



LAW watch



Focus on civilian casualties would be "perverse"

FAIR

According to the Washington Post (31 October 2001), CNN Chair Walter Isaacson "has ordered his staff to balance images of civilian devastation in Afghan cities with reminders that the Taliban harbors murderous terrorists, saying it 'seems perverse to focus too much on the casualties or hardship in Afghanistan.'"

Post media reporter Howard Kurtz quotes a memo from Isaacson to CNN's international correspondents: "As we get good reports from Taliban-controlled Afghanistan, we must redouble our efforts to make sure we do not seem to be simply reporting from their vantage or perspective. We must talk about how the Taliban are using civilian shields and how the Taliban have harbored the terrorists responsible for killing close to 5,000 innocent people."

The memo went on to admonish reporters covering civilian deaths not to "forget it is that country's leaders who are responsible for the situation Afghanistan is now in," suggesting that journalists should lay responsibility for civilian casualties at the Taliban's door, not the U.S. military's.

Kurtz also quotes a follow-up memo from Rick Davis, CNN's head of standards and practices that suggested sample language for news anchors:

"We must keep in mind, after seeing reports like this from Taliban-controlled areas, that these U.S. military actions are in response to a terrorist attack that killed close to 5,000 innocent people in the U.S.' or, 'We must keep in mind, after seeing reports like this, that the

Taliban regime in Afghanistan continues to harbor terrorists who have praised the September 11 attacks that killed close to 5,000 innocent people in the U.S.' or 'The Pentagon has repeatedly stressed that it is trying to minimize civilian casualties in Afghanistan, even as the Taliban regime continues to harbor terrorists who are connected to the September 11 attacks

that claimed thousands of innocent lives in the U.S.' " Davis stated that "even though it may start sounding rote, it is important that we make this point each time."

The New York Times reported (01 November 2001) that these policies are already being implemented at CNN, with other networks following a similar, though perhaps not as formalized, strategy. "In the United States," the Times noted, "television images of Afghan bombing victims are fleeting, cushioned between anchors or American officials explaining that such sights are only one side of the story." In other countries, however, "images of wounded Afghan children curled in hospital beds or women rocking in despair over a baby's corpse" are "more frequent and lingering."

When CNN correspondent Nic Robertson reported yesterday from the site of a bombed medical facility in Kandahar, the Times reported, U.S. anchors "added disclaimers aimed at reassuring American viewers that the network was not siding with the enemy." CNN International, however, did not add any such disclaimers.

During its U.S. broadcasts, CNN "quickly switched to the rubble of the World Trade Center" after showing images of the damage in Kandahar, and the anchor "reminded viewers of the deaths of as many as 5,000 people whose 'biggest crime was going to work and getting there on time.'"

If anything in this story is "perverse," it's that one of the world's most powerful news outlets has instructed its journalists not to report Afghan civilian casualties without attempting to justify those deaths. "I want to make sure we're not used as a propaganda platform," Isaacson told the Washington Post. But his memo essentially mandates that pro-U.S. propaganda be included in the news.

Fairness & Accuracy in Reporting (FAIR) is an independent American think tank on media analysis, critiques and news reports.

HUMAN RIGHTS monitor

Female voters in fatwa-plagued villages overruled the edict in the national election 2001

SHAHIDUZZAMAN

AMENA Bibi, 60, had always thought she would never be able to exercise her voting right. However, the October 1 general election proved it wrong. A resident of Berubari Union in Nageswary under Kurigram district, Amena cast her vote for the first time in her life in this election. "I'm glad I could cast my vote. My lifetime dream has come true," she told journalists after casting her vote in Berubari High School polling centre. Amena was not alone. She was among hundreds of women of the neighborhood who could not exercise their franchise in 30 years of the country's independence. This time they could.

The history of keeping women away from election is rooted in a fatwa or religious edict pronounced by a prominent Peer (preacher), Haji Shafayet Ullah, 43 years ago. But this time his fatwa was overruled by his son. A teacher of Shalmara High School, Shafayet Ullah's son along with the Berubari Union Parishad chairman had campaigned in their neighbourhood before the election urging the women to go to polling stations to cast their votes. He also cast his vote along with his wife and other female members of his family. Another woman, Sakina Khatun, 65, of Surat Upazila in Jhenidah district, also cast her vote in the October 1 polls for the first time in her life. Women of 12 villages in the Surat Upazila could not exercise their franchise also because of a religious edict. "It has been 30 years since the country's independence, but we could not participate in any election of the country. Now I really feel that I'm the citizen of an independent country," a smiling Sakina told newsmen after casting her vote. According to Election Commission statistics, around 50,000 female voters in some remote villages of the country could not cast their votes since the 1960s due to fatwa or religious edicts. But this time fatwa did not work. The Election Commission took the issue seriously following press reports ahead of the election and made all necessary arrangement so that the female voters in those villages could exercise their franchise. Women came to polling stations spontaneously and cast their votes in a festive mood.

The fatwa-hit areas are Pangashia in Madaripur district, Magar union in Jhalakati, Chandadigalia Union in Gopalganj, Surat Union in Jhenidah, Syanai and Durgapur unions in Noakhali, Berubari Union in Kurigram, Mahamaya Union in Feni, Bamoni Union in Laxmipur districts. The fatwas pronounced by peers (preachers) and village headmen against voting by women were of different types, such as, women are friends of devils and they are prone to slip into impious works. Therefore, they should not cast votes. If they try to vote Allah will be unhappy and they will never be able to go to the heaven. Instead, they will be destined to hell. Some incidents that had prompted the religious leaders to pronounce fatwa against voting by women on various occasions:

In 1963 during a Union Council election at Chandradigalia union in Gopalganj, a female voter was abused by a member of law-enforcement agency, triggering a widespread violence in the neighbourhood that left a man dead. After that, the religious leaders and village headmen of the area imposed a restriction on voting by women. In the early 1950s on a rainy day, a number of female voters were abused while many others went missing when they came out of their houses at Kalikaranpur under Surat Union

of Jhenidah to cast their votes in a union council election. Since then, women were prevented by Muslim clerics of the areas from casting votes in any election.

However, the success in bringing out women in their thousands to exercise their franchise in the Oct 1 election did not come overnight. It was the outcome of a long struggle by progressive political parties, NGO leaders, cultural activists and civil society members. Their tremendous campaigns made Chief Election Commissioner M A Syed aware of the fact that thousands of women in the countryside were being deprived of exercising their voting rights due to fatwa.

Well before the election, the Chief Election Commissioner had



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issued a no'tice to all Deputy Commissioners (DCs) of the country to take necessary steps so that 53,000 female voters in 10 different unions of nine districts could cast their votes in the 8th national parliament election. The Chief Election Commissioner also issued strong warning of legal action against those who would try to prevent the female voters from going to polling stations.

To encourage the female voters to cast their votes, district administrations had launched vigorous campaign at the grass-roots-level and held discussion meetings with officials, UP chairmen and members, local leaders and teachers. Hundreds of NGO

workers supplemented the government efforts by carrying out campaigns in rural areas. Ultimately, the enthusiasm the female voters showed in this election was unprecedented. Their turnout almost reached the level of previous two national elections held under caretaker administrations: one in 1991 and another in 1996. Out of the country's 130 million people, more than 75 million were voters and of them, some 75 per cent cast their votes. The number of female voters was 30.64 million and of them over 70 per cent cast their votes in the Oct 1 national election.

Comparison of this year's voters' turnout with the previous elections: 1973 - 54.91 per cent, 1979 - 50.94 per cent, 1986 - 61.7 per cent, 1988 - 57.90 per cent, 1996 (Feb 15) - 20.97 per cent, 1996 (June 12) - 74.96 per cent.

According to many election observers, the voters' turnout in this election would have been higher if all women minority voters could cast their votes. They said many minority women could not come to polling stations due to intimidation. The fact that drew the attention of international observers is that two women, Sheikh Hasina and Begum Khaleda Zia, have been at the helms of two parties: Awami League and BNP respectively. Both of them were premiers in the past and of them, Begum Khaleda Zia has again become Prime Minister for the third time.

Some 300,000 election observers, including 300 foreign ones, monitored the election. After the election, they said the election was held in a free and peaceful manner. But they also pointed out some irregularities, especially attacks on women and violence in many parts of the country. Tony Reis, Coordinator of the United Nations Electoral Assistance Secretariat, in a post-poll press briefing said, "some sporadic incidents of violence and irregularities during voting were observed on the election day, but the polling was by and large free, fair, peaceful and orderly."

Main opposition leader and Awami League president Sheikh Hasina, who rejected the election results as rigged, appears to take oath along with her elected MPs. She also alleged that the minority people, including women, could not cast their votes properly due to threat.

Another remarkable thing is that political parties nominated more women candidates in this election. A total of 37 women contested the election from 42 constituencies out of 299. In the 1996 election, 36 women were in the election race.

After the fall of autocratic government of General Ershad amid a mass upsurge in Dec 1990, Bangladesh emerged as a new democratic nation in the world holding a free and fair election under a caretaker administration in 1991. With this election the country has stepped into second decade of its parliamentary democracy.

Since 1991, elected governments have taken a number of steps for the empowerment of women. In 1997, the then Awami League government made a constitutional arrangement for women to directly contest union council election at the grassroots level.

Most encouraging is that Bangladesh High Court in its New Year's Day verdict last year ruled that any unauthorised fatwa or legal opinion not given by a court is illegal. Now the wind of change is blowing across Bangladesh.

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RIGHTS corner



Big news for a dogged freedom

MARTIN SALDAMANDO

A remarkable event occurred on the evening of the 20th of January 2001, as the warm evening sun descended on the city of Dubai in the United Arab Emirates (UAE). Big news was declared by the Crown Prince to coincide with the launch of his newest project, the vaunted free zone for the new economy the 'Dubai Media City'. At the formal gathering of officials and honored guests, the Crown Prince proclaimed his formal agreement to allow freedom for the press and media in Dubai. Having such freedom suddenly guaranteed was remarkable, as before this, open and uninhibited debate in the media on any issue was not sanctioned by any of the local governments making up the UAE. Indeed governments across the Arab world routinely control what issues are reported and clamp down when critical comment is voiced. This bold precedent heralded a new beginning in the Arabian Gulf. Following the announcement in Dubai, an oasis has appeared for the mass media. While Arabic-language publishers and media professionals are called here from far and near to quench their decades-long thirst for freedom, caution is still the order of the day, lest it turn out to be just another mirage on the edge of the blistering sands.

The Dubai Media City and the UAE context

The UAE Constitution guarantees "freedom of opinion and expressing it verbally, in writing or by other means" in Article 30. Although guaranteed in the Constitution, the UAE Criminal Code in its current form does not allow the press to comment on certain issues. It remains to be seen whether or not, once media companies in the new free zone start to take off, the freedom promised them by the Crown Prince will have any effect on the host country that nurtures them.

The reality, as understood and practiced by editors and journalists in the UAE and other Gulf countries, is to stay within boundaries and respect certain limits, which are crossed at one's own risk. A 1988 law requires that all publications be licensed with the Ministry of Education and delineates acceptable subjects of reporting. Journalists censor themselves on sensitive subjects such as the ruling family, Islam, and national security. The print media are largely privately owned but receive government subsidies. Foreign publications are censored before distribution, and broadcast media are by and large government-owned and present only government views.

However, the subject of transparency has rapidly become much more complex and controversial in the wake of the virtual revolution in information technology, which has made access to a whole range of issues easy, quick and relatively cheap. But the real impetus for progress is the big business to be had in media business. Dubai Media City (DMC), with its ultra high-tech and modern infrastructure, streamlined licensing formalities and tax-free business environment, is poised to attract local and international players in publishing and broadcasting. The idea is to develop DMC into a vibrant community of media production companies.

It is firmly hoped that it will attract the Middle Eastern, Arabic-language broadcasters who fled to the West in search of more freedom, to return with confidence and broadcast from Dubai. DMC has the chance to take advantage of the massive opportunities and challenges this region and its market brings. But none of it would ever happen without openness, and the Crown Prince knew that a very high-profile step was needed to attract the media to Dubai.

The event in Dubai is a prime example of how democratic change in our world is being shaped and lead by the technological progress of the new economy. Transparency and accountability, two important tenets of democracy, are as alien to this part of the

Out of the troubled Middle East, a spotlight has been focused on Al-Jazeera television, which has risen to worldwide prominence as a global media player. The station has materialized like a bolt of lightning, duty-bound to report the news to the Arabic-speaking audience in the region and across the world. The station was born only five years ago, and quickly filled the gap keenly felt by media watchers in the region for a freer type of media, one that speaks to the Arab world, and in its own language. It is a spectacular example of how quickly things are changing for press freedom in the Arabian Gulf.

world as communication technology was, once upon a time.

Despite this well choreographed event in Dubai, all efforts to promote press freedom in the region are being countered in many parts of the Arab world by threats, government intimidation and other attacks on editors and journalists.

The situation in Middle East

In Saudi Arabia, press freedom is severely restricted by prohibitions on criticism of the government, Islam, and the ruling family. The information minister must approve and may remove all editors-in-chief. The entry of foreign journalists into the kingdom is tightly restricted, and foreign media are heavily censored. In Bahrain, although a new emir assumed power, freedom of the press remains sharply curtailed. Radio and television are owned by the government and carry only official propaganda. Privately owned newspapers do not criticize the regime. A German Press Agency correspondent was recently expelled for allegedly discrediting the royal family. The reporter had described clashes between protesters and armed security guards.

In Kuwait, criticism of the government in the press is slowly increasing with some clear restrictions still in force. However, newspapers, which are privately owned, frequently criticize officials and their policies.

In Qatar, social and political pressures in this traditional society remain, and self-censorship continues. Recently, the editor-in-chief of Qatar's top newspaper was attacked in his office by three armed men after he wrote an editorial criticizing the minis-

ter of energy, electricity and water for plans to impose taxes on water and power supplies. Police apprehended the men, but no charges were brought against them. Qatar's state-run television, radio, and newspapers almost invariably avoid taboo subjects such as Islam and the royal family, but last year took the unprecedented step of criticizing state funding of the royal family.

Despite this, the best progress for press freedom in the region has been in the private sector in Qatar. In keeping with the slow move toward democratizing Qatar's political system, the media have been freed of government interference. The ministry of information was abolished in 1997, thus ending strict controls on the production and distribution of news. The satellite television

The exception: Al-Jazeera Television

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The high-tech challenge to traditional censorship is beginning to impact these tightly controlled societies. How exactly will the old ways of dealing with journalists be changed? Who will begin the process of reforming old laws, and how?

The initiative of the Federal National Council (FNC)

In the UAE, a flurry of activity and discussion was sparked by Sheikh Mohammed's planned announcement. The press got its

first signs that big news was coming ten days before the launch of Dubai Media City. In the capital, Abu Dhabi, a meeting of the Federal National Council (FNC) was called to discuss greater freedom for the press.

The FNC is a single (unicameral) council of 40 members appointed by the rulers of the separate Emirates to serve two-year terms. The FNC reviews legislation, but cannot change or veto laws. The word had reached the federal government in the capital that an imminent announcement by Dubai's Crown Prince was only a few days away, and it seemed to catch the Ministry completely unprepared. The policy presented by the Minister of Information and Culture to the Council was characterized by inconsistency, backtracking and confusing contradictions in policy.

During the controversial debate, the Minister of Information and Culture Shaikh Abdullah bin Zayed Al Nahyan, firmly rejected the practice of imprisoning any journalists in cases related to freedom of expression and voicing of opinions. He pointed out that rather than jail, fines could be imposed should journalists be found guilty of slander or libel. He agreed that a review is drastically needed of the UAE press and media laws in order to guarantee more freedom for journalists, among them the Criminal Code, which includes criminal punishments for journalists and writers who raise a spotlight on issues of public interest.

In a bizarre twist, the Minister said that media institutions were established in the country with an understanding between them and the Ministry regarding national interests. Then he denied that the Ministry had ever prevented any journalists from publishing articles on certain issues in the local press, and stressed that all writers were free to express their opinions in newspapers or through television channels.

The FNC members generally expressed deep reservations about what kinds of content the media companies setting up in the trade free zones like the Media City would be producing. Some said that the content might erode the national culture and morals. Such nervousness is understandable, as the individual Emirates establish the free zones, and the federal government has no authority or control over their activities. The Minister, however, made it clear that publications and programs produced in the DMC would be produced solely for export, and would be subject to strict censorship by the ministry before being approved for local consumption in the UAE. There is a very strict censorship policy on movies, television and the Internet in the UAE. But in this age of ground-breaking technological advancement, it is impossible to block everything, and as the Minister himself admitted, "We put a proxy on the Internet to keep out pornography and hate sites, but it is easy to get around that."

The power of the pen is certainly uplifted by Sheikh Mohammed's gracious gesture in Dubai, and press freedom in the Gulf countries has now indeed found a great defender. Ironically, however, this is one case where actions will speak louder.

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