirmed by Chechen President Aslan Maskhadov. The saga of Andrei Babitsky is getting more complicated and contradictory, not only with every day but with every hour.

That is why I urge the Russian Government to answer just one question – a question that had been worrying the world public for weeks – where is Andrei Babitsky?

Report to the Standing Committee of the OSCE Parliamentary Assembly

13 January 2000

During the meeting we had at the Istanbul Summit, the President of the OSCE Parliamentary Assembly, Helle Degn, had asked my Office to present to you today some thoughts and findings of my Office on the dramatic situation of the media when OSCE member States are involved in military activities.

She asked us to make some comments on the Kosovo crisis and on the ongoing war in Chechnya.

First of all, I would like to make some general remarks on democracies going to war. A democracy has to overcome the age-old saying that truth is the first victim of war. Regarding media freedom and access for journalists, all OSCE member States have committed themselves to providing a fair and free environment for journalists. Democracies at war are in an entirely different situation than authoritarian dictatorships. Soviet citizens who were critical of their country's invasion of Czechoslovakia or Afghanistan often ended in prison or in a psychiatric ward. The first democrat who during a terrible war pointed out this difference very clearly was Winston Churchill in his speeches to the British Parliament in the early forties.

Throughout the last century, the citizens of the leading Western democracies were confronted with this entirely different situation as compared to war reporting in non-democracies. A critical journalist, or any citizen critical of the policies of his government, in any democracy cannot be labelled as a "traitor." However, even in a democracy a journalist can become the target of a government attack as has happened to John Simpson from the *BBC* during the NATO campaign against the Federal Republic of Yugoslavia. British Prime Minister Tony Blair told the House of Commons that Simpson's reports "were compiled under the instruction and guidance of the Serbian authorities." NATO spokesman Jamie Shea once referred to the campaign against FRY as the first "media war" and to journalists as "soldiers in this war." This is a position that I cannot accept.

There is a history to democracies going to war. The British democracy already had to deal with this challenge during the Boer War at the turn of last century. The French democracy experienced this during the Algerian War, the United States had to face this same challenge of public scrutiny and criticism during the Vietnam War.

I am making these general historical remarks because these mentioned countries today are members of the OSCE. The function of my Office, among others, is not to judge whatever military decisions are made but to concentrate on potential repercussions to media freedom.

To continue on the subject of FRY, already in the early nineties foreign correspondents had difficulty working in that country, especially when there was a discussion during the Bosnian war that NATO might attack Belgrade. I would like to stress, that adequate working conditions for foreign journalists were one of the central points of the “third basket” of the Helsinki Final Act.

We do have ample proof that most government-controlled media in FRY, especially *RTS*, were used as propaganda machines by the regime. This became even clearer after the adoption of the Serbian Law on Public Information in October 1998.

NATO's situation was entirely different. Brussels had to deal with journalists who could do their own research and decide themselves on how to inform the public. Most of what the NATO spokespersons admitted and what they denied was a direct consequence of democracies going to war. NATO's mistakes were public relations mistakes of spokespersons who themselves were not adequately informed. Sometimes, these mistakes, as we have learned recently, were very serious ones. The spokespersons in reality often knew less than they could admit and even less than some journalists. Some of these issues are still being debated publicly. Only recently, NATO admitted to speeding up a tape that showed one of its planes mistakenly attacking a train. This admittance is proof that NATO, as an organization of democracies, has to be open and has to admit its mistakes.

Since all NATO members at the same time also belong to the OSCE, I had to intervene on one occasion – after the missile attack against *RTS* in Belgrade last April. I publicly voiced my concerns and sent a letter to Xavier Solana, NATO Secretary-General at that time. I never received a reply.

After my public statement, there were some critical comments made, but I take it that the decision to bomb a television station, housing journalists, by the leading democracies of the OSCE is an issue which concerns my Office. There is no doubt, and I stressed that in April, that not only during wartime this station and its journalists were used as a propaganda instrument by the Milošević regime. But to destroy a media building and to kill and aim at media workers under the pretext that they are part of the war-machine could have, among other things, resulted in considerable repercussions for foreign journalists working in Belgrade. They could have been considered as belligerents and treated accordingly. On 23 April 1999, sixteen media workers from *RTS* lost their lives. Democracies, even at war, must always accept and follow their basic international commitments. They are and they will remain the example others use, or misuse, when they go to war.

The corrective function of the NGOs on this matter is paramount: The International Press Institute published an important report *The Kosovo News and Propaganda War*, with texts written by journalists and experts from over two dozen

countries. Its main theme is expressed by Peter Goff from *IPI* in the book's introduction: "The war was punctuated with accusations, both from the media and against the media. Claims of censorship, propaganda purveying, distorted and suppressed information were met by allegations of media treason, sensationalist reporting, cheerleading and appeasing."

This year Austria is heading our organization. That is why I would like to refer to some thoughts by Gerfried Sperl, Editor-in-Chief of *Der Standard*, in the *IPI* book. Sperl wrote about discussions and even confrontations between journalists in Austria regarding the NATO action against FRY. The key word here is "discussion," something that can only happen in a democracy.

A few words on the recent fighting in Chechnya. My Office has tried to follow the media aspects of this military operation as closely as one is able to from Vienna. I was aware of the difficulties facing local and foreign journalists trying to cover this conflict, of the generally unanimous position of support of the action taken by the Russian government by the most influential media in the country. Initially, there was a danger that the media might become part of a campaign against non-Russian minorities in Russia. As far as we know, this did not happen. However, there is still a danger of anti-Russian propaganda materialising in the Caucasus as a result of this war. Some of these issues I have raised with the Russian government.

Related to the challenges of war is protection of journalists in conflict areas.

After the murder of two journalists in Kosovo in June 1999, I suggested that one way to provide journalists with additional protection could be by clearly identifying them as media professionals. In September my Office, together with *Freedom Forum*, an American non-governmental organization, held a roundtable on this issue. I plan to continue this discussion in 2000 and I urge OSCE participating States to play a more active role in ensuring the safety and security of journalists in conflict areas. I also would like to invite senior military officers to this debate. The importance of this issue could not be underestimated, especially since last year we had more armed conflicts in the OSCE region than in 1998.

In December I intervened with the Russian authorities on behalf of a group of journalists working from Grozny who were unable to leave the city. In the end they made it out safely. Not all media professionals have been so lucky. Since the start of military activities in Chechnya, three journalists died as a result of the fighting. Their names were added to an already long list of reporters killed in 1999. This list is much longer than in 1998 and it is also up to us to ensure that in the year 2000 no more journalists will pay with their life for the right to do their job. I urge you to assist us in this noble endeavour.

One of the major issues that concerns parliamentarians directly is increased media repression in the **Federal Republic of Yugoslavia**, specifically in **Serbia**. On 21 October 1998, in line with my early warning function,

I stressed publicly that the adoption on 20 October of the already mentioned Serbian Law on Public Information basically institutionalised a state of war against independent media. On 23 October, I raised this law with the Yugoslav Foreign Minister Zivadin Jovanovic, and four days later I met with journalists from Serbia to hear their views. Since then I have been regularly appealing to the Belgrade regime to repeal this law. On 25 June 1999, I wrote to all OSCE Foreign Ministers asking them to use their influence to bring about a repeal of the law. In 1999, as predicted, we saw our worst fears materialise in Serbia. The law has been used on numerous occasions to silence independent media, to prosecute those who have tried to inform the public on the state of affairs in their country. Recently I read Milošević's interview to *Politika* given this New Year's eve. Milošević believes that the law has not been used "sufficiently enough." He also said that there was complete freedom of the media in Serbia while in Western countries the media is controlled by the state. Overall, Milošević's interview will once again have a chilling effect on media in Serbia, and not only on those who consider themselves in opposition to the current regime.

I would like to use this opportunity to appeal to your parliaments to use their influence to try to persuade Belgrade to repeal this draconian law. If Yugoslavia ever plans to become truly a part of Europe, this law should be abolished. I am also concerned for the fate of Flora Brovina, a Kosovo Albanian doctor and writer, sentenced recently in Serbia to 12 years in prison. Her case is yet another indication of the state of repression in FRY.

Some other points I would like to make today. Although, in general, I have not focused on the role of the media during election campaigns, however the recent elections to the State Duma (Parliament) in **Russia** have set a worrying precedent that I hope will not be repeated during the March 2000 presidential elections. According to the preliminary findings by the European Institute for the Media, the coverage of the elections in the most important sections of the Russian media was biased. The Institute believes that this election campaign in the media was considerably worse than during the previous parliamentary elections in 1995. Some journalists in their attacks against their political opponents lacked professionalism and even taste and often were slanderous and libellous. This has also been stressed by the International Election Observation Mission. Among other things, the Mission underlined that commercial media conglomerates have absorbed much of the independent media and have become major stockholders in the state-controlled media. I am aware that many Russian journalists and experts share this view. I hope that the discrepancies of the December 1999 elections will be avoided during the presidential ones.

Many of us have applauded the 3 January elections in **Croatia** that have led the Croatian Opposition to victory. I had intervened with the outgoing government on many occasions defending free media, often to no avail. I believe

that the change of government gives independent media a new chance in Croatia and my heart today is with those journalists in Zagreb, Split, Rijeka, and other Croatian cities and towns who have over the past years not yielded to pressure from the HDZ and continued to defend civility above ethnicity. I believe that the latest good news from Croatia will breathe new life into the stale environments that we often find in Serbia and Bosnia and Herzegovina.

My Office has also closely followed the latest developments in **Kosovo**. My major concerns today are cases of hate speech that have been recorded by international observers in the region. One of these cases I highlighted on 6 October in a statement to the Permanent Council. Hate speech in itself is an abuse of freedom of expression and is becoming a problem for the future of Kosovo and I will continue to watch closely the situation there, and, when necessary, intervene on behalf of journalists and in line with my mandate, like I do throughout the OSCE region.

One of the countries we have focused extensively on in 1999 was **Ukraine**. In early December, my Office together with the Council of Europe conducted a roundtable in Kyiv on Ukrainian libel legislation. The misuse of libel suits has been identified by my Office as one of the main media problems. Based on this roundtable, we issued specific recommendations to the Ukrainian authorities, stressing that there is a need to properly implement existing laws and to adhere to Ukraine's international commitments. We have also intervened with the Ukrainian Government on a number of occasions when media were attacked either by the central Government, or, which is more common, by local authorities. This week my office received a call from Irina Hrol, Editor of the Crimean daily, *Chernomorskaya Zarya*. Her newspaper has been under a continuing onslaught from the local administration. Despite my intervention on her behalf with the Ukrainian Foreign Ministry and the Office of the President, the onslaught continues. Here I would like to appeal to the Ukrainian Parliament to try to protect this courageous woman and her newspaper from a campaign of harassment waged by the local authorities.

Belarus has also been on our agenda in 1999. Without going into all the details regarding our activities in this OSCE Participating State, we have provided the OSCE and the Government in Minsk expertise on media-related issues in the context of the preparation of parliamentary elections this year. We have to state, however, that no progress has been made on the revision of the media law and on the transformation state media into public media. I would like to stress our concern with the abuse of libel laws and with the *de facto* censorship through warnings issued according to the Belarus Press Law. It is also worrying that last year approximately 30 independent newspapers have closed down due to economic difficulties and harassment by the state. There is an increased risk of self-censorship by those independent media still

operating because of fear of being closed down just before the elections, should they take place.

We have been extremely active in **Central Asia** during the past year. I want to point out specifically our initiative, working closely with the OSCE Centre in Bishkek, to host, along with the Government of Kyrgyzstan, a regional conference on the Media in Central Asia. We are grateful, too, for the financial assistance of the United States and Norway which enabled journalists from four of the five Central Asian countries to attend the two-day seminar. Unfortunately, the delegation from Turkmenistan was unable to attend. It soon became clear that this regional approach reaped significant dividends in encouraging a dialogue, heretofore absent, between journalists of the Central Asian nations. We advocated, from the beginning of this initiative, that a similar conference be held on an annual basis in different Central Asian nations. We hope, based on preliminary indications, that the second annual conference on Media in Central Asia will be held in the fall of this year in either Kazakhstan or Tajikistan.

Finally, we will soon be approaching selected OSCE states for voluntary contributions to what we call our Media Fund for Central Asia. It has become apparent to us that small amounts of money, carefully targeted to sustain the struggling independent media in Central Asia, can go far in assuring the survival of financially troubled media. Often, something like \$3,000 or \$5,000 to purchase paper stock, printing ink, or a computer or two can spell the difference between survival or the demise of an independent media outlet. We would work closely with the OSCE Centres in Central Asia in identifying worthy recipients and moving the funds to them as quickly as possible.

Report to the OSCE Review Conference of 1 October 1999

From Freimut Duve, OSCE Representative on Freedom of the Media

Structural Censorship

Some observations concerning structural censorship efforts within the OSCE area.

It is clear that the conditions under which journalistic freedom can contribute to the democracy of the country differ dramatically in the world of the OSCE. Conditions in Western Europe and in North America are much easier compared to those in other regions.

The post-socialist and post-communist democracies face a number of problems and conditions which make free journalism a much more complex challenge than most of us celebrating the original *Glasnost* period had expected. Direct government pressure on free media is still apparent in some areas. And, of course, we still, unfortunately, have the occasional newspaper closed by a government edict, we have the occasional cases of police harassment or violence directed against journalists as well as cases of journalists in prison. My Office has intervened again and again. We have had some fruitful discussions with responsive governments, and we have noted some signs of progress.

However, throughout our work in 1998 and 1999, we found a whole set of unexpected forms of indirect pressure on media freedom related to the economic and political structures of the past. I call this the elements of **structural censorship**. These indirect structural pressures can be as nefarious and harmful to free journalism as direct repression. Unfortunately, there is a lack of thorough research and academic study of this economic and political reality which affects not only media, but other fields as well. Although these indirect structural pressures are not nearly as dramatic as violence or heavy-handed government repression, they can sometimes be just as effective in killing journalistic freedom. We need, all of us, to find answers to these structural deficiencies.

Government-controlled and subsidised media have a readily available source of economic survival; independent media do not. We have identified at least five different instruments in the hands of communal, regional or state administration, which enable them to exercise control over the functions of the media:

- The government has a monopoly on newsprint;
- The government controls the import of the paper stock;
- The raising or lowering of rent for office premises owned by the municipality;
- The indirect control of distribution through monopolistic control;
- Government-controlled business advertises only in “friendly” media, and withholds advertising from independent or opposition media.

All these instruments would not have their radical effect in booming economies, but in poor economic situations and an extremely weak print media market, these instruments have a significant effect, making it even more difficult for the independent media to survive economically.

Besides these instruments, we face another serious problem which cannot be called “censorship.” It is, however, a main source of concern for my Office: government officials who again and again avail themselves of ill-conceived judicial statutes regarding **libel and defamation**. Politicians are usually not attacked by the media as persons but as those responsible for the most important institutions of their countries. They must therefore accept criticism for the work which they were elected to perform. Considering on a legal basis all public criticism as “personal insults” means nothing else than : to destroy the basic function of public criticism of any government action. Under these circumstances, the second main role of the media, the “corrective function” to all important government or business decisions affecting the future of the citizens of a city, a region, or of an entire country, is in danger of being silenced. My Office encountered many examples of this silencing of the “corrective function” of the media through the personal misuse of libel laws, both civil and criminal.

And, of course, a string of expensive libel suits by government officials against free media outlets can bankrupt an enterprise, and the threat of imprisonment, whether carried out or not, for criminal defamation can have a chilling effect on journalistic integrity and foster self-censorship.

Given the extent of this problem, my Office intends to organise next year a meeting focusing on freedom of media and libel and defamation.

Let me now pass on to **some economic aspects** regarding the independence of the media.

A high VAT tax, imposed on the independent media based on the argument of economic fairness can bankrupt media which exist on the borderlines of economic survival. The presence of business monopolies which control the media clearly limits the possibilities of media freedom. None of these elements is illegal, or against the law, and, often the law, whether fair or not, is what offers the camouflage and protection for this indirect pressure on the media.

But the real question is what we, what anyone, can do to redress these imperfections which threaten a pluralistic media environment and the public’s right both to know and to choose among alternatives.

One solution is to rely on the hope that the economies of the newly emerging democracies in our OSCE family will gradually improve. Western economists are fond of saying that “a rising tide lifts all boats,” that in a flourishing economy there will be more money for advertising, more money to start up media outlets, everyone will benefit.

I am certain that, for the media industry, there may be some truth in this nostalgic market dream. But for the journalistic role of the media as an indispensable corollary to democratic and legal development of an open society, these hopes are not enough to safeguard democracy in its most crucial period of development now. A period which in some countries is marked by a deteriorating economy, at least over the short run.

The task, it seems to me, is for the international community, and here I include the OSCE, to provide carefully directed economic assistance to redress some of the structural imbalances which threaten freedom of expression and weaken democracy. Obviously, neither my Office nor the OSCE as a whole, has sufficient funding to deal with some of these deficiencies. But there are ways to start, actions which governments can take to better the chances for economic survival of the threatened independent media:

- I urge all governments which still impose VAT taxes on the media to abolish or reduce this tax. I am, of course, aware of the fairness argument, that everyone pays a VAT tax, and abolishing it for the media only would mean to put the media in a favoured position. But quite a few countries have reduced or abolished VAT tax for media knowing that this is an indirect economic help to free journalism.
- Government officials need to restrain from continuing libel actions for large amounts of money against the independent media, which do not have the funds to continue to combat these legalistic assaults. My Office intends to do what it can to see that the libel penalties sought are reasonable and commensurate to the offences .

My Office has initiated a project to deal with these structural deficiencies on a micro-economic level. Although we are not a funding element, we have, for the first time, requested a modest increase in our budget to provide economic assistance to struggling media, particularly in Central Asia. This Media Fund for Central Asia, as we call it, is patterned after an initiative of one of our OSCE Centres in Central Asia which provided funds for newsprint and paper for an already existing, but economically threatened newspaper. In this context, I would also like to mention that my Office has set up two school newspapers in Kazakhstan and Uzbekistan with the financial support of a private donor.

Finally, I would like to address the **industrial cross-ownership of media**. The economic situation of the media produces another problematic effect: seeking capital investment the media often end in the open arms of big business which has the needed capital. Today, we are confronted with a situation

in a number of OSCE member States , where one or two powerful economic conglomerates own most of the media and partly use it to promote their own interests. There is nothing apparently illegal, but it clearly restrains alternative viewpoints from being discussed. One way to deal with this emerging phenomenon is for legislative bodies to pass laws against it. This was done earlier in Turkey where a company that owns media outlets is not allowed to take part in public tenders.

Another way of dealing with this problem is through encouraging foreign investment. While one understands that foreign owners may influence discussions in a country where they do not live and one does prefer that local entrepreneurs own local media, there are some positive examples. Countries need to attract foreign investment into the media, investments that are market-oriented but non-political. One positive example is Bulgaria where foreign-owned newspapers dominate the market, but there is no interference in editorial policy. This is certainly one way to compete with the local media monopolies.

These are only some of the issues of indirect economic repression which have a negative effect on the development of free media in the newly-emerging democracies.

2. Projects 1999/2000

2.1 Protection of Journalists

Roundtable organised by the OSCE Representative on Freedom of the Media and hosted by Freedom Forum European Centre in London, 22 September 1999.

“In Bosnia people on the Serb side would very often hold you responsible for the actions of your own government.” - George Eykyn, BBC Correspondent

“Editors can get together to discuss things like paparazzi or privacy. But for some reason they apparently can’t get together on the issue of the safety of their own staff.” - Colin Bicker, Lecturer

(Both quotes are from the Freedom Forum Seminar on Journalism Safety held on 26 September 1997)

The roundtable was organised as a follow-up to the proposal made on 14 June 1999 by **Freimut Duve**, the OSCE Representative on Freedom of the Media, suggesting that one of the ways to protect journalists in conflict areas would be by clearly identifying them as media professionals. A symbol could be developed that would act as a ‘Sign of Protection’ for journalists, just as the Red Cross signifies to the military a medical facility. This proposal was made after the murder of two journalists from *Stern* Magazine in Kosovo.

The roundtable was attended by TV and radio journalists, magazine editors, NGOs, journalism professors. What was ominous was that the print media had been only represented by the editor of the *Guardian*. **John Owen**, Freedom Forum European Director, pointed out that protection of journalists was an issue that the print media avoided discussing publicly.

The debate ended up focusing on the more broad aspects of protecting journalists then just the ‘Sign of Protection.’ The sign itself was fully supported by *Reportiers san frontiers* (RSF), however, other NGOs and journalists were either sceptical or non-committal regarding this proposal. **Alexandre Levy** from RSF

stressed that his organization would be “happy” to work together with the OSCE on the design of the sign and that they saw the sign as a way of preventing “some authorities from saying that they did not know that the killed person was a journalist.”

The participants seemed to agree that one of the ways to protect journalists was by ensuring that alleged killers would be brought to justice either through national courts or through an international one, along the lines of the International Criminal Tribunal for the Former Yugoslavia in The Hague. **John Owen** noted that suspending membership in international organizations of countries that harbour those that were known to have deliberately killed journalists could act as a deterrent.

Martin Bell, British MP and former *BBC* Reporter, stressed that there were already numerous security measures in place for journalists, including body armour and special training. He saw some potential in lowering the number of reporters covering war-zones (two *BBC* reporters in Sarajevo in 1995 as compared to 19 in Kosovo in 1999) and through establishing pools along the lines of the *Sarajevo Agency Pool* (SAP). Some participants agreed that more co-operation between different media, including pooling, could help.

Mario Dietrichs, Deputy Foreign Editor for *Stern*, was opposed to the sign saying that this would not have helped his murdered colleagues in Kosovo. In his view, journalists were safer when they were not recognised. **Andrew Kain** (BBC Trainer) suggested that some journalists might wear a sign that could be “flipped on or off” whenever they saw a need for that.

Most participants often referred to training and awareness, stressing the importance of doing more in those fields and that some degree of protection through similar means should be provided also to freelancers. One *leitmotif* throughout the roundtable: editors need to take a legal and moral responsibility for freelancers working in war zones, providing adequate training and insurance. One of the ways of doing this could be through establishing a relevant convention.

Malcolm Smart, *Article 19* Deputy Director, noted that he supported the motive for the sign, however, in reference to the Red Cross, he underlined that even it had been devalued by the internal nature of the current conflicts. In his view, often danger to journalists came from governments. **Smart** also believed that the sign might lead to some form of control of journalists.

On a number of occasions, **Freimut Duve** asked that what if the murder of a journalist would be specifically defined as a war crime, would that offer more protection? Some participants believed that this angle was worth pursuing and that relevant case law was currently being developed in Kosovo. One representative said that future accountability could act as a deterrent. A number of journalists (**Mario Dietrichs**, **Anthony Borden**) disagreed. **Smart**

believed that accountability could only be ensured through political will since most governments had signed relevant international conventions. In **Dietrichs'** view, the accountability of individuals for committed crimes had often been sacrificed for political purposes, such as, for example, national reconciliation. **Duve** countered that crimes against journalists "should not be pushed under the carpet of reconciliation."

Both **Bell** and **Smart** stressed that there was also a moral question in this discussion: should journalists have a higher level of protection than other civilians? Some other questions raised during the debate: could international peacekeepers do more to protect journalists in war zones? Was the issuance of presscards more a form of control than protection?

Two written papers were provided at the roundtable: by **Aidan White**, General Secretary of the International Federation of Journalists, and by **Ahmad Fawzi**, the Director of the United Nations Information Centre in London.

White underlined the opposition of his organization to the 'Sign of Protection' stressing, among other things, the "political" nature of such a debate. **Fawzi** suggested that the UN Secretary-General could, for example, submit a report to the Security Council (along the lines of the 8 September Report on The Protection of Civilians in Armed Conflict), specifically on the question of protection of journalists and to ask the Council to propose to the General Assembly to adopt a resolution on this question.

Freimut Duve will continue this discussion in 2000.

2.2 The Media in Central Asia: The Present and Future

Conference on 25-27 October, 1999 organized in co-operation with the OSCE Centre in Bishkek and the Government of Kyrgyzstan

This conference was the first regional meeting of the representatives of the media in Central Asia. Held through the joint efforts of the OSCE Representative on Freedom of the Media, the OSCE Centre in Bishkek, the Union of Journalists of the Kyrgyz Republic, and the Government of Kyrgyzstan, the conference brought together over eighty journalists from four of the five Central Asian Republics to discuss among themselves the current status and future prognosis of the media in Central Asia. Only the Turkmenistan delegation failed to show.

Discussions, following panelists' views from representatives of the attending countries, centered around a series of topics which included: freedom of the press as a fundamental human right; problems of safeguarding rights of journalists in Central Asian states; legislation and practice of media in Central Asia and their conformity with the principles of freedom of speech; mass media in conflict situations; problems of access to information; role of independent journalist unions and associations in safeguarding rights of media representatives; and principles of professional co-operation.

It became apparent early on in the conference that this regional approach, despite the stark differences in the development of the media scene in the different Central Asian countries, lent the participants a unique opportunity to exchange views with their colleagues from neighbouring countries. In fact, the differences in the progress of freedom of the media from state to state were a major issue of discussion. Host country Kyrgyzstan, the Central Asian country that enjoys the most media freedom, was an appropriate host for this conference.

The OSCE Representative on Freedom of the Media proposed that such a conference be held on an annual basis and that the venue should rotate among participating Central Asian states. This suggestion was strongly endorsed and the Second Annual Conference on the Media in Central Asia is scheduled to take place later in 2000 in one of the Central Asian republics.

Official representatives of Kyrgyz, Kazakh and Tajik information agencies signed an Agreement on Co-operation and Free of Charge Exchange of Materials. It is hoped that the Uzbek government news agency would join such an agreement. There is clearly a lack of information in the Central Asian countries about what is going on in their neighbouring nations; such an exchange of information, hopefully leading to the prospect of a Central Asian News Agency, is a beneficial move toward increased sharing of information on a regional basis.

2.3 School Newspapers in Central Asia

The following report is from Christian Kolb (Junge Presse Nordrhein-Westfalen Landesarbeitsgemeinschaft junger Medienschaffender).

Uzbekistan - The students. The students at Tashkent International House are greatly interested in our project. Altogether, 42 took part in our media training.

The school is attended predominantly by the children of wealthy parents. Nevertheless, the students' ability to criticize shortcomings is not very conspicuous.

Since this point is very important for successful and independent work on a student newspaper, we have made an effort to impart to the students some grasp of the social aspects of such work in addition to technical knowledge. The ability of the students to absorb linguistic and substantive material is very good. At the beginning of the seminar, many students were quite uncertain as to how far they would be permitted to express their own opinion.

This situation changed in the course of the programme. Individual initiative and active co-operation on the part of the students increased.

Uzbekistan - The school administration. The school administration also showed great interest in our project. We were given complete support, particularly at the technical level. At the personal level also, we were treated in a friendly and co-operative manner. Media training represented the focal point of school life during this week.

Nevertheless, on a number of occasions the Director attempted to influence the content of the newspaper. During our presence, however, after attention had been drawn to the agreement with the OSCE, these attempts were fully abandoned. On the other hand, according to information available to us, attempts are being made to replace the elected Chief Editor by another person.

We shall continue to remain in contact with the editorial office in order to see to it that these designs are not carried out.

Uzbekistan - The equipment. The school is relatively poorly equipped from the technical point of view. Nevertheless, thanks to the support of the school management, it was possible to operate the OSCE computer as well as an overhead projector.

It was possible to use the computer room (DOS) belonging to the school for work on articles. The equipment provided by the FES is in line with the

requirements of the editorial office and is capable of being fully exploited. It would be better if the software were not only pre-installed but also delivered as an installation version, together with manuals.

As earlier planned, it was possible to use the laser printer to produce high-quality copies. Systematic printing of the newspaper makes no sense for reasons of cost.

Uzbekistan - Co-operation with FES. The FES collected us from the airport and assigned a student to us as an interpreter-translator. We were extremely satisfied with the professional skills and dedication of the interpreter.

Our accommodation was located at a considerable distance from the centre of town. Without question, the long time spent in commuting could have been put to better use. We gained the impression that the FES was already very busy with many other projects and that, accordingly, our common project could not always be supported to the extent that would have been appropriate.

Uzbekistan - Prospects. The seminar and the first edition of the newspaper deserve very high praise. It was possible to partially finance the magazine through advertising and to find a copy shop in the vicinity of the school that was willing to reproduce the magazine at relatively low cost. Considering the media skills acquired during the seminar and also the individual initiative of a number of students, it may be assumed that the editorial office will continue to publish the magazine in the future. In the next few months, support should be made available to the editorial office, as planned, to help with the copying costs.

For economic reasons, it would not be advisable to produce the magazine using the laser printer because the expenses incurred through toner costs and wear and tear on the printer itself would be too high. A laser printer designed to deal with the volume of material in question would cost about 10,000 German Marks and was therefore deliberately not procured. Both the "Junge Presse" and the OSCE should maintain contacts with the editorial office, among other reasons in order to demonstrate genuine support for its independent work.

Kazakhstan - The students. In the city of Almaty, 17 students from school No. 159 took part in our project. Although participation on the part of the students was to some extent optional, many showed great interest in the development of the student newspaper. School No. 159 has the reputation of being a very good and well-established school, having students who are quite capable of absorbing linguistic and substantive concepts. It was only after the seminar had got under way that the students began to involve themselves actively in the work.

Kazakhstan - The school administration. Since the school is involved in several international projects and has a student body of about 1,500 persons, the school administration, while certainly interested in our project, could find only relatively little time for us. We were, however, treated in a friendly and helpful manner.

A number of the teachers at the school became so involved with the project that all outstanding questions were soon answered. For the Director it was a matter of great importance that, contrary to the opinion of the editorial office, the magazine should have a Kazakh name. Since, according to the Director, there are ostensibly laws to this effect, we agreed on a compromise and named the magazine in two languages.

Kazakhstan - The equipment. The technical equipment available to the school is relatively good. There were no problems in operating both the OSCE computer and, in parallel, an overhead projector.

It was possible to use the computer room (Windows) belonging to the school for the writing of articles. The equipment provided by the FES is in line with the requirements of the editorial office and can be fully exploited. It would be better if the software were not only pre-installed but also supplied as an installation version, together with a manual.

As earlier planned, it was possible to use the laser printer to produce high-quality copies. Systematic printing of the newspaper makes no sense for reasons of cost.

Kazakhstan - Co-operation with the FES. The FES collected us at the airport and assigned a female student to us as interpreter-translator.

Thanks to the student's good knowledge of English and the support received from a teacher of English, there were no problems in conducting the seminar. To the degree that they were able, the FES gave us their support.

Kazakhstan - Prospects. Our assessment of the seminar and the first edition of the student newspaper is very positive. It was possible to reproduce the magazine with the assistance of the FES. It ought to be possible, however, to find a qualitatively better copy shop in the vicinity of the school. It may be assumed that the editorial office will continue in the future to publish the newspaper.

Over the next few months, the editorial office should, as planned, be assisted in meeting the costs of copying. To this end, we would recommend that direct contact with the editors be maintained in the future as well.

Summary and proposals. The course of the project to date has been very successful. In addition to learning technical skills, the students in Uzbekistan and

Kazakhstan have also acquired greater social insights. It is clear to us from our conversations and discussions with the students that the project not only brought joy to those taking part, but also opened up future prospects in terms both of their own choice of profession and of the development of democracy.

The academic atmosphere was very positive and constructive. The seminar provided an opportunity for the students to learn about and come to appreciate the work of the OSCE and, in particular, that of the Representative on Freedom of the Media.

We regard this kind of active work with young persons in countries in which a democratic society is taking shape to be very important for the reason that the process of establishing democracy and of forming opinions begins with young men and women and it is at that point that it must be promoted. In this way, a project such as Democracy Through Youth Media can help to strengthen the foundations of the next generation in democratic states.

HELP IN PROMOTING FREEDOM OF THE PRESS IN UZBEKISTAN *Young journalists from Essen launch student newspapers*

The luggage is already packed and waiting. On 12 September, Rüdiger van Hal and Christian Kolb will be travelling to Uzbekistan and Kazakhstan. There, the two journalists from Essen, both of whom work for the *Junge Presse Nordrhein-Westfalen*, intend to help, as part of a project sponsored by the Organization for Security and Co-operation in Europe (OSCE), in the development of an infrastructure for student newspapers. Twenty-one-year-old Kolb is well aware that this will be a difficult undertaking: "Freedom of the press is not in particularly good shape there."

In Tashkent and Almaty, Kolb and van Hal will provide eight hours of instruction a day to students of both sexes with an interest in media in such subjects as press ethics, censorship, forms of journalistic presentation, editorial office organization and layout. English will be used as the language of instruction. At the end of the seminar a student newspaper should be up and running in both cities. For one year then, the OSCE will continue to provide support to the fledgling editors. Kolb sees in this support a guarantee that, thanks to the authority of the international organization, freedom of the press will continue to exist in the schools. As he sees it, partially contradictory laws have so far created confusion enabling school administrations, in a kind of belated obedience to a Soviet-style censorship that no longer exists, to ban controversial articles.

"Through this project we are providing direct support for the democratic expression of opinion by students," is the hopeful view of the 24-year-old van

Hal. Following the return on 27 September of the two students, who are studying economic sciences, the results of their work, performed without remuneration, will be presented.

“DEVELOPMENT AID WORKERS” IN MATTERS OF DEMOCRACY

Young journalists to spend two weeks in Central Asia

Tomorrow two young journalists from Essen, Rüdiger van Hal and Christian Kolb, will be boarding a Lufthansa flight to Uzbekistan - with a slightly uneasy feeling in their tummies, as they both confess.

For van Hal and Kolb, 23 and 21 years of age respectively, this trip to Uzbekistan - to be followed by a week in Kazakhstan - is a big adventure, though God knows no adventure holiday. The two young journalists are flying to Central Asia on behalf of the Organization for Security and Co-operation in Europe (OSCE) with a view to teaching selected students on the spot, in seminars, how to produce student newspapers. “Our work is designed to help strengthen democracy in those countries”, explains Christian Kolb.

The two economics students were chosen by OSCE project initiator, Freimut Duve, because they have for years been active in the *Junge Presse Nordrhein-Westfalen*, the umbrella organization grouping together student and youth newspapers, which has its headquarters in central Essen. Thus they have exactly the right experience to give youngsters in the former Soviet Republics a hand in mastering media technology.

In the capitals of the two countries, Tashkent and Almaty, van Hal and Kolb will offer instruction related to press ethics, censorship, layout and editorial organization for six to eight hours a day, using English as the working language. “In both countries the production of a newspaper will mark the end of the week’s seminar”, says van Hal.

The two “development aid workers” have assembled a vast amount of literature in advance to learn about these countries, about which they previously knew very little. This has not, however, enabled them to banish their uneasiness entirely. “After all, the farthest east I’ve been so far was Berlin”, Christian Kolb recalls.

MEDIA TRAINING IN A COMPLETELY DIFFERENT WORLD

Students in Uzbekistan and Kazakhstan

“This was a completely different world”, say Rüdiger van Hal and Christian Kolb. For two weeks the two members of the board of the *Junge Presse* were on mission for the OSCE in Uzbekistan and Kazakhstan, where they gave instruction in media-related matters at two schools.

At the start the two development aid workers had to confront the fact that things were very different from what they had been used to at home in matters related to democracy. The simplest things, which at home would have presented no problems at all, were fraught with unexpected difficulties. "How do we get paper? Are there any double electric sockets? Such problems had to be resolved for a start," Christian Kolb recalls.

And the basic attitudes of the young people themselves proved to be something of a hindrance at first. "The students were not accustomed to voicing criticism. For them everything that came from above had, in the first instance, to be regarded as good," Rüdiger van Hal reports, admitting that it had not been an easy matter to overcome this psychological barrier. At the end of the project, however, he felt that most of the Central Asian students had realized that free expression of opinion was possible in their country, too. They only need to have confidence in themselves.

In spite of certain unexpected repressive measures (one school Director tried to prevent publication of a staged photograph related to the drug problem), the students had the first newspaper produced by themselves in their hands at the end of the week. "We achieved our initial goal", says Christian Kolb. "However, it remains to be seen whether this will develop into a long-term success."

The students felt a certain amount of pride in the appreciation accorded their work. The OSCE project was also covered on national television.

LYCEUM LIFE ON UZBEK TELEVISION

A commitment to freedom of the press

In the past Rüdiger van Hal and Christian Kolb have advised only young people in Germany on how to produce a school newspaper. Now these two representatives of the *Junge Presse Nordrhein-Westfalen* have been engaged in a quasi-diplomatic mission on behalf of the Organization for Security and Co-operation in Europe (OSCE): in the course of two weeks they set up in Tashkent (Uzbekistan) and Almaty (Kazakhstan) the first free school newspapers those two countries have known. These independent youth media are designed to make a contribution to the development of democracy in the former Soviet republics.

"Frequently the youngsters asked us, 'Am I really allowed to write this way?'" says Rüdiger van Hal in describing his experience of "media training" in Tashkent. What this meant was that the two honorary youth press representatives were called upon, in addition to imparting basic knowledge about journalism, to give the local youngsters special coaching in matters of freedom of opinion and of the press during their two one-week seminars. "We introduced our young pupils to the German press laws as a kind of model," says

Christian Kolb. They also instilled a certain amount of self-assurance into the young editors, the aim being to enable them to defend themselves against interference and attempts to introduce censorship, notably on the part of the school authorities. “A threat to abandon the prestigious OSCE project always helps when one is in doubt,” says van Hal.

During this “media training” the school newspapers were themselves media events, and the “famous journalists from Germany” were even interviewed in the main news broadcast of Uzbek television. “Sometimes we felt like the Backstreet Boys in all this commotion,” remarks van Hal with a laugh.

After five days of work in each case the proud editorial offices presented to their fellow students the first issues of their new papers - first *Lyceum Life* in Tashkent and, a week later *School Matters* in Almaty. Kolb and van Hal returned to Essen quite satisfied with what had been accomplished and are now watching the further development of the projects from Germany. Thanks to e-mail and the Internet they are able to continue lending support to “their” editorial offices over thousands of kilometres.

The two papers have in fact been published on the Internet at:
www.jungepresse.de/taschkent bzw. [/almaty](http://www.jungepresse.de/almaty)

2.4 Other Projects

Libel roundtable in Ukraine. During visits by the OSCE/FoM Office to Kyiv in 1999 it became clear that the application of current libel laws in Ukraine hinder freedom of media and freedom of expression. Especially politicians take advantage of the libel laws to sue for statements that they find unacceptable. Many newspapers and journalists have been sued multiple times. One of the main problems lies in the fact that the courts do not distinguish between private and public figures, and award high libel fees against newspapers even though their statements were issued with regard to the official duties of politicians and other state officials. Earlier in 1999, there were a number of initiatives of the Government, Parliament and Supreme Court to address these issues which have not yet produced a result. During his visit in May 1999, Freimut Duve, whose mandate includes the possibility of providing assistance to OSCE member States with a view to promote compliance with relevant commitments, suggested organising a roundtable on the topic. The libel roundtable was organised together with the Council of Europe and IREX/ProMedia and in co-operation with the Government of Ukraine and the Office of the OSCE Project Co-Ordinator. It was held on 2 December 1999 in Kyiv and attended by more than 100 persons. The objective of the libel roundtable was to assemble the responsible Ukrainian agencies (executive, legislative and judiciary) as well as the Ukrainian media to provide an analysis of the current situation and to prepare recommendations on possible and constructive steps forward. International experts (from other OSCE member States, from Council of Europe) provided advice as to international standards and informed about positive examples. The media covered the roundtable and provided publicity to the efforts. The recommendations of the roundtable can be found in the Annex of the report on the Ukrainian media situation.

Children Books for Kosovo. In May 1999, the OSCE Representative on Freedom of the Media Freimut Duve visited the refugee camps in FYROM. These camps housed thousands of Kosovo Albanians, among them many children. Following this visit Freimut Duve started the publication of a set of books in Albanian for the Kosovo children with funding from the German NGO Cap Anamur. The main aim of the project was to help overcome the tragedy of the past and, after 10 years of interruption, to start again the publishing in Albanian language for Kosovo. The authors that contributed to the edition are well-known Albanian intellectuals as well as one writer from

FYROM. The project was co-ordinated on-site by Mirjana Robin-Cerovic from the OSCE Mission in Kosovo. The books were presented at the Frankfurt Book Fair '99 and will be distributed through the OSCE Mission to every newly rebuilt school in the province.

In Defence of the Future. The initiative of Freimut Duve, *In Defence of the Future* was born as an invitation to intellectuals from crisis regions to come together and meditate about the future of their region. This initiative is contribution to the process of overcoming the cultural splitting common to conflict areas that often leads to hate speech and results in the impossibility of free exchange of opinions and ideas. In this way this initiative is the first product of the idea of a Stability Pact for South – Eastern Europe. The first outcome of the initiative is the book *In Defence of the Future – Searching in a Minefield*, with contributions by leading journalists and authors from the republics of former Yugoslavia. Some of the contributors are members of the Group 99 – a circle of writers who united together on the suggestion of Mr Duve in order to try to overcome the cultural isolation and the hatred of the past years of constant wars in Yugoslavia. The book was edited by Mr Duve and Nenad Popovic, a prominent Zagreb intellectual. It was published in Croatian - Serbian, German and English and can therefore be read in all the post – Yugoslav regions. On 20 January 2000, the OSCE Representative on Freedom of the Media introduced it to 54 OSCE participating States at the OSCE Permanent Council in Vienna.

3. Current Media Situation in Ukraine

Fourth Country Report¹

The Office of the OSCE Representative on Freedom of the Media has closely monitored media issues in Ukraine over the past two years. The Representative raised structural issues as well as specific cases with the Government of Ukraine in numerous interventions. In 1999, the Office focused on the use and abuse of libel laws against media: a public roundtable was held in Kyiv on 2 December 1999, together with the Council of Europe. As a result, a number of concrete recommendations were addressed to the Government of Ukraine (as outlined in Annex).

1. INTRODUCTION

When becoming independent in 1991, Ukraine declared its intention to develop a civil society, guarantee freedom of speech and other universal human rights. These intentions were confirmed in the 1996 Constitution of Ukraine and in the commitments Ukraine made when joining the Council of Europe in 1995. Ukraine is a participating State of the CSCE/OSCE.

During nine years of independence, the Ukrainian media went through a period of parting with communist dogma and stereotypes, as well as establishing non-governmental media. Many acts regulating the functioning of the media and the work of journalists were passed and they guarantee freedom of speech and non-interference by the Government in the activities of the press.

At the same time, the development of the situation around the Ukrainian media during the transition raises serious concern. Ukrainian society is going through a deep economic crisis, accompanied by almost daily experienced cases of corruption. There are problems in guaranteeing freedom of speech characteristic of both the capital, Kyiv, and the regions of Ukraine.

The newly re-elected President Leonid Kuchma emphasised in his inauguration speech on 30 November 1999 that he “will devote special attention to establishing the political structure of the Ukrainian society, strengthening democratic institutions, providing guarantees for the rights and liberties of persons and citizens.” He added that “this is possibly one of the most determinant factors contributing to strengthening the State, the civilised character of power, and the construction of a civil society.” It is clear that guaranteeing freedom of

¹ The Office of the Representative on Freedom of the Media has so far published country reports on the Federal Republic of Yugoslavia, Croatia and Kyrgyzstan. These reports are usually written by experts from various NGOs. Oleg Khomenok, *IREX/ProMedia*, Crimea, Ukraine, contributed substantially to this report.

speech is one of the most crucial elements in this endeavour and this fundamental right should consequently be treated as a priority matter by the Government of Ukraine. As to international relations, The President also underlined the interest of his Government to promote Ukraine's integration into Euro-Atlantic structures. The European Union (EU), in its common strategy paper on Ukraine, adopted by the Helsinki Summit in 1999, put emphasis on the consolidation of democracy and good governance, human rights and the rule of law. The EU stressed the need for developing the efficiency, transparency and democratic character of its public institutions, including the development of free media. The EU itself will undertake efforts to foster these goals, including measures for increasing co-operation among journalists and relevant authorities in order to contribute to the development of free media.

2. MEDIA LEGISLATION

2.1. *International and Domestic Media Law.* Ukraine has considerable legislation regarding media, including both domestic regulatory acts and ratified international conventions.

In particular, Ukraine has signed and ratified the European Convention on Human Rights and the International Covenant on Civil and Political Rights that outlay basic principles of freedom of speech and media. Furthermore, all the OSCE States, including Ukraine, made a political commitment concerning media during the Istanbul Summit. The Istanbul Security Charter holds that the States will “reaffirm the importance of independent media and the free flow of information as well as the public's access to information. We commit ourselves to take all necessary steps to ensure the basic conditions for free and independent media and unimpeded transborder and intra-State flow of information, which we consider to be an essential component of any democratic, free and open society.”

The Constitution of Ukraine provides for international treaties ratified by Ukraine to become part of national law, and Article 4 of the Information Act states that international treaties and agreements, ratified by Ukraine, as well as principles and standards of international law shall be part of the legislation on information. Article 50 provides also that in case of conflict between international treaties and provisions of national law of Ukraine, international law shall prevail.

The Constitution of Ukraine guarantees freedom of speech, expression of views and collection, keeping, use and dissemination of information (Article 34), it bans censorship (Article 15) and collection, keeping, use and dissemination of confidential information regarding individuals without their consent and guarantees legal protection and the right to refute untrue information (Article 32).

These rights may be restricted “in the interest of national security, territorial integrity or public order, to prevent disturbances or crimes, to protect the health of the population, to protect the reputation and the rights of other peo-

ple, to prevent the dissemination of confidential information, and to safeguard the authority and impartiality of the judiciary” (Article 34).

Media legislation of Ukraine comprises the following acts:

- *The Information Act* (2 November, 1992) regulates collection, keeping, use and dissemination of information, types of information, the right to receive information and the principles of access to it, issues regarding ownership of information and its protection, as well as the liability mechanism in cases of infringements of the information law;
- *The Print Media Act* (16 November 1992) provides the legal basis for the operation of print media, the procedure for state registration of publications, the rights and obligations of the journalists as well as the relations between the media and the public and other organizations;
- *The TV and Radio Act* (21 December 1993) provides the legal basis for the operation of TV and Radio broadcasters on the territory of Ukraine, sets forth the procedure for their incorporation and licensing, broadcasting rules, providing airtime for pre-election campaigns and for broadcasting official announcements and provides for liability for infringements of the law. This Act established a National TV and Radio Broadcasting Council;
- *The National TV and Radio Broadcasting Council of Ukraine* (23 September 1997) establishes the powers and competence of the National Council;
- *The Information Agencies Act* (28 February 1995) provides the legal basis for the operation of Ukrainian information agencies and establishes the conditions for dissemination of their information products;
- *The Act on the Procedure for Media Coverage of the Activities of Government Bodies and Local Authorities in Ukraine* (23 September 1997) provides for compulsory media coverage of the activities of the authorities;
- *The Act on Government Support for the Media and Social Protection of Journalists* (23 September 1997) provides the basis for legal and economic support by the government for the media as well as for social protection of journalists;
- *The Advertising Act* (3 July 1996) establishes general provisions for advertising and restrictions for advertising of certain types of products and services in the media. The act does not cover political advertising;
- *The Intellectual Property Act* (23 December 1993) regulates and protects intellectual property rights;
- *The State Secrets Act* (1999) defines information that is considered a state secret;
- *The Act on the Public Television and Radio Broadcasting System* (18 July 1997) regulates the operation of public broadcasting systems in the country;
- *The Civil Code* establishes the legal principles for protection of human rights, honour, dignity, and the business reputation of people and organizations, and the mechanisms for indemnification of damages;

- *The Civil Procedure Code* establishes the procedure for litigation for the purpose of protection of the honour, dignity and business reputation of citizens;
- *The Criminal Code* provides for liability for public calls for nationalistic, racial and religious hostility, disclosure of state secrets, slander, persecution of citizens for criticism, etc.

There are also additional decrees by the Cabinet of Ministers, by the President and by other government agencies that regulate the work of the media.

Regulations passed by the government often change the rules of the game in the media market and allow for manipulating the media. For example, in June 1999 the Cabinet of Ministers increased annual charges for using radio frequencies tenfold for the period 1 July – 31 December 1999. According to this document, charges for using radio frequencies were increased ten-fold as compared to the current level, which had been determined in paragraph 1 of Decree No 1135 of the Government of 17 September 1996 and titled “On the improvement of the mechanisms for use of radio frequencies”. Agency rules were also amended for obtaining permits for the use of transmitters. This led to several regional channels discontinuing broadcasting.

In March 1999 the Cabinet of Ministers passed the decree On the Implementation of Articles 14 and 16 of the Ukrainian Act on Government Support for the Media and Social Protection of Journalists.

In fact, this Decree provides that the journalists in state and municipal media are civil servants. For instance, the Editor-in-Chief of a print medium established (or co-established) by the Parliament (*Verkhovna Rada*) or by the Cabinet of Ministers is equal to the Deputy Speaker of the *Verkhovna Rada*, Deputy Premier Minister, etc., all the way down to the correspondent of a regional newspaper who is equal to a First and Second Grade Expert from the corresponding government authority.

The Decree provides that the salaries of this category of journalists equal the salary of the senior staff and experts in the corresponding state or local authority that is the founder of the relevant media. There are also some pension privileges provided for journalists.

There are approximately 8,000 journalists in state and municipal media today. *Golos Ukraini*, *Uryadoviy Courier*, *Rabochaya Gaset*, the newspapers of the *Verkhovna Rada* and the Cabinet of Ministers of the Autonomous Republic of Crimea and the *Viche Magazine* (published by the *Verkhovna Rada*), as well as newspapers of the local authorities are all state-owned publications. The News Agency *DINAU-Ukrinform* is also state owned. State-owned electronic media are broadcasting companies in the system of *Gosteleradio Ukraini*, and in particular: the National TV and Radio companies, State Broadcasting Company *Krym*, the Kyiv and the Sevastopol State Regional Broadcasting Companies, as well as 23 district broadcasting companies.

To sum up, there are no equal opportunities for the work of journalists at a legislative level and there is a possibility for the state authorities to exercise control, including financial, over the journalists working for the state media. This Decree puts at a disadvantage journalists working for the non-governmental media.

On the eve of the presidential elections in Ukraine, the Central Election Committee issued a directive on the rules for the use of media for pre-election campaigning during the elections of the President of Ukraine in 1999. This regulation defines political advertising.

The Ukrainian law establishes the right for individuals and legal entities, both from Ukraine and from other countries, to set up print media. However, foreign citizens are not allowed to establish news agencies – they may only act as co-founders. As far as the electronic media are concerned, the law prohibits foreign legal entities and individuals from setting up TV and radio broadcasting organizations and from owning more than 30 percent of the authorised capital stock.

As a result of the restrictions in the law and serious financial risks, foreign investment in Ukrainian media is both insignificant and complicated. Recently there has been a trend towards decreasing western investment projects in Ukrainian media. The Norwegian company Orcla Media, which in 1998 bought majority stock in the newspapers *Visokiy Zamok* in Lviv and *Industrialnoe Zaporozhie* in Zaporozhie, has discontinued further operations and, in reality, has pulled out of the Ukrainian market.

Ukrainian law prohibits the establishment of any barriers to the legal distribution of print media. At the same time, a special permit is needed for distribution of foreign print media. The import of newspapers and magazines is subject to duties, determined by customs law. In May 1998, the Cabinet of Ministers passed a Decree increasing by 20-30 percent customs duties for import of periodicals. This refers mainly to Russian publications, since they account for 90 percent of the overall volume of imports. The current Ukrainian postal charges for delivery of Russian periodicals are several times higher than the charges for Ukrainian periodicals.

2.2. State Authorities Dealing with the Media. State authorities dealing with the media are:

- The *Verkhovna Rada* Committee on Information and Freedom of Speech, that drafts legislation in the area of media and monitors the compliance of state authorities with the law in Ukraine. Ivan Chizh, a deputy of the *Verkhovna Rada*, is chairing the Committee.
- The State Committee on Information, established in March 1999 replacing the Ministry of Information, which carries out registration of print media and news agencies and outlines information policy of the state. It also deals with

other issues of regulating the work of media. The information committees in the regions of Ukraine are subordinate to the State Committee on Information and they carry out registration of periodicals in the regions. Oleg Bai was appointed President of the State Committee on Information in April 1999.

- The National TV and Radio Broadcasting Council, that deals with issuing licences to broadcasting organizations, keeping the state register of broadcasting organizations, monitoring compliance with broadcasting legislation and the use of radio frequencies. It comprises appointees of the President (four members) and the *Verkhovna Rada* (four members). The term of office of the members of the previous Council ended in December 1998. On 16 March 1999 the *Verkhovna Rada* appointed four members of the National TV and Radio Broadcasting Council. In September 1999 the *Verkhovna Rada* passed an amendment to the National TV and Radio Broadcasting Council Act. According to the new version, the *Verkhovna Rada* and the President have to appoint their representatives on the Council within 30 session (for the *Verkhovna Rada*) or working (for the President) days upon expiry of the term of office of the previous members of the Council. The provisions of this act have not been complied with - since the President has not appointed his representatives, the National Council is not operational.
- The State Committee on TV and Radio Broadcasting manages state TV and radio broadcasting and controls the operation of national and regional state-owned TV and Radio companies. On 22 April, the Ukrainian parliament endorsed the appointment of Alexander Savenko as President of the State Committee on TV and Radio Broadcasting.
- The State Agency on Intellectual Property, the Committee on State Secrets and Technical Protection of Information, the Radio broadcast, Radio links and TV Concern, which directly broadcasts the signal on the air, also deal with issues of media regulation.
- The State Committee on Telecommunications and Information Technologies replaced the State Committee on Telecommunications, the State Committee on Information Technologies and the Higher Radio Frequency Directorate with the Cabinet of Ministers. This agency controls the allocation of TV and Radio frequencies in Ukraine and issues permits for use of transmitters.

2.3. The Stance of the Verkhovna Rada. The situation in the media in Ukraine was repeatedly discussed in the Ukrainian Parliament in 1999.

In February 1999 hearings took place in the *Verkhovna Rada* on issues related to freedom of speech. Parliament established a committee to investigate the media situation after Presidential Decree No 1033/98 was passed, as well as to look into cases of persecution of journalists and opposition media (Decree

No 1033/1998 provides for the establishment of state joint stock companies: *Ukrainian TV and Radio Broadcasting* and *Ukrainian Publishing Society*).

On 16 February, the *Verkhovna Rada* admitted that the activities of the Government in securing freedom of speech and meeting the information needs of the population were not satisfactory.

Parliament appointed an enquiry board to investigate the persecution of opposition media through the State Tax Administration, the Chief State Prosecutor's Office and the official executive authorities. This interim committee of the *Verkhovna Rada* would also check claims that the Security Council of Ukraine was part of this persecution.

The Decree indicated that Parliament should make amendments to some laws in order to restrict some of the powers of the State Committee on Telecommunications as far as licensing of broadcasters is concerned and to focus the licensing policy of the National TV and Radio Council. It was also agreed to draft an Information Code of Ukraine.

On 15 June 1999, the *Verkhovna Rada* appealed to some international organizations expressing concern with regard to the situation of the media in Ukraine. The appeal indicates numerous infringements of freedom of speech by the executive authorities, influencing opposition and independent media. The Parliament noted, that "on the eve of the presidential elections, the executive structures established total control over the information space of Ukraine and gave advantage to the coverage of the campaign of one candidate only – the current president in office – by means of subordinating the financial strapped media to influential owners."

On 23 September 1999, regarding the discontinuation of the coverage of the sessions of the *Verkhovna Rada*, the Parliament passed a decree "On the information blockade of the work of the *Verkhovna Rada* of Ukraine". It brings to the attention of "President Kuchma, in his capacity as a guarantor of the Constitution of Ukraine, the anticonstitutional and illegal actions of the Cabinet of Ministers of Ukraine – the information blockade of the work of the *Verkhovna Rada* of Ukraine and the factual deprivation of the people of their constitutional right to information, as well as the necessity to introduce measures not to allow such infringements in the future."

2.4. Draft Laws. Draft laws are being prepared "On Radio Frequencies in Ukraine", "On Cable TV", "On Information Sovereignty and Information Security of Ukraine". Currently there is also a bill on amendments and an addendum to the Advertising Act, which provides a definition of the concept of political advertising and the mechanisms for its use.

The Parliamentary Committee on Freedom of Speech and Information drafted a bill some years ago on abolishing the system of state subsidies to media.

The draft provides for a prohibition for state authorities and organizations subsidised partly by the state to set up media outlets. Gradual denationalisation is planned of the ones that are currently fully or partially owned by the state. The authors of this draft are planning to redirect all the money from the state budget used to subsidise media in order to support the sector as a whole (to develop an information infrastructure, publishing facilities, a system of distribution, reduce the price for transport, etc.)

The state authorities may use budget funds exclusively for dissemination of official information (legal acts and regulations, etc.) This information will be published in newsletters and specialised publications and will be circulated amongst a targeted audience.

State subsidies would only be given to media providing information about Ukraine abroad.

State TV and radio should be reorganised as a public broadcaster. This idea has been introduced with the enactment of the “Act on the Public Television and Radio Broadcasting System in Ukraine”, but has not been implemented.

The concept of denationalisation of the media is an alternative to the “Act on Government Support to the media” and to the “Act on media coverage of the activities of government bodies and local authorities in Ukraine” as well as to a number of other legislative acts.

3. PRINT MEDIA

3.1. Quantitative Characteristics. On 1 January 1999 there were 8,300 publications registered in Ukraine. Only 4,018 were actually published. 3,463 are published regularly. 673 publications are state-owned - fully or in part, and all of them are published regularly.

The overall circulation is 9,286,000. The circulation of nation-wide publications is 2,541,000. The rest are regional publications.

Two thirds of the publications are in Russian. Throughout 1999 the number of bilingual publications increased from 152 to 173, however, the number of the publications in Ukrainian was reduced from 372 to 369.

The following newspapers have the largest circulation:

Fakti I Komentarii - 2,000,000

Silski Visti - 548,000

Golos Ukraini (published by the *Verkhovna Rada*) - 236,700

Uryadovii Courier (published by the Cabinet of Ministers) - 128,200

Communist, published by the Communist Party,
has a circulation of approx. 70,000.

Local publications are very influential in comparison with publications as a whole. According to opinion polls, 51.5 percent of the readers prefer local

newspapers and 22.7 percent the regional ones. On the other hand, the proportion of local to central newspapers, in rural areas, is 50:1. A significant part of national publications are distributed in cities.

According to *Socis-Gallup*, only 18 percent of the citizens of Ukraine read newspapers on a regular basis. 14 percent do not read newspapers at all.

Fakti I Komentarii formally appears to be independent. It is controlled by *Verkhovna Rada* Deputy, Viktor Pinchuk, who is close to the family of the President. It directly supported Leonid Kuchma during elections.

Silski Vistiis circulated mainly in rural areas. This newspaper is left-of-centre and during the presidential elections supported the Speaker of Parliament, Alexander Tkachenko.

Golos Ukraini supported the representatives of the Kanev Four, and in the second round the Communist leader. The policy of this newspaper is seriously influenced by the left-of-centre parliamentary majority and by the Speaker of Parliament, Alexander Tkachenko, who was elected to the *Verkhovna Rada* by the Socialist and Rural Party Coalition.

The *Uryadovii Courier* newspaper is published by the Cabinet of Ministers and is actively supporting the political forces that are loyal to the executive branch, supported by the NPD and the *Zlagoda* Union, controlled by former Prime Minister Valerii Pustovoitenko.

Established in 1996, *Den Daily* is an opposition newspaper and one of the largest non-governmental newspapers in Ukraine. During its first year, 3 million USD were invested into *Den*.

Having remained sufficiently objective, at the start of the elections *Den* supported Evgeni Marchuk openly and criticised the current President. Regardless of its circulation of 58,000, *Den* is believed to be quite influential since most of its readers are politicians and decision-makers. After Evgeni Marchuk became Secretary of the National Security and Defence Council, *Den* shifted and became loyal to the authorities; as a result several journalists have left.

Zerkalo Nedeli Weekly (circulation 31,000) has a special place in the Ukrainian market. The newspaper offers a large number of analytical articles on political, economic and social topics and is quite an influential publication. *Zerkalo Nedeli* is partly financed from abroad, and as a result it is relatively independent.

Due to a lack of subsidies, the *Fakti* reduced its circulation to 600,000 after the presidential elections.

The Ukrainian tax policy towards Russian publications resulted in the appearance of some newspapers from Russia, that were formally registered in Ukraine. They are *Komsomolskaya Pravda - Ukraina* (270,000), *Argumenti I Fakti - Ukraina* (110,000), *Izvestia - Ukraina*, *Trud - Ukraina* (110,000), *Moskovskii Komsomolets - Ukraina* (101,500), *Stolichnie Novosti* (52,000) (the Ukrainian version

of *Moskovskie Novosti*). Notwithstanding some local information published in these newspapers (10 - 30 percent of the newspaper) they are essentially copies of Russian newspapers. These publications are popular in the eastern parts of Ukraine, where Russian speakers prevail. These newspapers, except for *Stolichnie Novosti*, which is owned by Vadim Rabinovich, were used to a lesser extent by the authorities in the election campaign. Still, most newspapers of Russian origin favoured Leonid Kuchma.

Except for a few exceptions, one can hardly speak of an opposition or a free press. All publications serve the interests either of authorities currently in power or clans who are trying to come to power.

The situation of the local press is similar. It also is dependent on the authorities or on financial-political groups that end up controlling them.

3.2. Monopoly in the Area of Printing and Distribution of Publications. A significant number of printing facilities in Ukraine are state-owned. This allows publishing houses to set extremely high prices for their services since there is no competition.

In 1999, this problem worsened – in September 1998 the President signed a Decree ‘On the Improvement of State Management in the Area of Information’, which provided for the establishment of state-owned companies *Ukrtel-radio* and *Ukrpoligrafizdat*, which hold 100 percent of the shares in the state publishing enterprises and TV and radio companies. A state monopoly was established in the printing sector.

On 23 December 1998, the *Verkhovna Rada* passed a Decree, urging the President to repeal his Decree of 16 September 1998. The Union of Journalists of Ukraine made a similar appeal.

The majority of experts believe that the establishment of state stock companies was done to ensure that Leonid Kuchma won the elections.

This establishment of a state monopoly led to a situation where *Ukrpoligraphizdat* confiscated premises and property from local newspapers. Rental contracts and incorporation agreements were terminated unilaterally.

The printing monopoly allows the state to influence the process of printing the newspapers. For instance, in January 1999 in Cherkassy, the state printing house, without an explanation, changed the printing schedule of all the newspapers in favour of *Nova Doba*, owned by the local authorities. As a result, the other newspapers were not supplied to the readers on time.

At *Ukrpoligraphizdat* publishing house the more critically oriented newspapers (such as *Politika* in Kyiv and *Dneprovskaya Pravda* in Dnepropetrovsk) were refused publication.

In October 1999, on the eve of the elections, the publication of *Veteran*, *Rakurs*, *Nashe Zavtra*, and *21 Vek* newspapers was discontinued. The publish-

er refused to print them. The editor of *21 Vek*, Yuri Yurov, said that he was warned that the newspaper would not be printed unless its content was changed. There was a similar situation in Sevastopol, where *Sevastopolskaya Pravda* (supporting Piotr Symonenko) was refused by the local publishing house.

There is yet another problem – the distribution of the publications. This is concentrated in the hands of *Ukrpochta* and *Ukrpechat* (formerly *Soyuzpechat*).

There are currently no alternatives available for the supply and distribution of newspapers in Ukraine.

In April 1999, *Soyuzpechat* Retail Agency refused to sign a contract with *Kyivskie Vedomosti* because they published critical articles against *Soyuzpechat*.

3.3. State Publications - The Problem of Unfair Competition. The state media, and more specifically their financing from the state budget, is a serious problem for the development of media in Ukraine.

Over 160 million hryvnia (\$50 million) were allocated in the 1999 budget for financing state media. State publications are also financed through local budgets.

The Decrees, that the Cabinet of Ministers passes every year on subscription and distribution, provide privileges to more than 150 publications founded by state structures. Compensation is provided from the budget. Annual budget subsidies are also provided for smaller publications established by the authorities.

Because of subsidies, state media are in a more favourable position as compared to private publications. They offer subscriptions at below market prices and also decrease the advertising rates.

This unfair practice seriously undermines the basis of the non-governmental newspapers.

3.4. News Agencies. Currently, there are state and privately owned news agencies in Ukraine. *DINAU* is one of the state-owned agencies and under the Cabinet of Ministers. The Crimean Information Agency is also state-owned and was established by the Council of Ministers of this autonomous region. They are also financed from the budget.

Interfax - Ukraina, *UNIAN* and *UNIAR* are the largest privately-owned news agencies. There are also regional information agencies, among them *Infobank* (Lviv), *Sobor* (Dnepropetrovsk), and *ATN* (Kharkiv). News agencies are also subjected to pressure and part of the political process. The press secretary of Leonid Kuchma, Alexander Martinenko, was previously the general manager of *Interfax-Ukraina*. *Sobor* Agency was, until recently, controlled by former PM Pavel Lazarenko.

State agencies receive certain privileges. According to the Decree of the Cabinet of Ministers of 4 June 1999, executive authorities must provide a centralised subscription for *DINAU* to all regional media, which were founded, or co-founded, by the state authorities.

4. ELECTRONIC MEDIA: TV and Radio

4.1. Quantitative Characteristics. There are 830 broadcasting licences issued to TV and Radio organizations in Ukraine. There are 253 TV companies, 211 radio companies and 52 TV and radio companies in the state register. 133 broadcasters are owned by the State or by the municipalities and 282 are privately owned.

According to the National Council in Ukraine, there are 107 active cable TV operators. Only 52 have a licence. Ten operators have applied for a licence. The rest operate illegally. The total TV cable network audience is approximately 3 million viewers, including 500,000 in Kyiv as well as in Donetsk region, 200,000 in the Lugansk region and 100,000 each in the regions of Odessa, Lviv and Crimea.

Because of the difficult economic situation, television is the only source of information for many Ukrainians. Opinion polls show that 99 percent of the population of Ukraine have the possibility to watch TV; 80 percent watch TV every day and another 12 percent once or twice a week. The ratings of the channels are: *Inter* 49 percent, *1+1* 48 percent and *UT-1* 33 percent.

There are three nationwide TV channels operating in Ukraine: *UT-1*, *UT-2* and *UT-3*.

UT-1 broadcasts programmes of the National TV Company and several private TV companies (*Era*, *Gravis*, *Alternativa*, *Studia Plus*, *Media Show*, etc.). *UT-1* broadcasts 18.7 hours a day. The channel has an audience of 50 million people.

UT-1 became the main campaigning tool during the presidential elections. The information broadcasts of *UT-1* were used for campaigning in favour of the current President and discredited other candidates. Most claims for breaches of the election law were filed against *UT-1*. These claims focused on *Akcenti*, *7 Dnei* and *UTN-Panorama* programmes. *UT-1* broadcasts programmes by TV companies close to the President: *Gravis* – this company is controlled by Alexander Volkov (Parliament Deputy, former assistant to the President), *Era* – a TV company controlled by Vadim Rabinovich (President of *Rico Holding Group*, Israeli citizen), Viktor Pinchuk (Parliament Deputy, partner of Leonid Kuchma's daughter) and Andrei Derkach (Parliament Deputy, son of the head of the Security Council of Ukraine).

UT-2 broadcasts programmes of *Studia 1+1* 12 hours daily in the morning and evening slots. The rest of the time is given to programmes from regional state TV companies. The audience of this channel is approximately 45 million.

Studio 1+1 is a joint venture. CME (Central European Media Enterprises) owns part of it. Recently the Russian company *Media Most* (owned by Vladimir Gussinski) bought shares in *Studio 1 + 1*.

Until autumn 1998, *Studio 1+1* was controlled by Vadim Rabinovich and gave exclusive advertising rights to *Prioritet* Advertising Agency, which was part

of *Rico Holding Group*. In autumn 1998, the management of *1+1* broke up with Rabinovich and his agency. According to experts, Alexander Volkov kept control over the company.

The information programme *TSN* tried to stay impartial and unbiased during the presidential campaign; however, they often sided with Leonid Kuchma. The main presidential candidates were introduced in Vyachislav Pihovshchak's *Epicentre - nesecretnie materialy*. On the eve of the elections *TSN* planned to show debates between the candidates live for five days. The international organization, *Freedom House*, provided financial support for these debates. After the first day of the debates the anchor fell ill and the debates were discontinued. According to Opposition media, the debates were cancelled by the management of *Studio 1+1*.

UT-3 broadcasts programmes by the Independent Ukrainian TV Corporation (UNTC) *Inter*. Their audience is approx. 35 million viewers. UNTC is a joint Russian-Ukrainian venture. The Russian TV channel ORT owns 29 percent of the shares. During the general elections *Inter* supported the SDPU (u). This was because the Managing Director, Alexander Zinchenko, was on the party list of the SDPU (u). After becoming a Parliament Deputy, Zinchenko resigned as Managing Director and is now the honorary president of the Channel. During the elections, the programmes *Podrobnosti* and *Podrobnosti Nedeli* openly supported the current president.

STB is the only TV company in Ukraine that broadcasts its programmes nation-wide via satellite. Part of the shares are owned by *Norkros-corporation* affiliated with the Russian oil company, Lukoil. *STB* broadcasts in 23 cities. During the elections, *STB* was strongly pressured by the executive authorities. For six months it was under the threat that its broadcasts would be discontinued, it was subject to criminal litigation, its accounts were frozen. As a result of this pressure, in early October, Vladimir Sivkovich resigned from the Administrative Council of the *STB* and sold his shares to another shareholder. After that the accounts of the company were cleared. Sergei Kutsiy, who was the former head of the Press-Office of the President, then joined the Administrative Council. According to statements by a group of journalists from *STB*, since Sergei Kutsiy joined the channel, the programmes of *STB* are subjected to direct and open censorship.

ICTV is a private TV channel and a Ukrainian-American joint venture. The audience is approx. 22 million viewers. Until October 1998, 50 percent of the shares of the channel were owned by the state. However, the state sold its share for 2,200,800 hryvnia (approx. \$1 million) and *ICTV* became a 100 percent private TV company. Analysts believe that the sale was related to the forthcoming elections. During the presidential elections, Alexander Volkov controlled the channel. The information programme *Novini zvidusil* broadcast on *ICTV* is produced by the TV Company *Gravis*, a company controlled by Alexander Volkov.

4.2.Licensing. The National TV and Radio Broadcasting Council issues broadcasting licences.

Currently the National Council is not fully operational and cannot carry out its functions. This slows down the development of the TV and Radio market and creates conditions for administrative abuse. No company has the right to broadcast without a licence. During the presidential campaign, the TV company *Ulichnoe Televidenie*, that campaigned in favour of Leonid Kuchma, carried out broadcasts on channels used by regional state TV and radio companies without a licence from the National Council

In order to obtain a licence, future broadcasters must submit an application and enclose copies of their incorporation papers. The application should contain basic information about the founding members of the company and its broadcasting plans. The licence is issued for a fee, the amount determined by the Cabinet of Ministers. Currently the fee is approximately \$2,000. The fee is 90 percent less when a licence is issued to a state TV and radio company. It is twice as much if programmes from abroad make up more than 20 percent of the broadcasting time, and five times as much if such programmes take up more than 35 percent. The licence is issued for a period of no less than five years for on-the-air broadcasters and for ten years for cable operators.

TV and radio companies also need to obtain a frequency licence issued by the State Electricity Inspectorate. Currently, TV and radio organizations must obtain a permit to use transmitters, even if they do not own them but rent them from the state radio and TV transmission centres.

The legislation also regulates the language of broadcasting. According to the current criteria, 85 percent of the programmes are expected to be in Ukrainian. Currently 87-91 percent of the broadcasts of state TV are in Ukrainian. The majority of regional TV companies in Eastern Ukraine do not comply with this requirement. There have been no oppressive measures against them although the restrictions on the volume of broadcasts in other languages may also become another tool for influencing the media.

5. GENERAL PROBLEMS FOR MEDIA FREEDOM

There are a number of problems which are characteristic both for the print and the electronic media.

One of the major problems is the current economic crisis that led to a decline in the purchasing power of the population. This not only resulted in a sharp drop in newspaper circulation, but it also hit the advertising market. Because of the poor advertising market, most media cannot develop economically and become self-sufficient. The situation gets worse because of the unfavourable tax system.

As a result, state-owned media exist on state subsidies and non-governmental media are controlled by financial-political clans that – depending on their loyalty to the authorities – determine the policy of the publication.

That is why all media in Ukraine are practically more or less politically involved and serve the interests of the authorities or political and financial circles supporting them, and not the interests of the readers or the viewers.

The situation is also aggravated by the inadequate education and lack of professionalism of journalists. Many journalists served the ideological interests of the Communist Party and were part of the propaganda machine. The years of relative independence the early 90s did little to change their mentality. There is a clear need for more professional education, vocational training, and awareness among journalists. The Council of Europe and national and international NGOs, among them IREX/ProMedia, are working specifically in this field, giving further opportunities to journalists through numerous training courses.

All media also face restrictions on access to information from the Government, in spite of legal guarantees.

One should note the extremely low level of legal awareness, since few are aware of civil servants taken to court by newspapers and journalists for violations of the Information Law.

5.1. Violence and Death of Journalists. In recent years, many journalists have been subjected to physical threats and criminal prosecution.

Forty journalists have died in tragic circumstances over the past years in Ukraine.

A whole series of incidents are related to *STB*. On 4 March 1999, the President of the *STB*, Nikolay Knyazhickiy, announced at a news conference that he had grounds to believe that there were attempts to exercise pressure on the staff of *STB*. In particular, on 23 February, retired Leut.-Col. of the Ministry of Interior, Alexander Deneiko, advisor to Mr Knyazhickiy, was killed. On 26 February, the camcorder and tapes of one of the cameramen were stolen. On 1 March the cellar under Knyazhickiy's flat was set on fire. On 3 March two people wearing masks broke into the flat of Dmitriy Dahno, commercial director of *STB*.

Maryana Chornaya died under suspicious circumstances (the official version is suicide) on 24 June 1999. She was a member of *STB* staff and the *Suspilstvo Centre* Fund. She was found hanging in a flat. Prior to her death, her flat was broken into and robbed by unidentified persons.

In July 1999, the management of *1+1* Channel announced that there had been threats of physical retribution against journalists and management of the channel since October 1998. Observers relate these threats to the fact that the management of the Channel broke up with media-magnate Vadim Rabinovich.

Igor Bondar, co-founder and director of the local *AMT TV*, and Boris Vihrov, President of the Odessa Court of Arbitration, who were in the same car, were killed in Odessa in May 1999. The assassins have not yet been found.

In July 1999, officials from the local tax authorities in Cherkassy threatened and used violence against the Editor of *Antenna* newspaper, Valeriy Vorotnik.

On 5 October 1999, the flat of the Editor of Lviv newspaper *Postup*, Orest Drul, was broken into. The burglars threatened him if the newspaper did not stop publishing some of its stories. The Editor himself admitted that his newspaper had published several critical pieces against the Deputy Head of Lviv's Regional Administration.

In autumn 1999, law enforcement authorities attempted to expel from the country the family of the *Simon* TV commentator, Zurab Alasani. *Simon* TV supported Evgeni Marchuk in the presidential elections and covered the other candidates.

On 26 January 2000, in the Crimean Parliament, Deputy Alexander Ryabkov and several of his assistants forcefully confiscated the camcorder and the tape (with footage of a conflict inside Parliament) from the correspondent of *Crimean TV*, Osman Pashaev.

5.2. Inspections by Tax Authorities and other Regulating Bodies. One of the means of exercising pressure over opposition publications is through the use of tax and other regulating bodies to block the work of the media. Ukrainian law allows for the operations of any organization to be suspended following a resolution by the Fire Safety Department, the Health and Anti-Epidemic Service or any other government structure.

The past two and a half years, *Den* was inspected more than 30 times by various state regulatory bodies.

During the attempts to close down *STB* in spring 1999, claims against it were raised by the Health and Anti-Epidemic Service. The reason for the inspection was a complaint by a group of students from the University of Economics regarding the poor reception of *STB TV* and possible health hazards because of radio-magnetic radiation. According to the Health and Anti-Epidemic Station, *STB* was the "source" of this hazard. These allegations were proven incorrect. Journalists from *STB* carried out an enquiry and established that this "initiative" did not come from the students. In a meeting with journalists, the "claimants" withdrew their signatures.

5.3. Litigation. Court decisions. Another way of exercising pressure over the media, particularly the opposition one, was through excessive claims filed for protection of honour and dignity of officials. This has already led to the closure of a number of print media. Under Ukrainian law there are no limits to the amount of such a claim. As a result very high figures were demanded without any supporting evidence and courts often ruled against the newspapers.

Claims for protection of honour and dignity filed against the media comprise 99 percent of all claims in which media are involved. In 1995, 980 claims against media were filed in court. In 522 cases the court ruled in favour of the plaintiff. The amounts claimed totalled 1,906,943 hryvnia and the amounts awarded by courts totalled 124,292 hryvnia. In 1996, 1,042 claims were filed and in 582 cases courts were ruled in favour of the plaintiff. The amounts claimed and awarded were 138,363,922 hryvnia and 711,608 hryvnia respectively. In 1997, 1,257 claims were filed and in 654 cases courts ruled in favour of the plaintiff. The sums were excessive: a total of 90,388,344,951 hryvnia were claimed, and 1,518,984 hryvnia were awarded by courts.

In March 1998, on the eve of the parliamentary elections, *Vseukrainskie Vedomosti* was closed following a ruling by the Court of Arbitration on a claim of 3.5 million hryvnia (\$1,75 million) in favour of the *Dinamo - Kyiv* football club as compensation for moral damages for publishing information on the sale of one of the players to the Italian *Milan*. *Vseukrainskie Vedomosti* were critical towards the government, they supported the *Hromada* party and this was actually the main reason for closing this newspaper, according to its Editor-in-Chief, Vladimir Ruban.

Similarly, in 1998, the Minister of Interior, Yuri Kravchenko sued *Kyivskie Vedomosti*. Kravchenko claimed 5 million hryvnia (\$2,5 million) from the newspaper because of a series of critical articles regarding his work as a minister. According to the decision of the *Starokiev District Court*, the newspaper had to pay 5 million hryvnia, and the journalists Sergei Kiselyov and Genadiy Kirindyassov had to pay 20,000 and 7,000 hryvnia respectively. As a result, *Kyivskie Vedomosti* discontinued publication. In December 1998, the Supreme Court of Ukraine revoked this ruling and sent the case for further investigation. After that the newspaper started publishing again.

In December 1998, the Prosecutor's Office in Kyiv initiated criminal litigation under Article 125 (slander) of the Criminal Code of Ukraine against journalists from *Zerkalo Nedeli* for publishing a satirical article with characters that did not exist in reality. The case was filed without defining the individuals that were slandered and was closed after a public statement by the President that he did not see anything offensive in this article.

On 6 October 1998, the Pechera District Court in Kyiv closed *Politika* after the article *Spy Story - 2* was published. The representatives of the newspaper were notified about the ruling as late as on 8 December in a regular Court session. On 23 December 1998, Oleg Lyashko, Editor-in-Chief of *Politika*, was arrested and was charged with slander (Article 125 of the Criminal Code, when almost all other cases are brought to court under the Civil Code). On 8 February the City Court of Kyiv revoked the ruling by the Pechera District Court that suspended the publication of *Politika*.

In June 1999, *Politika* was finally closed but until then it had to change printing houses seven times. More than 20 criminal claims were raised against it by officials overall amounting to approx. 120 million hryvnia.

Oleg Lyashko was finally acquitted on 23 December 1999. However, the prosecutor has appealed to the Court of Cassation, so the ruling is not yet final.

During visits by the OSCE/FoM Office to Kyiv in 1999, it became clear that current libel laws and their application in Ukraine are important issues with respect to freedom of media and to freedom of expression of journalists. Earlier in 1999, there were a number of initiatives by the Government, Parliament and Supreme Court to address these issues (especially the high libel fees) which have not yet produced a result. During his visit in May 1999, Freimut Duve, whose mandate includes the possibility of providing assistance to OSCE participating States with a view to promote compliance with relevant commitments, suggested organising a roundtable on the topic. The roundtable was organised together with the Council of Europe and IREX/ProMedia and in cooperation with the Government of Ukraine and the Office of the OSCE Project Co-Ordinator in Ukraine. It was held on 2 December 1999 in Kyiv and was attended by more than 100 persons. The objective of the libel roundtable was to assemble responsible Ukrainian agencies (executive, legislative, judiciary) as well as the Ukrainian media to provide an analysis of the current situation and to prepare recommendations on possible and constructive steps forward. International experts (from other OSCE participating States and from the Council of Europe) provided advice as to international standards and gave positive examples. The media widely covered the roundtable. The recommendations of the roundtable are in the Annex of this report.

5.4. Out-of-Court Closure of Newspapers. In addition to open prosecution, there is a practice of out-of-court closure of newspapers by the executive authorities. In January 1998, following a written order by the Minister of Information, Zinovii Kulik, publication of *Pravda Ukraini*, which supported the *Hromada* Party, was suspended. Breaches in the registration of the newspaper were announced as the official reasons for suspension. Prior to that, *Pravda Ukraini* published a series of articles on corruption among the executive branch. In September 1998, Alexander Gorobets, Editor-in-Chief of *Pravda Ukraini* was arrested for “attempted rape”. On 24 May 1999, the court found Gorobets guilty of “attempting to force into a sexual relationship in abuse of an official position” and sentenced him to seven months and 24 days imprisonment. But because the accused had already been detained for more than seven months during the investigation he was released in the courtroom.

Pravda Ukraini managed to re-start publication only after replacing its Editor and becoming loyal to the executive authorities.

On 13 January 1999, in Dnepropetrovsk, after an interview with the Ministry of Interior, the Editor of the newspaper of the Regional Council of Dnepropetrovsk, Vladimir Efremov, was detained for two days. The newspaper was supporting the *Hromada* party and Pavel Lazarenko.

Such practices are not used against media loyal to the authorities.

During the election campaign and after the elections for President, candidates like Natalya Vitrenko, Piotr Symonenko and others filed claims for protection of their honour and dignity against various media. Natalya Vitrenko's claim against *Den* and against journalist Tatyana Korobova amounts to 500,000 hryvnia (\$100,000).

5.5. Termination of Broadcasting. During the election campaign, out-of-court termination of broadcasting of TV channels was practised. The reason was the new rules regarding permits for operation of transmitters and use of frequencies that were introduced by the Cabinet of Ministers. In addition, as a result of inspections by the regulatory bodies, opposition TV channels were fined and sanctioned.

In December 1998, Prime Minister Valeriy Pustovoitenko, while visiting the National Radio and TV Company, asked whether Channel 11 in Dnepropetrovsk, that supported Pavel Lazarenko, was not yet closed down. On the very same day the police searched the premises of Channel 11 for reasons related to "the fight against organised crime."

On 9 March 1999, Channel 11 went off the air. The official reason given was the absence of a frequency licence for broadcasting the signal on the radio relay network. This TV company issued an appeal. They believed that the real reason for this closure was the "opposition stance of the channel that offered its airwaves to political opponents of the current authorities". After the channel fell under the control of Viktor Pinchuk, broadcasting re-started. As a result Channel 11 is now loyal to the authorities.

On 22 February 1999, the *Visti tizhnya* programme was not broadcast on *ICTV*. *Vecherni visti*, the daily information programme of *ICTV* has not been shown since 15 March. Both programmes were produced by the TV information agency *Vikna*, headed by well-known reporter Nikolay Kahishevski. The management of *ICTV* explained that their refusal to work with TVIA *Vikna* was for economic reasons. But this explanation raises doubts, since, according to statements in some media, the channel relied on the production capacity of *Vikna* and offered them free advertising time. This is why it is likely that there may be political reasons for cancelling programmes by *Vikna*. Nikolai Kahishevski explained the cancellation because of the influence of the new owner, Alexander Volkov.

In September 1999, the tax administration froze the accounts of *Gravis* TV. At the same time they started inspecting *ICTV* due to the fact that it had signed a co-production contract with *Gravis*.

In summer 1999, *STB* was threatened with closure. In late May and early June the management of the channel received two instructions from the State Electricity Inspectorate. In the documents the inspectorate urged them to “immediately cease the operation of the station upon receipt of these instructions until a proper permit was issued”.

According to the Head of the State Electricity Inspectorate, Valentin Kolomyets, the reason for the sanction was the fact that the channel’s licence had ended on 28 April 1999. In addition, *STB* changed the satellite broadcaster (from INTEL-SAT to AMOS-1) without notifying the regulating body, *Ukrchastotnadsor*. The President of *STB*, Dmitrii Prikordonnii, noted that the request to terminate satellite broadcasting by *STB* was illegal, since the legal framework in this area was not finalised yet. The law had no provisions as to what sanctions should be taken in these cases.

Dmitrii Prikordonnii did not exclude the possibility that this issue was related to the contract between *STB* and *Verkhovna Rada* for the production and broadcasting of the *Parliamentski Vikna* programme, covering the work of Parliament. The conflict around *STB* could be explained because of the presidential election campaign. Prikordonnii emphasised: “We are not going to support any of the candidates, but we will give equal opportunity to all candidates who want to use the airwaves of *STB*.” In September 1999, a criminal claim was filed in court against *STB* for tax evasion and the accounts of the company were frozen. Following the freezing of the accounts, *STB* cancelled the *Parliamentski Vikna* programme.

On 17 June 1999, the accounts of *Simon* TV and Radio in Kharkiv were frozen following an order by the police. According to the station’s director, it was planning a series of programmes on all the presidential candidates. Letters were sent to the candidates inviting them to take part in these programmes. Shortly before the accounts were frozen, *Simon* showed a series of programmes about Evgeni Marchuk.

In July 1999 after the news conference by Evgeni Marchuk was broadcast by TV studio *ATB Studia-2*, its licence was terminated and the Arbitration Court imposed financial sanctions on the TV station.

On 26 July 1999, in Crimea the broadcasts by the non-governmental TV and Radio companies *Chernomorskaya*, *ITV*, *Ekran*, and *Kerch* were terminated. The reason was an order by the regulator *Ukrchastotnadsor* to the Broadcasting Centre in Crimea (RTPC) stating that they had no permits for use of transmitters.

The three TV stations re-started broadcasting (except *Chernomorskaya*) after their programmes turned loyal to the authorities and any criticism of the current president was suspended. *Chernomorskaya* re-started just before the second round of elections when campaigning was prohibited.

The suspension of broadcasting of these TV stations in Crimea took place at a time when State TV and Radio station *Krym* did not have any licences and permits, but its broadcasting was not suspended.

In October 1999, the Editor-in-Chief of *VIKKA* TV, Viktor Borissov, was dismissed after airing live presidential candidate Alexander Moroz. He was dismissed after the company changed ownership.

5.6. Regional cases: Two cases can be presented to exemplify the situation in the regions of Ukraine. The OSCE Representative on Freedom of the Media has intervened on behalf of both cases.

The case of the Crimean *Chernomorskaya Zarya* illustrates a difficult situation where a state-owned media finds itself between the legislative and executive branches of state power conflicting with each other. The *Chernomorskaya Zarya* is a small bi-weekly district newspaper founded by the district council. In 1996, the newspaper shifted its political support from the council to a recently elected new Head of District Administration. This move resulted in a serious conflict with the district council, as its understanding was that the newspaper was an organ of the city council and was obliged to be the council's mouthpiece. In November 1997, the conflict had deteriorated to the extent that the council decided to stop supporting the newspaper financially and established a competing newspaper, *Chernomorskiye Izvestiya*. The district administration financed *Chernomorskaya Zarya* for a short time, but after some further changes in the administration, the newspaper was left with no support, which has led to the non-payment of salaries and accrued debt. In addition to financial problems, the newspaper has been forced to stop publishing at the town publishing house and to find alternative publishing facilities in another city. The city council has also tried to evict the newspaper from its premises claiming that *Zarya* was using the premises as well as the equipment illegally. One of the most disturbing facts is that *Zarya* has been put under severe judicial pressure. Around 20 libel and other lawsuits have been filed against the newspaper. The situation has not improved over the years, in spite of several interventions by the Representative on Freedom of the Media.

In the second case, Petro Hois, the Editor-in-Chief of the opposition Uzhgorod newspaper *RIO*, was arrested and jailed on 25 February 1999 for several days on alleged libel charges based on an article attacking Viktor Medvedchuk, a Deputy Speaker of Parliament. However, the article was never published. The article included a statement from Serhy Ratushnyak, the former mayor of Uzhgorod, who fled Ukraine in 1998 after criminal charges were brought against him. However, his statement was not published in full, but edited for potentially libelous allegations and the final article did not include any names. Mr Hois was fined 30,000 hryvnia in October and, as he was unable to

pay, the bank accounts of the newspaper were closed down by the tax authorities. Currently Mr Hois is working for another newspaper but expects to be unemployed in the near future.

6. CONCLUSIONS AND RECOMMENDATIONS

6.1. *The conclusions* that can be drawn from this report are discouraging:

The situation as a whole is characterised by the executive authorities in Ukraine controlling the majority of the governmental periodicals and electronic media and being able to also influence the majority of non-governmental media, including through closing down publications or TV channels. The executive authorities determine the policy of the majority of the media in Ukraine and coerce them into being loyal through often hidden pressure which results in new forms of indirect censorship: The authorities exercise their pressure through judicial bodies as well as through economic leverage and fiscal organizations. There are major problems with the professional activity of journalists.

The parliamentary and presidential elections of 1998 and 1999 had a serious impact on the Ukrainian media. The recent presidential elections took place with significant infringements of freedom of the press. The joint preliminary statement (1 November 1999) on the observation of the first round of the presidential elections by the OSCE/ODIHR and the Parliamentary Assembly of the Council of Europe (PACE) states that: "Both the publicly funded electronic and print media, and private broadcasters comprehensively failed to meet their obligations and it can be concluded that the media coverage of the campaign and of the candidates in the first round did not live up to the required legal provisions and OSCE commitments." The preliminary statement regarding the observation of the second round (14 November 1999) similarly stated that "The electronic and State-owned media comprehensively failed to live up to their legal obligation to provide balanced and unbiased reporting on the candidates and the campaign in their news coverage of the second round." The ODIHR Observation Mission also "received reports and allegations of pressure on certain media outlets to provide better and greater coverage of the activities of the incumbent. These outlets complained of an unwarranted number of inspections by numerous authorities including tax, fire and safety inspectors." ODIHR concluded that the 1999 elections showed no improvement over the coverage in the media of the campaign for the 1998 parliamentary elections. The final report of ODIHR is still pending.

Even though censorship has been abolished, there is still no real free and independent journalistic media landscape in Ukraine. This has to a great degree limited the possibility of public debate on major social issues. The parliamentary elections of 1998 and the recent presidential elections of 1999 have high-

lighted the deficits in the media sphere. The abuses by the executive authorities, especially through arbitrary measures and pressure against media, were also exacerbated during the election campaign period.

The various state monopolies that exist in the media sphere are hindering the development of free and independent media.

There is no lack of relevant laws, but there is still a lack of the non-partisan rule of law and of independence of the judiciary in Ukraine, as seen in many media cases. The result is uncertainty and distrust in the courts and that the journalists and the media cannot count on them on issuing fair decisions. The judiciary is also not familiar with international legal standards regarding media. This was clearly seen in many recent libel law cases in Ukraine.

6.2. The following *recommendations* can be made to the Government of Ukraine:

- The Government should undertake initiatives to enhance public awareness of international standards and obligations in the field of free media and press freedom. The culture of tolerance, pluralism and broadmindedness needed in a democracy should also be promoted.
The Government must ensure that executive authorities refrain from arbitrary measures and other pressure against journalists and the media.
- As there is a need for greater openness and access to information for journalists, the Government and other public authorities should provide greater access to information on their activities and improve their own public information programmes. Such transparency could contribute to the quality of media coverage on official activities.
- The Government needs to take measures to strengthen the independence of the judiciary to guarantee fairness and equality of all citizens.
- The Government should promote the lifting of monopolies in the media sphere, e.g. in printing and distribution.

Free Media and Libel Legislation in Ukraine

Roundtable in Kyiv

2 December 1999

Conclusions and Recommendations

On 2 December 1999, the OSCE Representative on Freedom of the Media, the Council of Europe and Irex/ProMedia held in Kyiv a public roundtable on Free Media and Libel Legislation in Ukraine in co-operation with the Government of Ukraine and with the Office of the OSCE Project Co-ordinator. The roundtable at the Institute for Foreign Affairs of Kyiv University was attended by over 100 participants, among them Government and Parliament officials, judges, lawyers and journalists (see programme attached).

- **Background:** Current libel laws and their application in Ukraine are important issues with respect to freedom of the media and freedom of expression of journalists. Most of the media cases in courts are libel cases. High libel fees have become one of the means that lead the media into bankruptcy and foster a climate of self-censorship. Earlier in 1999, a number of initiatives were taken by Government, Parliament and the Supreme Court of Ukraine to address these issues.
- The **objective** of this roundtable proposed by the OSCE Representative during his visit to Kyiv in May 1999 was to assemble responsible Ukrainian agencies (executive, legislative, judiciary) as well as the Ukrainian media to provide a detailed analysis of the current situation and to prepare recommendations on possible steps forward. The participation of experts from the Council of Europe and from Poland provided information on relevant international legal standards and practices.
- **Findings:** The proliferation of libel cases seems to be linked to the fact that many media outlets, at this stage, are closely affiliated with political interests or movements and often lack editorial independence. Libel suits have become instruments that are used against political opponents behind the media. Such libel cases have led to bankruptcy of the media concerned and to the intimidation of journalists.

Although there is no longer a state monopoly on media, the concept of free media being essential for a public debate in a democracy is not widespread. The old thinking approach to media as a messenger between those in power and the people remains strong. The Government's own information policy is considered to be rather restrictive. Government officials often lack experience and

tolerance in their relationship with the media and file cases against journalists who are understood to be frivolous.

As to the court decisions on libel cases, rule of law is not generally guaranteed. This applies especially to the regions. Apparently, courts have often failed to uphold national law and are accused of being influenced by politicians and not by relevant legal standards. On the other hand, **the legal basis for handling libel and defamation cases, the legislative framework of Ukraine, could be considered to be generally sufficient, if applied in compliance with international legal standards applicable in Ukraine.**

- **European legal standards applicable in Ukraine, a member of the Council of Europe since 1995:** Ukraine's legal practice (and to a lesser degree some elements of its legislation) should be brought into line with European standards as stated in Article 10 of the European Convention on Human Rights (ECHR) and as interpreted in the binding decisions of the European Court on Human Rights. The Convention is an integral part of Ukrainian law and directly applicable by domestic courts.

The case law, developed by the European Court on Human Rights on libel and freedom of speech, implies the following specific guidance:

- Opinions and information "that offend, shock or disturb the State or any sector of the population" are also protected by the European Convention on Human Rights.
- It is in the interest of democratic society that media are enabled to exercise their rightful role of "public watchdog" in imparting information of serious public concern including on controversial political issues. The public has also a right to receive such information and ideas. It would be unacceptable for a journalist to be debarred from expressing critical value judgements unless he or she could prove their truth.
- The limits of acceptable criticism are accordingly wider as regards politicians than they are for a private individual. Public figures inevitably and knowingly lay themselves open to close scrutiny of their every word and deed by both journalists and the public at large, and they must consequently display a greater degree of tolerance. In cases of ruthless and abusive lawsuits filed by public figures against media, the plaintiffs, i.e. the public figures, could be convicted themselves.
- The amount of damages in any case of libel should be proportionate and it should not have a chilling effect on critical reporting. Instead of rewarding high amounts of damages, it may be sufficient in many cases to order the publication of a summary of the judgement in the media concerned, as is the practice in many European countries. Such solutions are preferable in situations where economic resources of the media are limited.

- **Recommendations to the Government of Ukraine on promoting free media and reducing libel cases:**
 - The Ukrainian national Law on Information states the applicability and precedence of international conventions over national regulation. The Government should **take action on the basis of its relevant international commitments as a Participating State of the OSCE and as a member of the Council of Europe** to promote freedom of expression and free media. As one of the signatories to the OSCE Charter for European Security, the Government of Ukraine has recently committed itself to “ensure the basic conditions for free and independent media (...) as an essential component of any democratic, free and open society.” As a member of the Council of Europe, Article 10 of the European Convention on Human Rights as well as the case law of the European Court on Human Rights are applicable in Ukraine and provide clear guidance also on handling of libel cases.
 - While the legal framework as such may be considered as basically sufficient, if correctly applied by the domestic courts and other public authorities in line with the international standards mentioned above, the provisions of the current civil and criminal codes relevant to libel and defamation could be reviewed.
 - Apart from possible improvements of the legal framework, **urgent action** by the Government and by other public authorities is required **to ensure the proper application by the courts of domestic law in compliance with the above mentioned European legal standards.** The Government should make use of the assistance offered by the Council of Europe and other organizations concerning the training of judges, lawyers, etc.
 - The Government should undertake initiatives – in co-operation with the OSCE, the Council of Europe, other international organizations and with NGOs - to **enhance public awareness of European standards in the field of free media and press freedom.** The culture of tolerance, pluralism and broadmindedness needed in a democracy should be promoted.
 - Furthermore, Government officials should be encouraged to set an example in renouncing frequent and unjustified libel suits.
 - The Government and other public authorities should provide greater access to information on their activities and improve their own public information programmes. Such transparency could contribute to the quality of media coverage on official activities.

4. Visits and Interventions

February 1999 - February 2000¹

The Office of the Representative on Freedom of the Media visited or corresponded with the following Governments of participating States of the OSCE:

Armenia

Interventions

- 10 September 1999 to Foreign Minister Vartan Oskanian on the sentencing of the Editor-in-Chief of a daily newspaper to one year imprisonment for slander.

Azerbaijan

Visits

- Visit of Freimut Duve and Advisor Stanley Schragger to Baku, 22 – 25 February.

Interventions

- 14 December 1999 to President Haydar Aliyev expressing concern on several provisions of the new media law limiting the freedom of expression and the licensing of independent TV stations.
- 16 December 1999 to Foreign Minister Vilayat Gouliyev regarding the closing of the independent *SARA-TV*, commenting on the new media law and proposing a seminar in Baku on Government-Media relations.

Belarus

Visits

- Freimut Duve, accompanied by Personal Advisor, Beate Maeder-Metcalf, and Intern Bei Hu, attended a seminar “Information Society” on 15 – 17 March 1999 concerning free flow of information.

Interventions

- 26 May 1999 to Minister of Foreign Affairs Ural Latypov regarding harassment against the independent newspaper “Naviny”.
- 1 July 1999 to the Chairman of the State Committee for Press, Mikhail V. Podgainy, expressing concern about the continuing executive admonitions against newspapers in accordance with Art. 5 of the Press Law and underlining the importance for the establishment of public television and radio.

¹ This is a selected list of our activities during the year.

- 28 September 1999 to Deputy Prime Minister Ural Latypov on the possibility of providing expert opinions on legal amendments concerning the Law on the Press and on providing material on the establishment of public television and radio in the neighbouring countries.
- 4 October 1999 to Ural Latypov on a case of libel filed against the opposition newspaper "Naviny".
- 8 November 1999 to Ural Latypov regarding the Law on Press.

Bosnia and Herzegovina

Visits

- Visit of Freimut Duve to Sarajevo on 9 –10 December 1999 for the presentation of the book *In Defence of the Future* published by the Office of the Representative on Freedom of the Media.

Bulgaria

Visits

- Visit by Advisor Stanley Schragar and Intern Bei Hu 29 – 30 April 1999 to Sofia for a seminar sponsored by the International Press Institute on 'Bulgarian Free Press; Fair Press'.

Croatia

Interventions

- 11 May 1999 to Foreign Minister Mate Granic on the case of Orlanda Obad, a journalist indicted by the public prosecutor for publishing information about the Presidents' bank accounts.

Greece

Interventions

- 23 June 1999 to Foreign Minister Georgios Papandreou on criminal prosecutions of two journalists for libel.

Hungary

Interventions

- 31 August 1999 to Foreign Minister Dr. János Mártonyi about the arrest of the journalist Laszlo Jusst on charges of revealing state secrets.

Kazakstan

Visits

- Visit of Freimut Duve, accompanied by Intern Bei Hu, to Almaty, 8 – 10 April 1999, including meetings with members of the government, with Parliamentarians and officials from government television and media.

Kyrgyzstan

Visits

- Visit of Mr Freimut Duve, accompanied by Intern Bei Hu, to Bishkek, 10 – 12 April 1999, following an invitation from the President.
- Visit of Advisor Stanley Schrager to Bishkek, 25 – 27 October 1999, for participation in a conference ‘The Mass Media in Central Asia’. The conference was organized upon the initiative of the Representative on Freedom of the Media by the Kyrgyz government, the Union of Journalists of the Kyrgyz Republic and the OSCE Center in Bishkek. The conference was, at the same time, the first regional meeting of representatives of media of Kyrgyzstan, Kazakhstan, Tajikistan and Uzbekistan.

Lithuania

Interventions

- 19 August 1999 to the Chairman of the Lithuanian Parliament Vytautas Landsbergis on the proposed amendments to the 1996 Lithuanian law on the media envisaging the creation of a Media Protection Commission.

Former Yugoslav Republic of Macedonia

Visits

- Visit by Freimut Duve and Advisor Alexander Ivanko to Skopje, 4 – 6 May 1999, for meetings with the OSCE Kosovo Verification Mission leadership, Macedonian Albanian, Kosovo Albanian and Macedonian journalists, editors and writers.
- Visit by Advisor Alexander Ivanko and Intern Jordan Stancil to Skopje, 23 – 27 June 1999, to participate in a conference organized by the International Federation of Journalists.

Interventions

- 2 February 1999 to Foreign Minister Aleksandar Dimitrov clarifying the reasons for the demotion of a reporter with Macedonian Radio and Television, MRTV.

Moldova

Visits

- Assessment visit by Advisor Alexander Ivanko to Chisinau, 30 June – 3 July 1999.

Interventions

- 18 August 1999 to Foreign Minister Nicolae Tabacaru regarding the illegal confiscation of the print run of *Novaya Gazeta* by the so-called “Ministry of Security” of the Trans-Dniestrian region.

Romania

Visits

- Assessment visit to Bucarest, 28 – 30 June 1999, by Advisor Stanley Schrager where he met with parliamentary, governmental and presidential officials and media.

Russian Federation

Visits

- Visit of Freimut Duve to Moscow, 13 – 15 April 1999

Interventions

- 4 November 1999 to Foreign Minister Igor Ivanov on alleged cases of harassment of journalists related to the situation in Chechnya.
- 20 December 1999 to Igor Ivanov on statements from Russian defence and security officials, accusing foreign journalists in Chechnya of espionage.
- 24 January 2000 to Igor Ivanov, expressing concern about the alleged harassment of Alexander Khinshtein, a Russian journalist.
- 24 January 2000 to the Head of Administration of the Office of the Acting President, Alexander Voloshin, on the statement made by Kremlin spokesperson Sergei Yastrzhemsky. The letter stated that a journalist in a democracy at war cannot be labelled as a traitor for his critical views and expressed the hope that the statement of Mr Yastrzhemsky will not lead to a policy change regarding the Kremlin's relationship with the media.
- 27 January 2000 to Igor Ivanov expressing concern regarding the *Radio Free Europe/Radio Liberty* correspondent Andrei Babitsky, who went missing in Chechnya.

Slovakia

Interventions

- 28 January 2000 to Foreign Minister Eduard Kukan on potential difficulties with the distribution of newspapers.

Tajikistan

Visits

- Visit by Advisor Stanley Schrager on 16 – 19 April 1999 for talks with media representatives, government officials and Tajik journalists on the existing media situation.

Interventions

- 11 May 1999 to Foreign Minister Talbak Nasarov underlining the need for independent media in Tajikistan.

Turkey

Interventions

- 20 May 1999 to Prime Minister Bulent Ecevit expressing concern about the cases of Akin Birdal, a sentenced journalist and a of Metin Göktepe, a journalist killed by police officers.
- 1 June 1999 to Foreign Minister Ismail Cem urging media transparency in the trial of Abdullah Öcalan and protesting against the interdiction of so called “separatist propaganda”.
- 14 July 1999 to Ismail Cem on several cases of media repression against journalists.
- 31 August 1999 to Ismail Cem expressing concern about the banning of the Turkish television channel KANAL 6 because of its coverage of the August 1999 earthquake in an “inappropriate” way.
- 3 November 1999 to Ismail Cem about the murder of the prominent journalist and former Minister of Culture Ahmet Taner Kislali.

Turkmenistan

Visits

- Assessment visit by Advisor Stanley Schrager to Ashgabat, 13 – 14 April 1999 where he met with government officials and media.

Interventions

- 11 May 1999 to Foreign Minister Boris Shikhmuradov expressing concern on the lack of progress in developing independent media and on the threats against independent journalists.

Ukraine

Visits

- Visit by Advisors Beate Maeder-Metcalf and Alexander Ivanko to Kyiv, 3 – 5 March 1999, for meetings with members of the Government and with journalists.
- Visit by Freimut Duve and Advisor Beate Maeder-Metcalf to Kyiv, 17 - 19 May 1999, for meetings with government officials and journalists.
- Visit by Advisor Hanna Vuokko to Kyiv, 8-10 September 1999, for consultations with ODIHR and the Council of Europe concerning forthcoming projects.
- Visit by Advisors Hanna Vuokko and Alexander Ivanko to Kyiv, 2 – 5 November 1999, for the preparation of a roundtable on libel in Ukraine.
- Participation by Freimut Duve and Advisors Beate Maeder-Metcalf, Alexander Ivanko and Hanna Vuokko in the roundtable on libel in Kyiv on 2 December 1999. The roundtable was organized by the OSCE Representative on Freedom of Media, the Council of Europe, IREX/ProMedia.

Interventions

- 11 March 1999 to Foreign Minister Borys Tarasyuk offering assistance in resolving the problem regarding excessive libel fees handed down by the courts against journalists.
- 22 June 1999 to President Leonid Kuchma on the case of harassment of the private TV station STB.
- 14 July 1999 together with the Director of the OSCE/ODIHR to Leonid Kuchma expressing concern regarding interference, harassment and intimidation in the work of private media during the coverage of the upcoming presidential elections.
- 11 November 1999 to First Deputy Foreign Minister, Evgeniy Bersheda, on the roundtable “Free media and libel legislation in Ukraine” organized by the Office of the Representative on Freedom of the Media, the Council of Europe and IREX/ProMedia.
- 24 November 1999 to Foreign Minister Borys Tarasyuk informing him about the impending roundtable in Kyiv on December the 2nd.
- 15 December 1999 to Borys Tarasyuk protesting against the harassment of the local newspaper *Chernomorskaya Zarya*.

United Kingdom

Interventions

- 3 June 1999 to the Secretary of State for Foreign and Commonwealth Affairs Robin Cook on a recent government proposal on the disclosure of information.

Uzbekistan

Visits

- Visit of Freimut Duve to Tashkent, 5 – 8 April 1999.

Interventions

- 11 May 1999 to Foreign Minister Abdulaziz Kamilov summarizing the visit of Freimut Duve, criticizing censoring of newspapers and addressing the Government’s decree on re-routing all Internet traffic through a state-owned company.
- 31 August 1999 to Abdulaziz Kamilov urging the immediate release of six journalists imprisoned for insulting the President and for their ties to the banned opposition party.
- 24 January 2000 to Abdulaziz Kamilov emphasizing concern with the deteriorating health of the incarcerated Shadi Mardiev, a reporter sentenced to an eleven year prison term for defamation and extortion.

Federal Republic of Yugoslavia

Interventions

- 1 February 1999 to Foreign Minister Zivadin Jovanovic on the prosecution of a local Serbian magazine and its editor.
- 9 March 1999 to Zivadin Jovanovic urging the release of three journalists sentenced to five-month prison terms for having published an article accusing Serbian Vice-Prime Minister Milovan Bojic of organising the killing of a medical doctor.
- 10 May 1999 to Zivadin Jovanovic urging the release of an arrested journalist from Montenegro on charges of “espionage and divulgence of military secrets”.
- 25 May 1999 to Zivadin Jovanovic urging the release of Halil Matoshi, the editor of the weekly *Zeri*, who was arrested on 20 May in Pristina.
- 21 June 1999 to Zivadin Jovanovic demanding the release of Halil Matoshi.

The Office participated in the following OSCE and other international meetings and conferences :

OSCE meetings:

- OSCE Heads of Mission Meeting, Oslo, 2-3 February 1999
- OSCE Heads of Institutions with Government of Croatia, Zagreb, 8-9 February 1999
- OSCE Human Dimension Seminar, Warsaw, 27-29 April 1999
- OSCE Ministerial Troika, Vienna, 28 April 1999
- OSCE Conference on inter-agency co-operation in South-East Europe, Sofia, 15-20 May 1999
- OSCE Ministerial Troika, Oslo, 24 June 1999
- OSCE Parliamentary Assembly, St. Petersburg, 5-7 July 1999
- OSCE Human Dimension roundtable on Media in FRY, Milocer, Montenegro, 10-13 September 1999
- OSCE Review of Implementation of OSCE Commitments, Vienna, 20 September-1 October 1999
- OSCE Review Meeting, Istanbul, 8-10 November 1999
- OSCE Summit, Istanbul, 18-19 November 1999
- OSCE Ministerial Troika, Vienna, 21 January 2000

Other institutional meetings and conferences:

- 2+2 Ministerial Meeting of OSCE and of Council of Europe, Strasbourg, 26 January 1999
- Tripartite high level meeting OSCE-UN-Council of Europe, Strasbourg, 11 February 1999
- UN Commission on Human Rights, including talks with UN Commission's Special Rapporteur on Freedom of Expression, Geneva, 12-14 April 1999
- Ministerial Conference on Stability Pact for South Eastern Europe, Cologne, 10 June 1999
- EU-CFSP-Meeting on OSCE, Brussels, 15 June 1999
- Regional Conference of Journalists, Skopje, FYROM, 23-26 June 1999
- East-West Institute Conference on FRY, Budapest, 7-9 September 1999
- Roundtable on Protection of Journalists, London, 21-22 September, 1999
- OSCE Working Table 1 of the Stability Pact, Geneva, 18-19 October 1999
- Conference with Mediterranean Partners of OSCE on Human Dimension, Amman, Jordan, 5-7 December 1999
- OSCE Working Table 1 of the Stability Pact, Budapest, 24 January 2000
- OSCE Working Table 1 of the Stability Pact, Budapest, 21-22 February 2000
- High level tripartite Meeting OSCE-UN-Council of Europe, Geneva, 25 February 2000

VI. Where to Find Those Who Help: The Media NGOs in the OSCE World

Note: This is a list of NGOs with which we have established contact or whose materials have proven useful to our work during the past year. However, this list is not an exhaustive one of all those NGOs who are doing valuable work on freedom of media issues in the OSCE region.

Accuracy In Media (AIM)

<i>Contact:</i>	John Wessale
<i>Address:</i>	4455 Connecticut Avenue, N.W., Suite #330, Washington, D.C. 20008, USA
<i>Country:</i>	USA
<i>Language:</i>	English
<i>Tel.:</i>	(202) 364-4401
<i>Fax:</i>	(202) 364-4098
<i>Email:</i>	info@aim.org, ar@aim.org
<i>Website:</i>	www.aim.org
<i>Topical focus:</i>	Mass media

Self description: AIM (Accuracy In Media) is a non-profit, grassroots citizens watchdog of the news media that critiques botched and bungled news stories and sets the record straight on important issues that have received slanted coverage.

We encourage members of the media to report the news fairly and objectively—without resorting to bias or partisanship. By advising them of their responsibility to the public, whom they claim to serve, AIM helps to nudge the members of the news media into greater accountability for their actions.

AIM publishes a twice-monthly newsletter, broadcasts a daily radio commentary, promotes a speaker's bureau and syndicates a weekly newspaper column—all geared to setting the record straight on important stories that the media have botched, bungled or ignored. We also attend the annual shareholders' meetings of large media organizations and encourage our members to bombard newsrooms with postcards and letters about biased and inaccurate news coverage.

Alternativna Informativna Mreza (AIM)

<i>Address:</i>	AIM, 17 rue Rebeval, F-75019 Paris
<i>Country:</i>	Former Yugoslavia
<i>Language:</i>	Serbian, Croatian, Bosnian, English, Albanian
<i>Email:</i>	admin@aimpress.org
<i>Website:</i>	www.aimpress.org
<i>Topical focus:</i>	Mass media

Self description: AIM is a project of independent journalists from former Yugoslavia and the European Civic Forum. AIM was established in 1992 and its network of journalists nowadays covers all the states of former Yugoslavia and Albania. The main objective of AIM is penetration through the information blockade and offering unbiased high-quality professional information. AIM engages independent journalists enabling them to remain in the profession and to inform readers of independent media about devel-

opments in their environment. AIM helps independent media by offering them objective information from the entire region free of charge. AIM encourages the foundation of new independent media providing them with a reliable source of information.

AIM is not a classical news agency since its production is oriented towards analytical articles, reportage, commentaries and interviews aimed at preventing manipulation with information, offering a comprehensive picture and background of an event. AIM supports all initiatives leading to strengthening of democratic processes in the region. In its editorial policy, apart from current political and economic topics, AIM devotes most of its attention to topics connected with civil society, human and minority rights, position of refugees, etc.

AIM operates on the principle of a mail-box system. Information is exchanged via a central computer located in Paris. AIM now has editorial offices in Bosnia & Herzegovina (Sarajevo and Banja Luka), Croatia (Zagreb), Yugoslavia (Belgrade, Podgorica, Pristina), Macedonia (Skopje), Slovenia (Ljubljana) and Albania (Tirana). Apart from the main project, AIM also has two special services which it offers to its users: BALKAN PRESS, a weekly press review which refers to the issue of Kosovo, and IZBORBIH, a service which offers short information, news, commentaries, analytical texts, interviews and reportage from the entire space of Bosnia & Herzegovina.

American Society of Newspaper Editors (ASNE)

Contact:	Lee Stinnett, Executive Director
Address:	ASNE, 11690B Sunrise Valley Drive, Reston, VA 20191-1409, USA
Country:	USA
Language:	English
Tel.:	703/453-1122
Fax:	703/453-1133
Email:	stinnett@asne.org
Website:	www.asne.org
Topical focus:	Mass media

Self description: The ASNE Editors is dedicated to the leadership of American journalism. It is committed to fostering the public discourse essential to democracy; helping editors maintain the highest standards of quality, improve their craft and better serve their communities; and preserving and promoting core journalistic values, while embracing and exploring change. ASNE's priorities are: To protect First Amendment rights and enhance the free flow of information; To drive the quest for diversity and inclusion in the workplace and newspaper content; To promote the newspaper's role in providing information necessary to the informed practice of citizenship; To encourage innovation and celebrate creativity in newspapers; To respect and encourage the involvement of all its members.

Association of Independent Electronic Media (ANEM)

<i>Contact:</i>	Veran Matic, ANEM Chairman, Editor-in-Chief Radio B92,
<i>Address:</i>	Makedonska 22/V, 11000 Belgrade, Federal Republic of Yugoslavia
<i>Country:</i>	Yugoslavia
<i>Tel.:</i>	+381 11 322 91 09/324 85 77/322 99 22
<i>Fax:</i>	+381 11 322 43 78/324 80 75
<i>Email:</i>	matic@b92.opennet.org, marija@b92.opennet.org, anem@opennet.org
<i>Website:</i>	www.b92.net/; www.anem.opennet.org
<i>Topical focus:</i>	Mass media

Self description: In 1993 a group of local independent broadcast media in Serbia and Montenegro — *Radio B92, Radio Bum 93, Radio Antena M, Radio Bajina Basta, Radio Smederovo, and NTV Studio B* — founded the Association of Independent Electronic Media (ANEM). Today that network collectively reaches 80 percent of Yugoslavia's population and the membership has increased to 32 radio and 17 Tvstations. ANEM's membership criteria are that any station that expresses interest in joining it and proves that its editorial policy is independent may join as an affiliate member. ANEM also belongs to the Committee to Protect Independent Media in FR Yugoslavia — Free 2000.

From the outset, ANEM's overarching aim has been to build a network of professional broadcast media across Yugoslavia which is equipped to provide citizens with timely, accurate and balanced news, political analysis and public information. This has been achieved through providing local stations with in-country and international networking options to enhance the quality of programming, by coordinating the efforts of member stations to acquire, produce, and distribute programmes to establish higher journalistic standards. In addition, a key goal of the Network is to build solid commercial management structures for self-sustainability. ANEM also provides regular journalism skills training, a production facility for in-house training, equipment aid, free legal support and political defence for all affiliate members. The member stations are all united by a shared commitment to the fundamental principles of professional journalistic ethics and standards, democracy, respect for human rights and tolerance.

Amnesty International (AI)

<i>Contact:</i>	International Secretariat
<i>Address:</i>	1 Easton Street, London WC1X 8DJ
<i>Country:</i>	UK

<i>Language:</i>	English
<i>Tel.:</i>	0044171-413 55 00
<i>Fax:</i>	0044171-9561157
<i>Email:</i>	username@amnesty.org
<i>Website:</i>	www.amnesty.org
<i>Topical focus:</i>	Human rights

Self description: Amnesty International was founded in 1961 in London and is a worldwide voluntary human rights movement that works impartially for the release of prisoners of conscience and an end to torture, “disappearances”, political killings and executions. Amnesty International campaigns to stop anyone being returned to a country where they would be in danger of these abuses. The organization is financed by its million-plus members and supporters around the world and accepts no money from governments.

The Andrei Sakharov Foundation (ASF)

<i>Contact:</i>	Ed Kline, President Alexey Semyonov, Vice President
<i>Address:</i>	65 Park Ave, 5D, New York, NY 10128, USA; 57 Zemlyanoy Val Street, bld 6 Moscow, Russia
<i>Country:</i>	Russia, USA
<i>Language:</i>	English, Russian.
<i>Tel.:</i>	1-212-369-1226 (NY, USA); 703-569-2943 (Wash., USA); 7-095-923-44-01 (20) (Moscow, Russia)
<i>Fax:</i>	1-212-722-0557 (NY, USA); 7-095-917-26-53 (Moscow, Russia)
<i>E-mail:</i>	anls@mail.wdn.com (Alexey Semyonov)
<i>Website:</i>	www.wdn.com/asf
<i>Topical focus:</i>	Work with archives of Andrei Sakharov and other historic documents related to Soviet Union, building democratic society, general human rights, humanitarian assistance

Self description: The Andrei Sakharov Foundation is closely related to several organizations in the United States and Russia, all of them dedicated to the preservation of the memory of Andrei Sakharov, promotion of his ideas and the defence of human rights.

The Sakharov Foundation(Russia)/Public Commission was organised shortly after his death on December 14, 1989. The Andrei Sakharov Foundation (USA) was organised in 1990 in order to support the Russian Commission. Elena Bonner,

Sakharov's widow is chair of the Andrei Sakharov Foundation. The Andrei Sakharov Foundations have sponsored missions to Nagorno-Karabakh and to Ingushetia to facilitate peaceful settlement of ethnic conflicts. The Sakharov Foundations have also assisted the resettlement of refugees in the successor states of the former Soviet Union, sponsored the first visit of Kirgizstan's President Askar Akaev to the United States, and defended the rights of scientists persecuted for their political opinions.

ARTICLE 19

<i>Contact:</i>	Ilana Cravitz, press officer
<i>Address:</i>	Lancaster House, 33 Islington High St., London N19LH, UK
<i>Country:</i>	UK
<i>Tel.:</i>	+44 171 278 9292
<i>Fax:</i>	+44 171713 1356
<i>Email:</i>	article19@gn.apc.org
<i>Website:</i>	www.gn.apc.org/article19
<i>Topical focus:</i>	Freedom of expression issues

Self description: ARTICLE 19 (The International Centre Against Censorship) takes its name and purpose from the nineteenth article of the United Nations' Universal Declaration of Human Rights, which states "Everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

ARTICLE 19 defends the human right when it is threatened, opposes government practices which violate it and works to identify and expose censorship in all countries.

ARTICLE 19's mandate is to promote and defend freedom of expression, to combat censorship and to encourage action and awareness at national and international levels. The organization's programme addresses censorship in its many forms and involves research, campaigning, education and outreach. In particular, ARTICLE 19 has active regional programmes in Africa, Asia, Middle East and North Africa, and Central and Eastern Europe. Wherever possible, these programmes are implemented in close collaboration with local partner organizations.

Its law programme is engaged in international litigation in favour of freedom of expression, and the organization also focuses on key policy issues affecting freedom of expression, such as "hate speech", the right to privacy; restrictions based on grounds of national security, and the role of public service broadcasting during election campaigns.

Canadian Civil Liberties Association (CCLA)

<i>Contact:</i>	D. S. McLaughlin
<i>Address:</i>	229 Yonge Street, Suite 403, Toronto, Canada M5B 1N9
<i>Country:</i>	Canada
<i>Language:</i>	English
<i>Tel.:</i>	(416) 363-0321
<i>Fax:</i>	(416) 861-1291
<i>Email:</i>	ccla@ilap.com
<i>Website:</i>	www.ccla.org
<i>Topical focus:</i>	Fundamental human rights and civil liberties

Self description: The CCLA was constituted to promote respect for and observance of fundamental human rights and civil liberties and to defend, extend, and foster the recognition of those rights and liberties. The major objectives of the CCLA include the promotion of legal protections for individual freedom and dignity against unreasonable invasion by public authority and the protection of fundamental rights and liberties. CCLA performs a wide range of law and polity reform work, including court interventions, submissions before legislative committees and other public bodies, public speaking and education, and media work. CCLA is not a service agency however, and, as a general matter, does not provide members of the public with legal advice.

Canadian Journalists for Free Expression (CJFE)

<i>Contact:</i>	Kristina Stockwood, Executive Director
<i>Address:</i>	489 College St. 403, Toronto, Ontario, M6G 1A5
<i>Country:</i>	Canada
<i>Language:</i>	English, French
<i>Tel.:</i>	00-1 416 515 9622
<i>Fax:</i>	00-1 416 515 7879
<i>Email:</i>	cjfe@cjfe.org
<i>Website:</i>	www.cjfe.org
<i>Topical focus:</i>	Freedom of expression and press freedom, media ownership concentration, journalists' training, access to information

Self description: The Canadian Journalists for Free Expression works to promote freedom of expression worldwide and circulates information to its members and the media in Canada about violations that take place in Canada and the rest of the world. It runs training programmes for journalists worldwide and lobbies Canadian

and foreign Governments to take action against freedom of expression violations in Canada and Internationally. The CJFE manages the International Freedom of Expression Exchange (IFEX) Clearing House on behalf of more than 30 IFEX members, which circulates freedom of expression news worldwide. CJFE also provides journalism training worldwide and operates a Journalists in Distress Fund. In addition, CJFE offers an International Press Freedom Award annually.

Committee to Protect Journalists

<i>Address:</i>	330 7th Avenue, 12th Floor, New York, NY 10001, USA
<i>Country:</i>	USA
<i>Language:</i>	English
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<i>Website:</i>	www.cpj.org
<i>Topical focus:</i>	Mass media

Self description: The Committee to Protect Journalists is a nonpartisan, nonprofit organization founded by a group of U.S. journalists in 1981 to monitor abuses against the press and promote press freedom around the world. CPJ depends on private donations from journalists, news organizations, and independent foundations.

By publicly revealing abuses against the Press and by acting on behalf of imprisoned and threatened journalists, CPJ effectively warns journalists and news organizations where attacks on press freedom are likely to occur. CPJ organizes vigorous protest at all levels, ranging from local governments to the United Nations, and, when necessary, works behind the scenes through other diplomatic channels to effect change. CPJ also publishes articles and news releases, special reports, a quarterly newsletter and the most comprehensive annual report on attacks against the press around the world.

Through its own reporting, CPJ has full-time programme coordinators monitoring the press in the Americas, Asia, the Middle East, Africa, and Europe. They track developments through their own independent research, fact-finding missions and first-hand contacts in the field, including reports from other journalists. CPJ shares information on breaking cases with other press freedom organizations worldwide through the International Freedom of Expression Exchange (IFEX), a global Email network.

Using local contacts, CPJ can intervene whenever foreign correspondents are in trouble. CPJ is also prepared to immediately notify news organizations, government officials, and human rights organizations of press freedom violations.

Czech Helsinki Committee

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<i>Website:</i>	www.helcom.cz
<i>Topical focus:</i>	Human rights in general

Self description: Czech Helsinki Committee is an NGO running the following centres and programmes: Counselling Centre for Refugees: asylum seekers coming to CR; Citizenship Counselling Centre: the stateless, former citizens of CSFR; Human Rights Documentation And Information Centre: human rights library/international focus; Monitoring of legislation and human rights situation/CR; Educational programmes: publishing activities, organization of seminars and conferences; International programmes of co-operation.

Commonwealth Press Union (CPU)

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Derechos Human Rights

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<i>Email:</i>	rights@derechos.org
<i>Website:</i>	www.derechos.org
<i>Topical focus:</i>	Human rights in general

Self description: Derechos Human Rights is an Internet-based organization that works to promote respect for human and civil rights, including the right to freedom of speech and the press, all over the world. We also work for the right to privacy and against impunity for human rights violations. Derechos understands human rights as those considered as such under international law-but does not accept limitations to fundamental rights imposed by international law.

EEBA

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Self description: Radio and Television have a crucial role to play in reflecting the true reality of multiethnic Europe. To enable this to happen they have to break down myths, barriers of ignorance, stereotyped images and to begin to reflect the positive contribution that the minorities are making to the social, economic, political and, equally importantly, to the cultural life of Europe. Therefore cultural and existential links between media experts are important and necessary. The integration of these lesser-used languages and cultures into mayor communcation networks has finally been made possible with founding of EEBA, the European Broadcasting association of smaller nations and nationalities 1995. Its first President is Mirko Bogataj, Editor-Chief , Slovenian Programmes, ORF. There are 75o million European between the Atlantic and the Urals representing more than 2oo nationalities and including more than 1oo million members of ethnic minorities and more than 4oo Broadcasting Programmes. The EEBA is an European initiative which aims to promote the role of public broadcasting in the development of Europe and to increase the participation of ethnic and linhuistic minorities in broadcasting to preserve their cultural heritage. It strives for the good training of young ethnic journalists, responds to technical developments and encourages the exchange of programmes. One goal to which EEBA aspires is a national partnership between minorities and majorities in multinational states in lieu of national confrontation in national states.

Partnership thrives in relationships built on equal rights, mutual respect and trust. This is the key to both the substance and methods of integration.

Electronic Frontier Canada

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<i>Website:</i>	www.efc.ca
<i>Topical focus:</i>	Free speech

Self description: Electronic Frontier Canada is a small, all-volunteer non-profit organization devoted to the preservation of “Charter” rights and freedoms in cyberspace. It conducts educational and research regarding application of Canada’s “Charter of Rights and Freedoms” to the Internet and other computer and communications technologies.

European Alliance of Press Agencies

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<i>Fax:</i>	00322 735 1874
<i>Topical focus:</i>	Mass media

European Institute for the Media (EIM)

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<i>Website:</i>	www.eim.org
<i>Topical focus:</i>	Mass media

Self description: The European Institute for the Media (EIM) was established in 1983, in Manchester, in co-operation with the European Cultural Foundation in Amsterdam. In June 1992, the EIM moved to at the invitation of the Government of North Rhine-Westphalia and the city of Düsseldorf, and is now located in the Düsseldorf media-area.

The Institute was created to give expression to the growing interdependence of European countries in the field of communication.

The EIM's main activities are: the documentation and comparative analysis of developments in the European media, the provision of a forum for exchange of information and opinions on media issues.

Fairness & Accuracy in Reporting (FAIR)

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<i>Website:</i>	www.fair.org
<i>Topical Focus:</i>	Media bias, censorship, corporate ownership and domination of mainstream news outlets, conservative bias in the news

Self description: FAIR is the national media watch group offering well-documented criticism in an effort to correct bias and imbalance. FAIR focuses public awareness on the narrow corporate ownership of the press, the media's allegiance to official agendas and their insensitivity to women, labour, minorities and other public interest constituencies. FAIR seeks to invigorate the First Amendment by advocating for greater media pluralism and the inclusion of public interest voices in national debates. FAIR's major activities include media analysis & research, outreach, lectures, magazine (EXTRA!) and radio programme (CounterSpin).

Feminists for Free Expression (FFE)

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<i>Website:</i>	www.well.com/user/freedom
<i>Topical focus:</i>	Freedom of expression issues, stressing the dangers censorship holds for women

Self description: Feminists for Free Expression is a group of diverse feminist men and women working to preserve the individual's right to read, hear, view and produce materials of her choice without the intervention of the state "for her own good." FFE believes freedom of expression is especially important for women's rights. While messages reflecting sexism pervade our culture in many forms, sexual and non-sexual, suppression of such material will neither reduce harm to women nor further women's goals. Censorship traditionally has been used to silence women and stifle feminist social change. It never has reduced violence; it led to the imprisonment of birth control advocate, Margaret Sanger, and the suppression of feminist writings. There is no feminist code about which words and images are dangerous or sexist. Genuine feminism encourages individuals to choose for themselves.

Freedom Forum

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<i>Email:</i>	news@freedomforum.org
<i>Website:</i>	www.freedomforum.org
<i>Topical focus:</i>	Mass media

Self description: The Freedom Forum was established in 1991 under the direction of Founder Allen H. Neuharth as successor to the Gannett Foundation, which was created by Frank E. Gannett in 1935. It is a nonpartisan, international foundation dedicated to free press, free speech and free spirit for all people. The foundation pursues its priorities through conferences, educational activities, publishing, broadcasting, online services, fellowships, partnerships, training, research and other programmes. Operating programmes are the Newseum at The Freedom Forum World Centre headquarters in Arlington, Va., the First Amendment Centre at Vanderbilt University in Nashville, Tenn., the Media Studies Centre in New York City and the Pacific Coast Centre in San Francisco. The Freedom Forum also has operating offices in Cocoa Beach, Florida., Buenos Aires, Hong Kong, Johannesburg and London.

Freedom House

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<i>Email:</i>	frhouse@freedomhouse.org
<i>Website:</i>	www.freedomhouse.org
<i>Topical focus:</i>	Political rights, civil liberties, human rights, press freedom, democratization

Self description: Freedom House is a clear voice for democracy and freedom around the world. Founded nearly sixty years ago by Eleanor Roosevelt, Wendell Willkie, and other Americans concerned with mounting threats to peace and democracy, Freedom House has been a vigorous voice for democratic values and a steadfast opponent of dictatorship of the far left and far right. Non-partisan and broad-based, Freedom House is led by a Board of Trustees composed of leading Democrats, Republicans, and Independents; business and labour leaders; former senior government officials, scholars, writers and journalists. All are united in the view that American leadership in international affairs is essential to the cause of human rights and freedom. Over the years, Freedom House has been at the Centre of key issues in the struggle for freedom. We were outspoken advocates of the Marshall Plan and NATO in the 1940s, of the US civil rights movement in the 1950s and 1960s, of the Vietnamese boat people in the 1970s, of Poland's Solidarity movement and the Filipino democratic opposition in the 1980s, and of many democracies that have emerged around the world in the 1990s. Freedom House has vigorously opposed dictatorships in Central America and Chile, apartheid in South Africa, the suppression of the Prague Spring, the Soviet invasion of Afghanistan, genocide in Bosnia and Rwanda, and the brutal violation of human rights in Cuba, Burma, China and Iraq. We have championed the rights of religious believers, trade unionists, journalists, and free-market entrepreneurs. Today, we are a leading advocate of the world's young democracies that are coping with the debilitating legacy of statism, dictatorship and political repression. We work through an array of US and overseas research, advocacy, education, and training initiatives that promote human rights, democracy, free market economics, the rule of law, independent media, and US engagement in international affairs. Through our work at home and abroad, with support foundations, labour unions, corporations, private donors, and the US government, Freedom House gives impetus to the remarkable expansion of political and economic freedom that is transforming the world at the dawn of a new millennium.

Free 2000

Self description: Because of continued and mounting pressure on free media in Yugoslavia, the Association of Independent Electronic Media (ANEM) initiated the establishment of the International Committee to Protect Free Media in Yugoslavia - FREE 2000. Established in August 1998, FREE 2000 currently gathers individuals from 17 international and six local non-governmental organizations engaged in the protection of human rights.

The aims of FREE 2000 are: To help institutionalise successful defence and protection of independent media in FR Yugoslavia; To initiate continuous work to protect independent media in FR Yugoslavia against systematic repression; To insist on the democratisation of local information- and telecommunications-related jurisdiction, in keeping with the international standards; To encourage governments of the countries participating in the resolution of the Balkans problems to bring sufficient diplomatic attention on authorities jeopardising independent media to stop doing so; To take part in direct actions initiated by independent media and associations in FR Yugoslavia; To encourage local journalists in their effort to make their work professional; To aid the flow of information between media and journalists in the countries of the former Yugoslavia, which makes an important element for successful implementation of peace in Bosnia-Herzegovina but also for resolution of the Kosovo crisis and a lasting peace in the region.

Glasnost Defence Foundation

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<i>Website:</i>	www.internews.ras.ru/GDF
<i>Topical focus:</i>	Legal protection and training for journalists.

Self description: The Glasnost Defence Foundation (GDF) is one of the oldest and best organised non-profit media watchdogs in the former USSR. Its roots go back to 1991 when a decision by the USSR Confederation of Cinematographers Union gave birth to GDF. At that time it was a source to which any journalist could turn to find solace and support.

The activities of GDF follow several fundamental paths. We provide legal assistance to journalists and media involved in any kind of conflict in which the power structure or any other influence-wielding body meddles with the legitimate work of the press. GDF monitors violations of the Russian Constitution and

press law, providing legal consultations and staying up to date on all legislation concerning the mass media. We provide humanitarian aid to those who need it. We try to assist families of journalists killed on the job, our colleagues who find themselves out of work because of political motives and even newspapers struggling to stay afloat. GDF, with the help of other human rights organizations, leads campaigns in defence of our colleagues in need. We organise press conferences, issue press releases, take part in pickets and make appeals to the government. GDF leads seminars and conferences designed to make journalists more familiar with the law. In co-operation with the Russian Prosecutor's Office we started a series of seminars to provide participants with specialised knowledge of how the law and mass media interact in society.

We have a team of qualified experts trained in media law, ready to travel to any region of Russia and the CIS. It's a sort of "Rescue Squad" for journalists in trouble. These consultants work to inform persecuted journalists of their legal rights and help mediate conflicts. GDF has a regional network in 10 regions of the Russian Federation which help to monitor press law violations in the territory of the Russian Federation. Our experts have produced a number of useful publications that we distribute free of charge to journalists or anyone who needs them.

With the assistance of our colleagues we started publishing *Dosje na Censuru*, the Russian version of the British publication *Index on Censorship*. The Russian version contains several articles concerning censorship in the USSR and in Russia, pressure on journalists and the media, memoirs of writers and journalists and human rights activists.

We are now conducting scientific and practical research into Mass Media and Judicial Power designed to show the main tendencies in court, its reflection in mass media, journalists and public opinions about the courts, to determine some possible steps to improve the legal system of the Russian Federation and the understanding between two professional groups – journalists and judges.

Global Internet Liberty Campaign

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<i>Website:</i>	www.gilc.org
<i>Topical focus:</i>	Internet policy, encryption policy, freedom of expression on the Internet.

Self description: The Global Internet Liberty Campaign was formed at the annual meeting of the Internet Society in Montreal. Members of the coalition include the American Civil Liberties Union, the Electronic Privacy Information Centre, Human Rights Watch, the Internet Society, Privacy International, the Association des Utilisateurs d'Internet, and other civil liberties and human rights organizations.

The Global Internet Liberty Campaign advocates: prohibiting prior censorship of on-line communication; requiring that laws restricting the content of on-line speech distinguish between the liability of content providers and the liability of data carriers; insisting that on-line free expression not be restricted by indirect means such as excessively restrictive governmental or private controls over computer hardware or software, telecommunications infrastructure, or other essential components of the Internet; including citizens in the Global Information Infrastructure (GII) development process from countries that are currently unstable economically, have insufficient infrastructure, or lack sophisticated technology; prohibiting discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status; ensuring that personal information generated on the GI for one purpose is not used for an unrelated purpose or disclosed without the person's informed consent and enabling individuals to review personal information on the Internet and to correct inaccurate information; allowing on-line users to encrypt their communications and information without restriction.

Greek Helsinki Monitor & Minority

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<i>Website:</i>	www.greekhelsinki.gr
<i>Topical Focus:</i>	Religious, linguistic, ethnic or national minorities' rights in the Balkans

Self description: Minority Rights Group — Greece was created as a Greek affiliate of Minority Rights Group International in January 1992. Its members founded Greek Helsinki Monitor in late 1992, following the encouragement of the International Helsinki Federation for Human Rights (IHF). A year later, in December 1993, the latter's General Assembly accredited it as its Greek National Committee with an observer status; in November 1994, the General Assembly elevated

Greek Helsinki Monitor to full membership. In April 1998, Greek Helsinki Monitor also became member of the International Freedom of Expression Exchange (IFEX). In 1994, Greek Helsinki Monitor launched a project to prepare detailed reports on all national, ethnolinguistic and major religious minority communities in Greece (Macedonians and Turks; Arvanites, Pomaks, and Vlachs; Catholics, Jehovah Witnesses, Protestants, and New Religious Movements), as well as the Greek minorities in Albania and Turkey, and the Albanian immigrants in Greece. Besides the usual monitoring of human rights violations and human rights related trials, the issuing of public statements, alone or along with other NGOs, and the monitoring of Greek and Balkan media for stereotypes and hate speech, Greek Helsinki Monitor started in 1997 a Roma Office in co-operation with the European Roma Rights Centre.

Human Rights Center of Azerbaijan (HRCA)

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<i>Topical focus:</i>	Political prisoners, freedom of expression, refugees

Self description: The Human Rights Center of Azerbaijan is non-governmental, non-political, non-registered, non-profit organization created on 29 April, 1993 by freelance journalist and human rights activist, Eldar Zeynalov. The main motives of that were the disagreement with the restored political censorship in Azerbaijan, which blocked the publications about the human rights violations in the country, and the necessity of the permanent information of local and global organizations on the human rights situation in the country. The main form of the work of HRCA is the monitoring of the human rights situation with the publication of the information bulletin, thematic reports, lists of prisoners etc. Other direction of its work is the re-printing the human rights reports of other organizations with translation to the local languages. HRCA propagates also the electronic mail in the information exchange in the human rights field. It provides some local NGOs by the e-mail link with Western colleagues.

The programmes carrying out by HRCA, are the following ones: Monitoring the human rights situation in Azerbaijan; Monitoring the forced migration in Azerbaijan; Monitoring of prison conditions; Monitoring of women's rights; Free translation office for local e-mail network of NGOs.

The weekly bulletin of HRCA covers the current human rights situation in Azerbaijan. Since December 1996, it is divided into two parts: Part 1 contains the information on struggle for the power; problems of press and telecommunications; arrests and trials; meetings; strikes; social problems. Part 2 includes ethnic problems; religion; war and peace issues; refugees and humanitarian aid; environmental problems.

Human Rights Watch

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<i>Website:</i>	www.hrw.org
<i>Topical focus:</i>	Human rights

Self description: Human Rights Watch is dedicated to protecting the human rights of people around the world. We stand with victims and activists to prevent discrimination, to uphold political freedom, to protect people from inhumane conduct in wartime, and to bring offenders to justice. We investigate and expose human rights violations and hold abusers accountable. We challenge governments and those who hold power to end abusive practices and respect international human rights law. We enlist the public and the international community to support the cause of human rights for all.

Index on Censorship

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<i>Website:</i>	www.indexoncensorship.org
<i>Topical focus:</i>	Mass media

Self description: Index on Censorship, the bi-monthly magazine for free speech, widens the debates on freedom of expression with some of the world's best writers. Through interviews, reportage, banned literature and polemic, Index shows how free speech affects the political issues of the moment.

International Center for Journalists (ICFJ)

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<i>Topical focus:</i>	Mass media

Self description: The International Center for Journalists (ICFJ) was established in 1984 to improve the quality of journalism in nations where there is little or no tradition of independent journalism. ICFJ believes that a vigorous, independent press is one of the most powerful weapons available in the struggle for freedom and civil rights. ICFJ believes that working with our colleagues overseas — providing journalistic, media management and technical expertise as well as information and support services — is critical to the development of an effective, independent press that is ethically grounded and financially stable.

The ICFJ provides professional development programmes that promote excellence in news coverage of critical community and global issues. The Center offers many fellowships and exchanges, conducts a variety of training seminars, workshops and conferences, and provides a range of consulting services.

International Consortium of Investigative Journalists (ICIJ)

(a project of the Center for Public Integrity)

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<i>Website:</i>	www.icij.org
<i>Topical focus:</i>	Mass media

Self description: Founded in September 1997 and headquartered in Washington, DC, at the Center for Public Integrity, its parent organization, it is a working network of the world's leading investigative reporters. Its mission is to conduct investigative reporting projects across nation-state borders on the premise that an enlightened populace is an empowered one. It identifies international investigative reporters and linking them via the Internet, conferences and through an institutional support structure.

International Federation for Information and Documentation (FID)

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<i>Topical focus:</i>	Information

Self description: Since 1895, FID Members, representing organizations and individuals in over 90 nations, have promoted best management practice of infor-

mation as the critical resource for all society. FID aims to: advance the frontiers of science and technology; improve competitiveness of business, industry and national economies; strengthen possibilities for development and enhance the quality of life wherever possible; improve the ability of decision-makers to make appropriate decisions; stimulate educational strategies and life-long learning; make expression possible in all sectors of the Information Society including the arts and humanities and will strive and continue to be at the leading edge of the development of the management of information.

The International Federation of Journalists (IFJ)

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<i>Website:</i>	www.ifj.org
<i>Topical focus:</i>	Mass media

Self description: The International Federation of Journalists is the world's largest organization of journalists. First established in 1926, it was relaunched in 1946 and again, in its present form, in 1952. Today, the Federation represents more than 400,000 members in over 90 countries.

The IFJ promotes co-ordinated international action to defend press freedom and social justice through the development of strong, free and independent trade unions of journalists. The IFJ does not subscribe to any given political viewpoint, but promotes human rights, democracy and pluralism.

The IFJ is opposed to discrimination of all kinds – whether on grounds of sex, creed, colour or race – and condemns the use of media as propaganda to promote intolerance and social conflict. The IFJ believes in freedom of political and cultural expression and defends trade union and other basic human rights. The IFJ is recognised as the organization which speaks for journalists at international level, notably within the United Nations system and within the international trade union movement. The IFJ supports journalists and their unions wherever they are subject to oppression and whenever they are fighting for their industrial and professional rights. It has established an International Safety Fund to provide humanitarian aid for journalists who are the victims of violence. The IFJ sup-

ports trade union solidarity internationally and works particularly closely with other international federations of unions representing trades related to journalism and the media industry. Its basic policy is decided by the Congress which meets every three years and work is carried out by the Secretariat based in Brussels under the direction of a ruling 20-member Executive Committee.

International Federation of the Periodical Press

<i>Contact:</i>	Per Mortensen, President;
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	Greg Stevenson - FIPP information executive
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<i>Topical focus:</i>	Mass media

The International Freedom of Expression eXchange Clearing House

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<i>Topical focus:</i>	Mass media

Self description: IFEX was born in 1992 when many of the world's leading freedom of expression organizations came together in Montreal to discuss how best to further their collective goals. At its core, IFEX is made up of organizations whose members refuse to turn away when those who have the courage to insist upon their fundamental human right to free expression are censored, brutalized or killed. It is comprised of nearly 40 different freedom of expression groups — located everywhere from the Pacific Islands to Europe to West Africa.

The nerve-centre of IFEX is the Clearing House, located in Toronto, Canada and managed by Canadian Journalists for Free Expression.

One of the central components of IFEX is the Action Alert Network (AAN). Member organizations report free expression abuses in their geographic region or area of expertise to the Clearing House which, in turn, circulates this information to other members and interested organizations all over the world. The AAN also provides updates on recent developments in ongoing cases and circulates important freedom of expression press releases. Email: alerts@ifex.org

Independent Journalism Center, Moldova (IJC)

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Self description: The Independent Journalism Centre is an NGO and as a constituent part of the Open World House was opened at start of 1994. The Open World House's goal is to facilitate the transition from a totalitarian regime to a democratic society by providing training and other resources in these areas. The IJC is founded on the principles of a profitable, free and open press. Its intent is to provide professional news-men and women, journalist trainers, and journalism students with media instruction and resource materials; thus contributing to the independence of the media environment in Moldova.

The roots of the IJC lay in the field of media training. The Centre's two primary sources of funding are the Soros Foundation-Moldova and the Eurasia Foundation. It also has received many in-kind and programme-support contributions from other organizations. The IJC is overseeing more than 30 projects for 1995-1996, many planned in co-operation with the Organization of Security and Co-operation in Europe (Warsaw), the European Journalism Network (Prague), the Freedom Forum, the PBN Company (San Francisco and Moscow), Internews (Moscow), Amarc (London) and the Journalists' Union of Moldova.

The IJC hosts a Press Club organized in co-operation with Moldovan Committee for the Freedom of Press. An independent radio station is being established and a television production studio is already functioning. Hopefully these associated training laboratories will be useful for the journalists. The IJC's activity also includes the publication of a weekly information digest for Moldovan journalists and others, as well as a bi-annual research magazine on actual media situation in the country.

The International Press Institute (IPI)

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<i>Topical focus:</i>	Mass media,

Self description: The International Press Institute is a global network of editors, media executives and leading journalists from newspapers, magazines, radio, TV and news agencies in over 100 nations. IPI was founded in New York in 1950 by an international group of editors from 15 countries. Today, the IPI is the world's leading organization for the defence of press freedom. Today's training activities are focused on the countries of the former Soviet Union and Eastern Europe. IPI has brought journalists together and allowed them to learn from one another.

IPI's main office is in Vienna. National committees in several countries and Committees of Experts (e.g. for public broadcasting, private broadcasting, news agencies, etc.) support its work. As an international non-governmental organization, it enjoys consultative status with the UN, UNESCO, the Council of Europe and the OSCE.

Its main objectives are: to defend and promote press freedom; to organize media campaigns against press freedom violations; to publish studies of governmental pressure on the media; to carry out on-the-spot investigations in areas where press freedom appears to be endangered; to promote the free exchange of news and the free flow of information regardless of national boundaries; to ensure the safety of journalists and to allow them to work without interference; to promote co-operation and an exchange of professional experience among its members to improve the practice of journalism.

IPI's activities include: formal protests to governments and organizations restricting the free flow of information; confidential interventions with government leaders against infringements on press freedom; on-the-spot investigation by IPI observers in areas where press freedom appears to be endangered; publication of studies of governmental pressure on the media; regular documentation of any attack on press freedom; conferences, seminars and roundtable meetings on human rights as well as a broad range of political, social and professional issues; publication of the quarterly *IPI Report*, the annual *World Press Freedom Review* and the *Congress Report*; IPI holds a World Congress in a different country each year, thus underlining its global perspective

IREX/ProMedia

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<i>Topical focus:</i>	Independent media, democracy and governance

Self description: The Professional Media Program (ProMedia) exists to support the business and professional development of independent media in Eastern Europe and Eurasia. Funded by USAID and implemented by the International Research & Exchanges Board (IREX),* ProMedia has four main aims in each country where it operates:

1. Improve the business performance of independent media partners
2. Promote constructive change in legal and regulatory regimes impacting free speech
3. Raise the professional (journalism) standards of independent media
4. Strengthen institutional support for free speech through association building among media, the legal community, human rights NGOs, and other activists.

ProMedia project staff include a Director and Deputy Director based in IREX/Washington, along with Programme Officers assigned to each ProMedia country portfolio (Albania, Armenia, Belarus, Bosnia, Bulgaria, Croatia, Romania, Serbia, Ukraine). A Resident Adviser having journalism and/or media management credentials is placed in each country to be the lead designer and manager of assistance to the independent media sector. In this way IREX keeps the programme flexible and demand-driven, tailoring activities in each country under each main aim to meet specific needs. ProMedia also takes a “bottom up” versus “top down” approach in delivering training and technical assistance. Change is not imposed by Washington; rather, initiative from our host media community determines much of how reform of the sector is accomplished. Close collaboration with media partners is also a major factor in the sustainability of ProMedia’s accomplishments.

IREX believes that while there is still a role for workshops and seminars, East Europe and Eurasia are now in a phase of media development that calls for long-term, sustainable partnerships underpinned by a combination of grants (chiefly for equipment), on-site consulting, and institutional support, such as for media defence lawyers’ bars and independent television networks. Above all, IREX wishes to instill trust between East and West in order to transform their mutual commitment to free speech principles into beneficial action.

Other divisions at IREX supporting democratic reform in Eastern Europe and Eurasia are the Partnerships and Training Division, specializing in civil society institution-building; and the Academic Exchanges and Research Division, specializing in promoting civil society through higher education. These Divisions can be reached at irex@irex.org.

Journalist Safety Service

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Media Centre Belgrade

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<i>Topical focus:</i>	Mass media

Self description: Media Centre is a unique institution in Belgrade, founded on 1 July 1994, on the initiative of a group of independent journalists and their associations to soon become a true meeting place for independent journalists and media in Yugoslavia. Media Center enables journalists unobstructed work including the use of the Centre's technical facilities. Foreign journalists are, in addition, offered other professional services – briefings, interviews, meetings with competent personalities, travels in the country, etc. The premises of Media Centre also house the seat of the Independent Journalists Association of Serbia (IJAS). IJAS has been a member of the International Federation of Journalists since October 1994.

Activities of Media Centre include publishing, research and education. Media Centre has a complete data base on all electronic and printed media in Serbia. Researchers of Media Center are about to complete a comprehensive project called Hate Speech which will try to give the answer to the key question of the role and importance of the media in initiating the war in the former Yugoslavia.

Educational activities of Media Centre in 1996 developed through three journalist schools: a school for journalists of printed media, organized with Press Now Amsterdam (June 1996) and two schools for reporters of Yugoslav radio stations,

organized with *BBC* World Training Service, London (June and October 1996).

In co-operation with Article 19 from London Media Center organized two seminars on media in the Balkans. In parallel, Media Center continues to fulfil its main purpose: it remains the centre of communication, information and solidarity of independent journalists, their media and associations.

Medienhilfe Ex-Jugoslawien

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<i>Topical focus:</i>	Mass media

Self description: Medienhilfe Ex-Jugoslawien was founded in December 1992 by a group of journalists and other interested people who were — and still are — committed to the struggle for independent media. All the work is done on a voluntary basis.

Medienhilfe Ex-Jugoslawien financially and materially supports in all parts of former Yugoslavia independent media which contribute to this noble aim. Further we are interested in knowing our own media and how they comment on the war. Medienhilfe Ex-Jugoslawien supports various radio- and TV-stations, newspapers and magazines. We are in close contact with journalists in former Yugoslavia and independent political experts both in Switzerland and abroad. The supported media must be independent from any governmental influence and deny the politics of war and ethnicity.

National Freedom of Information Coalition

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<i>Topical focus:</i>	First Amendment/Freedom of Information

Self description: A loose coalition of (American) state groups who come together to share what's happening in their state and attempt to learn from each other. We would perhaps welcome an international component to our organization in the future.

Norwegian Forum for Freedom of Expression

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<i>Topical focus:</i>	Mass media

Open Society Institute Network Media Program, Soros Foundation

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<i>Topical focus:</i>	Mass media

Self description: The Network Media Program acts as a consultant, resource, liaison and partner for the media programmes of national foundations as well as for other network entities working on media-related projects, and for various organizations working in the media field in Central and Eastern Europe and the former Soviet Union. NMP seeks to bridge information gaps in the media field, boost co-operation among national foundations, as well as between national foundations and other media institutions and donor/partner organizations, works to minimise duplication, foster cost-effectiveness and maximise resources within the network.

NMP activities include assistance to the national foundations in shaping the strategies of their media programmes, finding international partners/donors for their projects. The Program also initiates, facilitates and supports cross-country media-related projects implemented both by the national foundations and/or other organizations. Through its activities NMP offers a possibility of support (by networking independent democratic media in the region) to the media which are working on positioning themselves in the emerging markets.

Primary concern of the Program is assistance in establishment of the environment favourable to the viability and further development of free, independent and responsible media in the region. Working towards this goal, NMP is concentrating on the projects addressing the issues of democratic media legislation, monitoring violations of media freedom, protection of journalists, establishment of media self-regulation systems and strong independent professional organizations, raising professionalism of journalists and media managers.

Press Now

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<i>Topical focus:</i>	Mass media

Self Description: Ever since April 1993 Press Now stands for the independent media in former Yugoslavia. Press Now wants: to inform politicians, press and general public on the subject-matter of media in former Yugoslavia by means of public programmes and campaigns; to raise money and to gather equipment for independent media in former Yugoslavia, and to deliver it to those places where it is needed; to officiate as an information cross-point between the media in ex-Yugoslavia, supporters in the Netherlands and Europe, and the Dutch media; to

bring the media there in touch with the media here, so that the Dutch media can provide a structural support to the related newspapers and broadcasters.

Press Now supports those media in Bosnia-Herzegovina, Kosovo, Croatia, Macedonia, Montenegro, Serbia and Slovenia where it is an established fact: that they are not state-owned; that their editorial policy is not influenced by governmental structures; that they are not connected to any political party; that they do not spread propaganda; that they take a stand against war and ethnic conflicts; that they contribute to a reconstruction of democracy.

Seventeen different newspapers and broadcasters were supported. While in 1994 most help still consisted of emergency aid, more attention was given to structural investments for the independent media in 1995.

The Reporters Committee for Freedom of the Press

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<i>Topical focus:</i>	We deal exclusively with legal issues (as distinguished from journalism ethics) affecting the ability of journalists to gather and disseminate news. We do not deal with labour relations or employer/employee disputes. We do not lobby.

Self description: The Reporters Committee for Freedom of the Press was created in 1970 at a time when the nation's news media faced a wave of government subpoenas asking reporters to name confidential sources. A group of prominent American journalists formed a committee intervening in court cases. In the last two decades, the Committee has played a role in virtually every significant press freedom case that has come before the Supreme Court as well as in hundreds of cases in federal and state courts. The Committee has also emerged as a major national — and international — resource in free speech issues, disseminating information in a variety of forms, including a quarterly legal review, a bi-weekly newsletter, a 24-hour hotline, and various handbooks on media law issues. Academicians, state and federal agencies, and Congress regularly call on the Committee for advice and expertise, and it has become the leading advocate for reporters' interest in cyberspace. Important as these activities are, the Committee's primary mission remains serving working journalists — 2,000 of them every year.

Reporters Sans Frontières (RSF)

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<i>Topical focus:</i>	Mass media

Self description: RSF was founded in June 1985 by Robert Ménard, a journalist with Radio France Hérault to report on disasters that the established media too often ignored. So for four years, from 1985 to 1989, it paid for coverage of wars and countries that had been “forgotten” by the media. The money came from public funds (the Hérault departmental council and the Languedoc-Roussillon regional authority) and from private contributions (sponsorship by companies).

Meanwhile, throughout those years a problem underlying the initiative taken by RSF became steadily more apparent: the difficulties faced by journalists trying to do their work in freedom. The small group supported by local charity gradually grew, broadening its contacts with similar organizations working for freedom of expression. It now has 15 permanent staff, 1,200 members in about 20 countries, 110 correspondents worldwide, six national branches (France, Germany, Spain, Belgium, Sweden and Switzerland) and desks in Istanbul and Washington. It holds consultative status with the Council of Europe, the United Nations Commission on Human Rights and UNESCO.

Its goals are: to help imprisoned journalists; to publicise violations of press freedom; to help media that are victims of repression; to encourage debate on problems connected with press freedom.

Statewatch

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<i>Website:</i>	www.statewatch.org
<i>Topical focus:</i>	The State and civil liberties in the EU

Self description: Statewatch was founded in 1991. It is a non-profit making voluntary group with a network of 34 contributors drawn from 12 European countries. It is now one of the leading sources of information on justice and home affairs in the European Union, the Council of Justice and Home Affairs, the Schengen Agreement, surveillance and civil liberties. In October 1997 the Statewatch European Monitoring & Documentation Centre (SEMDOC) was launched at the UK offices of the European Parliament. Seventy individuals and organizations signed up as supporters – lawyers, MPs, MEPs, researchers, journalists, academics national and community groups from across the EU. In November 1996 Statewatch lodged six complaints with the European Ombudsman concerning access to documents on justice and home affairs against the Council of Ministers. To date the first three complaints have been won. As a result of our complaints the right to put complaints concerning justice and home affairs was written into the Amsterdam Treaty. On 28 April, Statewatch's Editor, Tony Bunyan, was presented with a Freedom Of Information Award 1998 for our work on tackling secrecy in the EU. The prize was presented by the Lord Chancellor, Lord Irvine, a member of the UK Cabinet.

World Association of Community Radio Broadcasters (AMARC)

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<i>Topical focus:</i>	Mass media

Self description: AMARC is an international non-governmental organisation serving the community radio movement. Its goal is to support and contribute to the development of community and participatory radio along the principals of solidarity and international co-operation. AMARC's international secretariat is located in Montreal, Canada. AMARC's regional offices play an essential role providing training and other services and co-ordinating exchange projects. The Latin America office located in Quito, Ecuador, offers on-site courses and evaluation for community radio projects and maintains regular contact with the region's 300 members. A European office has been set up in co-operation with the Community Radio Association in Sheffield, England. One of the office's current projects is Open Channels, an exchange programme between broadcasters of Western, Central and East-

ern regions of Europe. A regional office for Africa was opened in 1996 in Johannesburg, reflecting the growing presence of community radio on the continent.

— **InteRadio** is a magazine dedicated to community radio. Published bi-annually in French, English and Spanish, it features news and analysis on issues of concern to those interested in community radio and the democratization of communications. It is distributed to AMARC members and to a total of 4,000 individuals and organisations around the globe.

— **AMARC-Link** is a newsletter about AMARC's projects and activities. It includes news from the international secretariat, regional offices, the Women's Network, the Solidarity Network and more. AMARC-Link is published every two months in French, English and Spanish and is distributed free to AMARC members.

— AMARC has published a number of studies, conference reports, amides as well as a book featuring the stories of 21 community stations from around the world. Many of AMARC's publications are available in French, English and Spanish.

— **Lobbying:** AMARC represents the community radio sector at certain international forums dealing with issues ranging from the right to communicate to digital audio broadcasting (DAB).

— AMARC's Solidarity Network exists to mobilise the worldwide community radio movement in solidarity with community radio broadcasters whose right to freedom of speech is threatened. The Solidarity Network's Regional and National Coordinators, distribute Radio Action Alerts and overall coordination of the Network is provided by AMARC's secretariat.

— **The women's network:** AMARC's Declaration of Principles makes specific recognition of the "Role of Women in establishing new communication practices". Its objective is to promote exchange and solidarity among women working in alternative radio projects. The Network has published a directory of women working in community radio. The Women's Network has made a project "Starting point", which is a series of radio programmes produced by women on multiple social themes.

— AMARC has established a network of skilled professionals who can provide training and consultation in all aspects of community radio.

— AMARC organises regional and global conferences and seminars on community radio and the democratisation of communication.

World Association of Newspapers

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<i>Topical focus:</i>	Mass media

Self description: Founded in 1948, the World Association of Newspapers (ex-FIEJ) groups 57 newspaper publishers associations in 53 countries, individual newspaper

executives in 90 nations, 17 national and international news agencies, a media foundation and 7 affiliated regional press organizations. In all, the Association represents more than 15,000 publications on the five continents.

The World Association of Newspapers has three major objectives: defending and promoting press freedom and the economic independence of newspapers as an essential condition for that freedom; contributing to the development of newspaper publishing by fostering communications and contacts between newspaper executives from different regions and cultures; promoting co-operation between its member organizations, whether national, regional or worldwide.

In pursuit of these objectives, the World Association of Newspapers notably: represents the newspaper industry in all international discussions on media issues, to defend both press freedom and the professional and business interests of the press; promotes a world-wide exchange of information and ideas on producing better and more profitable newspapers; opposes restrictions of all kinds on the free flow of information, on the circulation of newspapers and on advertising; campaigns vigorously against press freedom violations and obstacles; helps newspapers in developing countries, through training and other co-operation projects; channels legal, material and humanitarian aid to victimized publishers and journalists;

World Press Freedom Committee (WPFC)

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<i>Topical focus:</i>	Mass media

Self description: The WPFC, with 40 affiliated journalistic organizations on six continents, is in the forefront of the struggle for a free press everywhere. It emphasizes monitoring and co-ordination, vigorous advocacy of free-press principles and practical assistance programmes. It is a watchdog for free news media at UNESCO, the UN, OSCE, Council of Europe, European Union, and at human rights and other international meetings considering free-press issues. Its Charter for a Free Press provides guideposts for press freedom wherever these are needed. It has been widely endorsed and is available in seven languages including Russian, Chinese and Arabic. The Fund against Censorship, which WPFC administers in co-operation with other free press groups, extends self-help legal grants to help news media to fight back when governments move in. More than 150 WPFC training and related projects to date include publication of journalism manuals in Africa and in 10 Central and Eastern European languages. The WPFC implements joint activities for a Co-ordinating Committee of major world free-press organizations.

The Authors

Deyan Anastasijevic – 38, a veteran reporter on the Yugoslav wars. Born and raised in Belgrade. Senior journalist in the Serbian independent *Vreme* weekly and a freelance Balkan correspondent for *Time* magazine. He now lives in Vienna.

Katarzyna Cortés – a student of journalism, political science and slavic languages at Ludwig - Maximilians University in Munich. Born in 1970 in Poland. She is currently an intern with the Office of the OSCE Representative on Freedom of the Media.

Freimut Duve – a German politician, human rights activist, writer and journalist was elected the OSCE Representative on Freedom of the Media by the OSCE Ministerial Council in December 1997. Duve was born in 1936 in Würzburg and received his education in Modern History, Sociology, Political Science and English Literature at the University of Hamburg. He worked as an Editor at the Rowohlt publishing house and was a Social-Democratic Member of the Bundestag (German Parliament) from 1980 to 1998, representing his city, Hamburg.

Roy Gutman – a reporter in Washington, won the Pulitzer and other journalism prizes for his reporting on “ethnic cleansing” during the conflict in Bosnia. He co-edited *Crimes of War: What the Public Should Know*, a guide to the conflicts of the 1990s and beyond and to the Geneva Conventions and other instruments of international humanitarian law.

Katharina Hadjidimos – a German-Greek lawyer. She has worked on Greek and Turkish media issues including the co-production of a programme window from September 1998 to February 2000. In autumn 1998, she was an intern in the Office of the OSCE Representative on Freedom of the Media. Her stays and her research in Vienna, in Turkey and in Greece were made possible by the Graduate Program for International Affairs of the Robert Bosch Foundation.

Baton Haxiu – a journalist and author from Prishtina. Born in 1965., works as Editor-in-Chief of the independent newspaper *Koha Ditore*. His book *Kosovo und das Internationale Roulette (Kosovo and international Roulette)* was published 1995 in Prishtina.

Alexander Ivanko – a former Russian journalist who worked for *Izvestia* daily, a leading Moscow newspaper, 1984-1994. From 1994 until 1998 he was posted as the United Nations Spokesman in Bosnia and Herzegovina. Ivanko joined the Office of the OSCE Representative on Freedom of the Media as an Advisor in October 1998.

Ivan Lovrenovic – an author, publisher and columnist. Born in 1943, lives in Sarajevo. From 1993 to 1998 lived in exile in Berlin and Zagreb. Author of a dozen books on Bosnia including two novels. Has also published a number of articles in international newspapers.

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