

The crisis of professional responsibility in Iraqi journalism: avoiding incitement to violence and armed conflict

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Abstract

This article proposes that the current journalistic challenges in Iraq necessitate, inter alia, a commitment by journalists to their professional responsibility, since this will guarantee the avoidance of the danger of sliding into the implications that usually result from armed sectarian conflicts. This responsibility should be exercised to assist the victims and promote a spirit of tolerance and reconciliation through the principles of professional ethics based on balance, equity, accuracy and objectivity. It might not be possible to achieve this without a code, agreed upon by all, which persons working in the journalistic profession would apply in a manner consistent with the fundamental principles of professional journalism, which require emotional detachment when formulating the content of news reports. The author proposes a preliminary theory or vision that could be modified or discussed in order to achieve this purpose in a country that is suffering, and will continue to suffer, from merciless bloodshed.

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The political earthquake that struck Iraq on 9 April 2003 entailed dramatic developments at all levels, and the implications of the invasion of Iraq cast a shadow on the journalism and media sector in the same way as its direct and

indirect consequences affected all sections of the people. These included those working in the field of journalism and public information who became part of the driftwood resulting from the dissolution of their institutions, reducing a large number of their families to a life of vagrancy, at least for a few months.

While acts of theft, pillage and arson at government and non-government buildings were rampant, journalists could only observe their own and their country's cultural heritage being subjected to a deliberate assault designed, *inter alia*, to obliterate Iraqi social identity and replace it with sectarian and vindictive masks that engendered unprecedented violence and vendettas that have been characterized as “imported”.¹

In the midst of political chaos and administrative anarchy, new trends and concepts were born and proliferated under the cover of parties and associations that rapidly permeated the country, using the media to promote their ideas and programmes and broaden the scope of their activities in the new environment. Some sources estimated that about seventy political parties with differing ideologies and philosophies became active after the fall of the regime of Saddam Hussein,² and most of them were said to have been established on a sectarian or ethnic basis and to have rapidly acquired their own armed militias. As the rule of force, rather than law, prevailed in the midst of chaos, hundreds of journalists fell victim to acts of aggression that gave a clear illustration of the international networks that take shape when the forces of local militants and other groups unite, in spite of their totally differing interests,³ agreeing on the single non-humanitarian principle of revenge and unfair retaliation against the proponents of free speech, not for any crime that they have committed but solely for being apostles bearing on their shoulders the crosses of truth – that truth of which Almighty God said in the Holy Qur'an “and most of them hate the truth”.⁴ As a result of increasing regional involvement in Iraqi affairs, according to official statistics the escalating spiral of violence led to the death of up to 650,000 Iraqis.⁵ Competition among political movements and forces for a share of the “Iraqi cake” does not seem to have ended and may continue for years. Herein lies the disaster.

The crisis of journalistic professional responsibility constitutes one facet, and even a front-line bulwark, of this struggle in which concerted efforts must be

1 Iraqi politicians often use this term in order to emphasize involvement by the intelligence services of neighbouring States in the country's public affairs.

2 *Al-Zaman*, no. 1608, 13 September 2003.

3 Toni Pfanner, “Asymmetrical warfare from the perspective of humanitarian law and humanitarian action”, *Selections from the International Review of the Red Cross 2005*, Cairo, 2006, p. 73.

4 Holy Qur'an, verse 70 of the chapter entitled “The believers”.

5 One study put the number of Iraqi civilians killed at more than 655,000, including 1,640 killed in June 2007, according to the Associated Press Agency. According to US army estimates, the number of Iraqi civilians killed since the beginning of the military intervention in Iraq exceeded 66,000. The victims of sectarian violence and the number of corpses found since the security plan was put into effect in Baghdad in mid-February 2007 amounted to more than 531 in June, 747 in May and 439 in April. The number of academics assassinated in Iraq amounted to 326. The number of internally displaced persons and refugees inside Iraq amounted to about 2 million by 5 June of the same year, while the number of migrants outside Iraq increased from about half a million before the war to more than 2 million after the war. *Al-Mashriq*, Baghdad, no. 1009, 8 July 2007.

made to find solutions and assist journalists in order to prevent them from being involved in any way in its escalation or from being used in any settling of accounts in Iraq. To this end, this article will endeavour, through three factual studies, to propose a theoretical or draft code that would enable everyone working in the journalistic profession to overcome the difficulties and avoid falling into the dangers or pitfalls of the armed struggle currently taking place in Iraq. The first part takes a look at the first stage of the journalistic trends struggling for truth after April 2003, when the shackles of restrictions were removed, leaving free scope for unregulated publication. The second part deals with the crisis of professional responsibility and the consequent violation of public and personal freedoms, with examples of the manner in which some journalists showed little regard for professional traditions and codes of honour.⁶ The third part provides an overview of elements of a draft code which aims at promoting professional responsibility in the light of the challenges facing an independent press in Iraq, and at preventing persons working in all the information media from falling into the danger of involvement in incitement to violence and armed conflict.

The Iraqi press: from cloister to chaos

The political circumstances ensuing after the overthrow of the regime on 9 April 2003 had a distinctive influence on the Iraqi press, insofar as journalism entered a phase of unprecedented chaos. After decades of state-controlled information, which excluded any form of competition from the private sector or political parties, and after strict censorship and full government ownership of the audio-visual media institutions, journalism was unleashed and burst out of its fetters in a manner that can be illustrated by the following.

1. There was a horizontal and vertical proliferation of all types of publications. Individuals and groups began to publish, taking advantage of the absence of rules and laws which should have regulated or helped to regulate the mechanisms of this industry aiming to influence public opinion. According to conflicting statistics, the number of publications issued in the wake of the invasion of Iraq amounted to about 200 newspapers and magazines⁷ distributed in the capital Baghdad and in most of Iraq's governorates, especially those such as Basra, Mosul and Najaf, that had printing presses.

6 The implications of this can be found in the report on press freedoms in the Arab World for the year 2006, prepared by the Standing Committee on Freedoms of the Federation of Arab Journalists, Cairo. Iraq ranked highest in regard to infringements of standards of freedom (p. 19).

7 Some sources indicate that the number of newspapers published in post-war Iraq amounted to about 180–200 during the first six months, 235 after one year and 346 after two years, some being published daily and others semi-weekly, weekly, bi-monthly or monthly. Other sources affirm that about 700 newspapers were published in all the Iraqi governorates. I have reservations concerning the exaggerated nature of the latter figure since, during that chaotic period, I was monitoring their publication on a daily basis in my capacity as editor-in-chief of the Iraqi edition of *Al-Zaman* newspaper.

2. Following the dissolution of the Ministry of Information and its institutions, there were numerous bodies supervising the constitutional legitimacy of the Iraqi press and its compliance with internationally recognized standards. On 23 April 2003 Paul Bremer, the Civil Administrator of Iraq, issued a decree dissolving that ministry, dismissing its staff and closing down all the newspapers that had been published under the previous regime. He also issued new instructions prohibiting all the media institutions in Iraq from inciting violence, promoting ethnic or religious hatred or publishing false information designed to promote resistance to the Coalition Authority forces.⁸

The chaos deepened during the first months of this phase, due to the absence of legislation regulating the activities of the press and the decline in the role of effective trade union and professional organizations capable of performing their task of regulating journalistic work, clearly defining the rules of the profession and protecting the rights of journalists. Following the dissolution of their institutions, thousands of Iraqi journalists found themselves in the street, unemployed and anxious about their uncertain future, in spite of the initiatives taken by some independent publications such as *Al-Zaman International*,⁹ which was the first newspaper to publish a Basra edition, and subsequently a Baghdad edition, a few days after the change that struck Iraq. It recruited numerous former journalists without regard for their earlier links or affiliations, making their appointment at its offices in Iraq conditional solely on their observance of professional standards.

After the formation of the Interim Governing Council, it assumed formal responsibility for supervising all the media, although direct supervision was exercised by the Coalition Authority, which adopted a fairly harsh attitude towards some newspapers, particularly by closing the *Al-Hawza* newspaper, the mouth-piece of the Sadrist movement, thereby provoking a crisis that led to bloodshed in Najaf, where the government of Iyad Allawi used military force to impose its authority in that city. The Coalition Authority had previously been instrumental in the closure of the *Al-Sa'a* newspaper, published by the Islamic proselytizer Ahmad Al-Kubaisi.¹⁰

During the first six months after the fall of the regime, there was a proliferation in all forms of the information media. Their diversity and horizontal multiplication led to their infiltration by hundreds of self-styled journalists and

8 Washington Post wire service, *Al-Sharq al-Awsat*, 20 August 2003.

9 An international Arab political daily newspaper first published in London on 10 April 1997 with Saad Al-Bazzaz, a well-known journalist, as its editor-in-chief. It published a Basra edition on 9 April 2003, followed by a Baghdad edition on 29 April 2003, and it has been reported that these are currently being amalgamated into a single edition called the Iraqi edition.

10 An Islamic proselytizer who, after April 2003, founded the Unified National Movement and published a newspaper licensed by the Coalition Authority on 12 June 2003. He was obliged to close it as a result of the deteriorating security situation and left Iraq to take up residence in Dubai in the United Arab Emirates. Some of its staff began to publish a newspaper bearing the same name, which prompted Al-Kubaisi to issue a statement declaring that he had terminated his association with them and accusing them of tampering with the publication and bringing the movement and its leader into disrepute.

persons seeking employment opportunities.¹¹ This process was furthered by the manner in which the propaganda offices of the US forces and Bremer's Authority encouraged semi-talented persons to seek employment in the CPIC (Combined Press Information Center) office, based in the conference centre. It was responsible for organizing press conferences in which US field commanders, officials and diplomats could present their views in a largely theatrical setting. Other journalists were motivated to participate in these theatricals either in order to earn a living or because of financial or other inducements of which they were in dire need. The US press revealed the methods of dissemination of the news reports and articles that the US army prepared for publication in some local Iraqi newspapers in return for cash handouts or as paid advertisements.¹² Such a situation obviously led to a proliferation of individuals, companies and institutions providing information services. The absence of stable forms of ownership in accordance with rules and regulations approved by constitutional authorities naturally gave rise to the establishment of information media that were linked, in various degrees, to bodies that could provide the financial support needed to ensure their survival. As expected, they exceeded the number of the independent media, which are dependent on remuneration for their services and/or advertisements and, due to the unstable security situation, placed in an untenable position.¹³ Some Iraqi press publications disregard their professional responsibilities, lack professional skill and awareness of the needs of the democratization project, and face a number of problems:

1. The emergence of new political systems, concepts and visions with newfangled communication functions that are unfamiliar in a society that has only recently been opened up to communication space and freedom of expression (Iraq was previously a village totally isolated from the world, without satellite dishes, the Internet or mobile telephone services).¹⁴
2. The emergence of a foreign media force of a local nature that has infiltrated, and is exercising hegemony over, non-government institutions and organizations and actively influencing some spheres of public opinion.¹⁵ This force might be responsible for the myth-making press coverage of Iraqi affairs by persons working for international media.¹⁶

11 In his book *The Ethics and Deontology of Journalism*, Marc-François Bernier distinguished between journalists and other persons working in the field of communication. See the book review in the Baghdad newspaper *Al-Mu'tamar*, no. 925, 21 September 2005.

12 *Agence France-Presse*, 3 December 2005.

13 Iraqi Media Development Paper, presented by the League of Arab States to the International Conference on Freedom of Expression and Media Development in Iraq, organized by the Communications and Media Commission and held in Paris on 8–10 January 2007.

14 Nouri al-Maliki, address delivered at the meeting of representatives of ministerial information offices, *Al-Sabah* newspaper, Baghdad, no. 1122, 26 May 2007.

15 For further details see Sabah Yasin, *The Media as a System of Values and Potent Hegemony*, Centre for Arab Unity Studies, Beirut, 2006.

16 Dante Chinni, "The Iraq war and myth-making media coverage", *Al-Mu'tamar*, no. 1360, 5 June 2007.

3. The close involvement of all the media in the ideological conflicts of political movements. This takes the form of an open information war¹⁷ waged between opposing media without regard for professional principles or procedures that should be observed in any attempt to influence public opinion. As John Stuart Mill aptly noted, political life cannot be conducted on a sound basis unless two opposing elements combine: the element of maintenance of order and the element of progress and reform. Competition between these two elements is the best guarantee of the preservation of what is useful in the existing system and the introduction of the means of continuous progress required for inevitable reform.¹⁸ Most of the Iraqi media have become involved in the broad function of tampering with, or deliberately influencing, the political process¹⁹ at the expense of their traditional functions (monitoring the external environment, commenting on events and engaging in the task of political education).²⁰

The origins of the professional responsibility of the Iraqi press

Having become aware of the proliferation of undesirable, inexperienced and unethical elements, journalists have frequently sought to protect their profession by what they regard as legitimate means in order to halt the further infiltration of freeloaders whose continued presence discredits the profession and prevents it from playing its proper role. The codes of practice, which have come to be known as media ethics, constitute the principal legal instruments, formulated at the request of journalists and other persons concerned with the profession, which have been publicized as agreed practical guidelines designed to deter those who regard journalism merely as an activity conducive to the furtherance of their own interests by hoodwinking or misleading the public or achieving benefits for their employers. Rulers and persons in quest of prestige and power sought to win fame through the press, and budding autocrats attempted to convert journalism from its nature as a force for freedom into an influential servant, while various groups, parties and social organizations tried to establish, or enter into association with, media instruments in order to further their own ends.

The concept of professional responsibility

The journalistic profession, like other professions that preceded the rise of journalism or the invention of printing,²¹ has codes and rules of conduct

17 Jayan Al-Urayyid, "The Iraqi information media and their effect in bringing about change after 2003", *Thaqafatuna*, 3rd edn, Iraqi Ministry of Culture, Baghdad, 2007, p. 10.

18 Abdul Fattah Ibrahim, *Freedom of Opinion and Thought*, compiled and published by Shihab Ahmad Al-Hamid, Al-Asr al-Hadith, Baghdad, 2004, p. 106.

19 Doris A. Garber, "Media and American politics", *Washington Congressional Quarterly Press*, 2nd edn, 1984, p.5.

20 Aziz Al-Sayyid Jassim, *Principles of Journalism in a Changing World*, Dar Afaq Arabiyya, Baghdad, 1985, p. 7.

21 For further information on journalism prior to the invention of printing, see Abdul Salam Ahmad et al., *The History of Journalism in Iraq*, Faculty of Information, Dara Agency, Baghdad, 2002, pp. 10, 14.

regulating relations between its practitioners, between them and the public, and between them and the society to which they belong. These codes and standard principles of conduct might be universally recognized or they might be principles and standards set by the profession's trade union organization.²² The Hippocratic oath can be said to be the first code of ethics to save the life of another human being by regulating the profession of medical practitioners and surgeons.²³

Samia Muhammad Jabir defines professional values or media ethics as a term referring to the clear principles of professional conduct in media institutions, as well as the most effective and appropriate approaches and procedures in working methods. Professional values are exemplified by commitment to objectivity in the presentation of news, the technological medium most appropriate to the performance of communication assignments of a special nature and the setting of good standards for televised serials.²⁴

As far as journalism is concerned, media specialists and sociologists have defined basic ethics and values for journalistic activity which constitute ethical codes and standards of conduct stemming from the profession itself. Success in professional activity requires commitment by the practitioner to this explicitly agreed ethical code or professional constitution.²⁵

Persons working in this field need to comply with a code of journalistic honour or ethics not only for their activities but also for their professional conduct. It is the conduct of the person exercising the profession that allows journalism to play its role successfully in social change. Professional considerations are an important element that ensures cohesion among journalists employed by the mass media, and all the staff of a newspaper must meet the basic conditions in accordance with the nature of their journalistic work. If persons merely seek to earn a living or benefit from the fruits of journalism, the inevitable result is a decline in the quality of journalistic work, the spread of corruption and loss of the traditions needed to develop an influential newspaper.²⁶ This issue requires additional endeavours in the wake of the political changes that occurred in Iraq after 9 April 2003, in keeping with the promotion of democracy that has become even more important after a historic interregnum. In the opinion of Abdul Sattar Jawad, Iraq had always been a democratic country, otherwise Hammurabi would never have promulgated his code regulating human relations. Today, we need a more profound joint concept of democracy.

22 Muhammad Al-Bawi, "The pedagogical framework of the question of professional ethics in the mass communication media", *Egyptian Media Research Magazine*, Cairo University, 1st edn, 1997, p. 208.

23 The Hippocratic oath requires the practitioner to provide humanitarian care, speak truthfully, maintain confidentiality and refrain from deceiving the patient.

24 Samia Muhammad Jabir, *Mass Communication and the Modern Society*, Dar al-Ma'rifa al-Jamahiriyya, Alexandria, 1984, p. 275.

25 Muhammad Sayyid Fahmi, *Information from the Social Perspective*, Dar al-Ma'arif, Alexandria, 1984, p. 82.

26 Jassim, above note 20, p. 12.

*Freedom of expression or freedom of practice?*²⁷

The journalistic profession and the ethics of its practitioners are obviously affected by occurrences and their consequences, which might induce journalists to adopt reprehensible practices. It is the journalist who embodies the mission and responsibilities of his newspaper through his intelligence, his efforts and his contacts, as a result of which some journalists believe that there is an organic linkage between the changing circumstances of a journalist and those of the newspaper for which he works.²⁸

Unlike other professions, journalism has a special characteristic insofar as it addresses all levels of intelligence. The printed word has an influence and a fascination of its own and the journalistic profession, in particular, performs a significant social service. Its principal prerequisites and particularities are as follows:²⁹

1. It should encompass social objectives and derive its legitimacy from the people's awareness of the need for a specific activity to be undertaken to satisfy their needs.
2. It should be based on a scientific method that keeps pace with developments.
3. It should be based on facts.
4. The profession should be exercised by competent and capable specialists.
5. Its professional activities should be regulated by ethics and values.
6. The journalistic profession should be recognized as a partner sharing the responsibilities of members of society.

Although schools of thought and concepts concerning journalism and its various functions differ from place to place depending on the political system and the degree of cultural advancement,³⁰ its codes and rules throughout the world share general ethical principles, which have been designated as the five spheres of ethical variables,³¹ within the bounds of which journalists operate. Ethics constitute an important component of the concept of education and thereby acquire an additional social dimension. Anyone who controls the press has significant control over public opinion in society. Journalists often describe themselves as public guardians protecting the masses from any abuse of power.³² In this sense, journalism is a vocation rather than a profession. Journalism has always formed part of the state's political struggle while at the same time being an

27 "Iraqi democratic practice", seminar organized by the Al-Bazzaz Centre for Culture and Opinion, Baghdad, 2004, p. 11. For further information on this subject, see Khairuddin Haseeb, *The Future of Iraq, Occupation, Resistance, Freedom and Democracy*, Centre for Arab Unity Studies, Beirut, 2004, p. 209 et seq.

28 Thomas Berry, *Journalism Today*, trans. Marwan Al-Jabiri, Badran Foundation, Beirut, 1964, p. 20.

29 Fahmi, above note 25, p. 82.

30 In this connection see Farouq Abu Zaid, *Introduction to the Art of Journalism*, Alam al-Kutub, Cairo, 1998, p. 6.

31 Al-Bawi, above note 22, p. 218.

32 Michael Haralambos, *New Trends in Sociology*, trans. Ihsan Muhammad Al-Hassan et al., Beit al-Hikma, Baghdad, 2001, p. 542.

important instrument for the social development of all nations, a national cultural yardstick and a mirror of national activity in all fields.³³

Sources of the professional responsibility of the Iraqi press

The sources of journalistic responsibility in Iraq can be found in two main categories:

1. Penal legislation under which journalists or their institutions can be punished for violating the regulations governing the publication of printed matter. The principal legislative instrument in this regard is the Iraqi Penal Code, Act No. 111 of 1969, which stipulates that a journalist bears criminal liability for any violation of the provisions of the Press Law or the laws regulating governmental institutions.

We are obliged to disregard this type of legislation which is no longer in force following the promulgation by Paul Bremer, the US Civil Administrator in Iraq, of a special law stipulating that publication-related complaints could no longer be heard by the courts without his permission.³⁴

2. Codes of honour of the journalistic profession, constituting a consensus of journalists represented by their local and national organizations. In this context, the Statutes of the Union of Iraqi Journalists, Act No. 178 of 1969, as amended in 1972, contain an article specifying the profession's ethical principles. The Code of Practice for Arab Journalists and the Statutes of the Cairo-based Federation of Arab Journalists³⁵ also contain other basic principles.³⁶

The above do not significantly supplement or contradict the content of Article (b) of the set of principles contained in the Statutes of the Federation of Arab Journalists adopted on 21 February 1969.³⁷ It is noteworthy that neither these Statutes nor the Code of Practice for Journalists adopted at the Baghdad meeting in 1972 make provision for specific penalties, unlike the Statutes of the Union of Iraqi Journalists, which empowered the Union's disciplinary board to impose

33 Abdul Latif Hamza, *The Crisis of Journalistic Conscience*, Dar al-Fikr al-Arabi, Cairo, 1960, p. 24.

34 See the Statutes of the Union of Iraqi Journalists, typewritten and preserved in the Union's archives. They can be found in Wail Izzat Al-Bakri, *Development of the Press Regulations in Iraq 1958–1980*, Dar al-Shu'un al-Thaqafiyya, Baghdad, 1994, p. 259.

35 The Code of Practice for Arab Journalists was adopted by the Third Conference of the Federation of Arab Journalists held in Baghdad on 17–25 April 1972. *Press Freedoms*, 1981, p. 107.

36 According to Article 25 of the Statutes of the Union of Iraqi Journalists, above note 34, it is forbidden for journalists to (1) use any method or means to gain illicit profit; (2) bring the journalistic profession into disrepute or breach its confidentiality; (3) defame members of the journalistic profession; (4) threaten citizens by any journalistic method or means; (5) make statements or allusions likely to assist a hostile body; (6) undermine confidence in the country (this is a flexible concept that might mean causing alarm or reporting examples of governmental repression); (7) exploit the information media to defame, denounce or accuse citizens; (8) privately exploit written or graphic means of expression for personal benefit; (9) provoke public disorder; (10) violate personal or public freedoms; (11) mislead the public with incorrect information; (12) publish unconfirmed reports; (13) favour one party in legal proceedings in which an official judgment has not been handed down; (14) publish false information or statements; and (15) cite any work by a third party without mentioning the latter's name.

37 Salih Khalil Abu Isba, *Communication and the Media in Contemporary Societies*, Aram Research, Distribution and Publishing House, Amman, 1995, p. 265.

penalties including reprimands, warnings and suspension from work. However, the above-mentioned Code of Practice linked the journalist's freedom to his responsibility in keeping with the Federation's motto "Freedom and Responsibility".

Wilbur Schramm has already written that, if society stipulates that persons looking after its affairs in the medical and legal fields should obtain professional training and abide by professional rules, its indulgence towards persons who, by publishing information, are consequently responsible for society's knowledge and opinions is one of the greatest and most dangerous acts characterizing the twentieth century.³⁸

Until the beginning of the twentieth century, specialization in journalism was an obscure and undefined concept and the profession was open to politicians, artists, persons without a profession or seeking employment and anyone else who wished to enter it. Many owed their celebrity in journalism and politics to the newspapers that they published.

The first sign of a feeling of journalistic responsibility emerged in the second quarter of the twentieth century. The concept began to appear in literature and came into vogue in the 1930s and 1940s, when people working in the field of journalism met to organize their profession. The foundations of academic specialization were laid in 1869 at Washington University and were subsequently extended to all countries of the world. In Iraq, the first Department of Journalism was opened in the Faculty of Arts at Baghdad University in 1964 and the first Faculty of Information was established in 2002.

Journalistic responsibility, which constitutes the backbone of journalism, became the major subject of study and concern. Conferences and seminars were held on this subject and committees were formed, including, in particular, the special committee established by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1947 to study the technical and technological requirements of journalism. In its report, the special committee recommended that journalists should receive professional training which should include the teaching of professional responsibility and the need to put it into practice, since journalism cannot fulfil its lofty mission and play its role in the proper transmission of news and opinion unless the persons working therein are adequately qualified from the professional, practical and ethical standpoints.³⁹

In fact, many countries have begun to impose severe conditions, including university education and adequate professional qualifications, on new applicants for a career in journalism, while other countries are endeavouring to liberate the press from the financial constraints of advertising. According to Fuad Matar, although it is true that talent and training are primary requirements for a journalist and might be more important than a university degree, a combination of talent, training and university studies puts a journalist well on the way to the summit.⁴⁰

38 John Hohenberg, *The Professional Journalist*, Ahli Foundation, Beirut, n.d., p. 14.

39 Robert Samuel, *Press Responsibility*, trans. Alfred Usfour, Jordanian Book Centre, 1990, p. 13; Hohenberg, above note 38, p. 15.

40 Khalil Ahmad Khalil, *The Concerns of Arab Rulers and their Subjects, 1963–2003*, Vol. 1, Arab Research and Publishing Foundation, Beirut, 2004, p. 502.

The Iraqi press has sometimes suffered from inadequate technical resources and printing facilities and has lacked sufficient staff to carry out journalistic assignments, while at other times it has suffered from the phenomenon of hot-headed penmanship including defamatory vilification, obscene invective, base insinuations and personal abuse.⁴¹

Disregard for professional responsibility in the Iraqi press as a source of violations of freedom

The aim of this part is to review the problem of journalists' lack of professional responsibility in their writings and their dereliction of duty to act as gatekeepers with an obligation to turn away press articles that constitute a blatant illustration of the level to which the Iraqi press has sunk in regard to violation of the personal freedoms of citizens and calumny and defamation of public personalities without any cogent evidence or proof.

Although this problem has been addressed by press laws and principles of professional responsibility, the political circumstances, together with the chaos in the media⁴² caused by the infiltration of newcomers and the failure of newspapers to meet fundamental standards, helped to aggravate the problem and prompted some newspapers to make random defamatory accusations that amounted to incitement to murder. They coincided with the breakdown in security in the country and an increase in the number of victims of blind violence.

The press in crisis

In autumn 2003 a US force raided the offices of the *Al-Hawza al-Natiqa* newspaper (the mouthpiece of the Sadrist movement), placed seals on the doors and closed the premises for sixty days, claiming that the newspaper had published unconfirmed reports. Two or more other newspapers also suffered the same fate.⁴³

If this event proved anything, it proved that words have a more powerful and far-reaching effect than bullets. While a bomb might kill a small or large group of innocent persons, in certain circumstances and conditions words can undermine the security of an entire country, threaten the stability of its population and cause bloodshed. As a result of the closure of the newspaper, this is

41 Adnan Abdul Muneim Abu Saad, *Development of Methods of News Reporting and Editing in the Iraqi Press from its Birth to 1917*, Ministry of Culture and Information, Baghdad, 1983, p. 20.

42 On this subject, see Saad ed-Din Khidr, "The Iraqi press after 10 April 2003, adaptation and documentation – Mosul, 2006", and Muayyad Al-Khaffaf, "The Iraqi press in the two-year period from 9 April 2003 to April 2005", *The Media Researcher*, 2nd edn, Faculty of Information, Baghdad University, Baghdad, June 2006, pp. 43 et. seq.

43 The Coalition Authority closed down the *Al-Mustaqilla* newspaper for publishing, on 13 July 2003, an article advocating the murder of anyone collaborating with the Americans. The Authority subsequently relented and allowed the newspaper to continue publication.

what actually happened during the armed clashes in Najaf and Sadr City, when hundreds of innocent lives were lost.⁴⁴

Napoleon Bonaparte expressed the power of words when he said, “I fear the scratching of the pen more than the roar of cannons.” He believed so firmly in the effect of words that he wrote to Paris in August 1796 when he was commander-in-chief of the army in Italy, “It would be preferable for the press not to refer to the King of Sardinia or publish unrealistic and silly things about him. Some writers engage in extravagant fantasies based on false rumours that harm us and create enemies where we do not want them.”⁴⁵

The question that arises in this connection is: who controls the strike force represented by the press? In democratic countries the press is, in principle, free and enjoys constitutionally guaranteed freedom of expression and publication within the limits of the laws in force, which protect the freedoms of other citizens. Without a free press, the responsibility for informing the people and ensuring their welfare falls solely on the government, and the lack of such public participation can undermine the country’s security and economic development.⁴⁶ It is certain that, in the absence of such laws, some journalists have disregarded the public guidance mission of the press and have become bearers of news based on false rumours that actually cause public harm. As the journalist Horace Greeley has said, “A journalist must be a saintly missionary and a truthful informer”. While believing that many changes have taken place in the function of the press following its transformation into mass media institutions of an industrial–commercial nature, we find that the statutes of most press organizations still uphold the ideals and ethics referred to by Napoleon and Greeley.

With regard to the Iraqi press, one of the main shortcomings in its current performance is its employees’ lack of the professional training required by press responsibility. This has aggravated the situation and deepened the bleeding national wound.⁴⁷ Until the early part of the twentieth century specialization in journalism was an obscure and undefined concept and, oddly enough, it is still widely believed that journalism is “a profession for those without a profession”⁴⁸ and that it can be exercised by teachers, doctors, businessmen and pastry sellers, which is inconsistent with journalism’s nature as an authority under all

44 See the press coverage of the events in Najaf during the period 9 May–1 August 2004, when Sayyid Muqtada Al-Sadr agreed to a plan proposed by the religious authority Sayyid Ali Al-Sistani that ended the sit-in by Al-Sadr’s supporters in the Haidari Sanctuary and halted the bombardment by the joint US/Iraqi forces.

45 Hohenberg, above note 38, p. 5.

46 Ellen Hume, “Press freedom in democratic systems”, *Al-Mu’tamar*, no. 1372, 25 June 2007.

47 Leading Iraqi media personalities have blamed the government and political blocs for assassinations of Iraqi journalists in acts of violence that have occurred during the last four years. Although unknown persons have been officially blamed for all these incidents, an organization calling itself The Observatory of Press Freedoms holds US forces responsible for the killing of seventeen journalists and Iraqi forces responsible for the killing of two journalists by mistake (report on *International Press Day*, 2 May 2006, containing the names of 109 journalists who died under fire).

48 This is often said by journalists who previously held posts in the Union of Iraqi Journalists.

circumstances, regardless of whether it is licensed, censored or repressed, provided that it is genuine, bold and combative.

The expansion of this authority has been furthered by the establishment of university faculties and institutes from which highly specialized professionals graduate.⁴⁹ The inadequacy or total lack of training of some of its employees is a problem that has long been faced by the Iraqi press.⁵⁰ Although sincere efforts have been made by the Union of Iraqi Journalists in collaboration with the Federation of Arab Journalists or international organizations, these efforts have been isolated or timid and concerned solely with the formal aspect rather than the essence and substance. There was also a time when participation by favoured journalists in training courses abroad was a reward granted to protégés and journalists with the least merit.

Press responsibility and information

The amplitude and diversity of information and the multiplicity of its sources highlight the importance of press responsibility and professional ethics. For human society repeated reference to ethical principles is important, since they involve many rights and responsibilities as well as social and economic issues such as the free flow of information, the right to know, freedom of the press, the limits of censorship, the social obligations and responsibilities of journalists, the right to equality, the right to privacy, property rights and copyright.⁵¹ This applies to sensitive information and the way in which other persons should be treated, as stated in the Holy Bible (“Love thy neighbour as thyself”⁵²), which eloquently summarizes the principle that forms the basis on which we should treat and address others. The term “thy neighbour” obviously applies to all mankind and, therefore, should definitely apply to fellow citizens of the same country.

I recall an eye-catching report transmitted by Reuters news agency on the imposition by the Romanian Anti-discrimination Council of a fine on the mayor of Craiova because of declarations that he made concerning the town’s team playing in a Premier League football match in which he accused the black players of being responsible for the team’s poor performance. In its statement, the Council said that the rights of the team’s African players had been violated.⁵³

That decision to impose a fine came against a background of events involving racist insults in Romanian football. If concern was shown for this matter in a country which, a decade and a half earlier, had witnessed a political

49 Ibrahim Al-Daqui, *Media Law: a new theory in modern media studies*, Ministry of Higher Education and Scientific Research, Baghdad University, undated, p. 9.

50 See Yas Khudeir Al-Bayati, *The International and Arab Media*, Faculty of Arts, University of Baghdad, 1993. Reference can also be made to the endeavours of UNESCO in the field of creative cultural diversity in a book published in Cairo in 1979 by the Higher Council for Culture, with an introduction by Jabir Asfour.

51 For further information see Wail Izzat Al-Bakri, “Press laws in Iraq, visions and prospects”, *The Media Researcher*, Faculty of Information, Baghdad University, 2nd edn, June 2006.

52 Luke 10:27.

53 *Reuters*, 27 April 2005.

transformation similar to what happened in Iraq, there is all the more reason why concern should be shown for the incidents of calumny and defamation in the Iraqi press, in which individuals and public personalities have been insulted and subjected to inflammatory calls for their dismissal from office, their political and social marginalization and their physical liquidation.⁵⁴

Publication challenges within the Iraqi press

This unprecedented lack of restraint and the absence of press regulatory authorities pose the following question: who protects the Iraqi press from some of the material published in it? The greatest threat to press freedom today is the possibility that press offences will be taken as justification for imposing restrictions on journalists, limiting the extent of the freedom that they enjoy and curtailing the expansion of the press, which is an important manifestation of nascent democratic life. If journalists fail to exercise their professional responsibilities and fail to abide by the press ethics contained in statutes and codes of honour, an increasing number of voices will be calling for restrictions on the press.⁵⁵ The material that some newspapers publish without examination, revision, editing or ethical scruples will be used to refute the arguments of the advocates of freedom of expression, opinion and publication.⁵⁶ This will have dire consequences.⁵⁷

The phenomenon of the large number of breaches of professional ethics in the present-day press can be attributed to the following:

1. The disappearance of the media regulatory body, the lack of a clear understanding of its functions and duties by persons working in the media and the press, its use of unfamiliar job titles and the withdrawal of its senior officials from the broad Iraqi media scene, some having fled abroad under the pressure of fear or threats.
2. The incapacitation of the Union of Iraqi Journalists as a result of the chaos that accompanied the fall of the previous regime and the emergence of

54 Paul Bremer suspended the enforcement of the Penal Code in regard to press-related offences. See the *Iraqi Official Gazette*, No. 3978, 6 October 2003, 7th term.

55 In this connection, I would draw attention to the crisis provoked by the closure of the satellite channel Sharqiyya and the international newspaper *Al-Zaman* at the demand of four members of parliament. Reference can be made to the text of the memorandum sent to the Speaker of Parliament, the *Parliamentary statement No. 96* of 16 October 2006 concerning the press coverage of those two institutions and the recommendation that sanctions should be imposed on them, Agence France-Presse, 17 October 2006, and the statement of the Iraqi Observatory of Press Freedoms which considered the parliamentary warnings to be contrary to the law, Reuters, 18 October 2006.

56 The Iraqi House of Representatives (parliament) has not yet debated the bill of law regulating the media in Iraq, in spite of increasing demands from various quarters.

57 According to Ismail Zayir, editor-in-chief of the newspaper *Al-Sabah al-Jadid*, press coverage is not permitted in 90 per cent of the parliamentary sessions and newspaper distribution is controlled by local armed groups which decide which newspapers should be distributed or prohibited in the area under their domination. He added that about eighteen newspaper distributors had been assassinated and many others abducted by armed groups. See *Aswat al-Iraq*, 18 June 2007.

- individuals who split its ranks by establishing parallel organizations with a similar structure and aims.⁵⁸
3. Journalists' lack of legal training in regard to press offences, and particularly violations of the personal freedoms of citizens.
 4. Unclear understanding by citizens of the procedures to be followed and applied when they are subjected to calumny and defamation in the press. The Coalition Authority's order No. 7 of 10/6/2003, stipulating that authorization must be obtained from its head, Paul Bremer, before a criminal action could be brought in respect of press offences, helped to give some journalists the impression that they could not be held accountable for breaching press regulations, violating professional ethics or engaging in calumny and defamation of citizens without substantiation or material evidence.⁵⁹
 5. The extent of the security threats and the multiplicity of their sources prevented victims of press offences from bringing legal proceedings against the newspapers publishing material detrimental to their dignity, interests and freedoms. However, the judgment handed down by the court of first instance at Karkh in late March 2006 imposing a fine of 750,000 dinars on the *Al-Sabah* newspaper, and the judgment handed down by the court of first instance at A'dhamiyya against the *Al-Bayyina al-Jadida* newspaper ordering it to pay 7 million dinars in damages to Adnan Al-Dulaimi, the former leader of the Tawafuq (Concordance) Front parliamentary bloc,⁶⁰ helped to achieve two objectives:
 - (a) More careful editing of what these newspapers publish.
 - (b) Encouragement of victims of similar abuse by other newspapers to institute legal proceedings with a view to obtaining redress or acknowledgement that they had been subjected to abuse.
 6. Most journalists, and particularly those working for recently established newspapers, are unfamiliar with the profession's standards and principles of ethical conduct, the so-called ethics for the exercise of the journalistic profession, laid down in the Federation of Arab Journalists' code of honour and in some articles of the Statutes of the Union of Iraqi Journalists.

58 A group of exiled journalists who returned to Iraq after April 2003 attempted to establish a rival trade union organization as an alternative to that established in 1959, which they claimed was controlled by journalists who had worked for the previous regime. This attempt led to the appearance of the Federation of Iraqi Journalists, which has been organizationally and operationally paralysed since its president left the country.

59 Tariq Harb, *The Iraqi Constitution of 2005 in Research Works and Articles*, Dar al-Hanash, Baghdad, 2007, pp. 288, 379.

60 More than seventeen complaints against a number of journalists and their institutions have been lodged with the Iraqi courts by government and security officials. Four of these cases have so far been closed and the others are awaiting adjudication (*Observatory of Press Freedoms*, 28 May 2007). Reference can be made to the case brought by Haidar Al-Abbadi, former Minister of Communications, and the Southern Oil Company against the *Al-Zaman* newspaper and the case brought by Karim Wahid, Minister of Electricity, against the *Al-Mada* newspaper in Baghdad.

7. Although media instruments and platforms have been developed, some of them fail to abide by the principles of professional ethics, particularly with regard to the Internet, insofar as they exploit this useful means of communication to propagate a spirit of revenge or to defame others by casting aspersions on their personal or family history. This has been facilitated by the fact that Iraqi law does not penalize electronic media offences since this is a relatively new field, in existence only since the beginning of the last decade. In fact, the Iraqi press is currently facing an unprecedented influx of news reports containing statements by unknown bodies and fictitious personalities, as well as false information designed to embarrass or discredit the media.
8. Lack of financial resources, as well as strong competition in the distribution sector, force most Iraqi newspapers to adopt demagogic and alarmist tactics without considering the adverse effects and consequences of this on the reputation of the press and on the minds of citizens. It is inconsistent with the motto “Freedom and Responsibility” and with the constitutions of democratic states which emphasize the social responsibility of the press. In fact, fiery debates took place between intellectuals, politicians and journalists throughout the world on the question of this freedom and whether it is a personal freedom like freedom of belief or whether it is associated with political rights. Finally, the proclamation of the Universal Declaration of Human Rights settled the question in favour of political rights.⁶¹

From the outset it was not difficult for journalists to realize that the Iraqi press was facing a severe moral and material crisis, the price of which was being paid by the public at large and by journalists who lost their lives due to the effects that the media chaos was having on daily life.⁶² A tremendous joint effort combining the fruits of all ideologies, views and tendencies without discrimination or exception is needed to overcome this crisis, the resolution of which is beyond the capacities of a single individual or organization. Fortunately, the Iraqi press has a long history and a glorious heritage of defending freedom of the press, as well as public and personal freedoms, which no one can expunge or sully through calumny, defamation or wilful vilification.

A draft code to promote professional responsibility and avoid the dangers of journalistic involvement in incitement to violence and armed conflict

The present situation in Iraq obliges persons working in institutions, particularly private institutions, that shape public opinion to formulate a draft press code

61 See *Mobilization of Public Opinion for the Promotion of Human Rights and National Reconciliation*, Iraqi Centre for Development and International Dialogue, Baghdad, July 2006, pp. 4–24.

62 According to the statistics of the Union of Iraqi Journalists, 227 journalists and media employees have been killed since April 2003 and the fate of 15 others is still unknown, *Agence France-Presse*, 12 June 2007.

based on a national vision that shows understanding of the dimensions of the crisis and the need to halt the progression of its long-term consequences. In actual fact, this code represents a new theory or vision of the professional responsibility of the press, supplements the previous codes that have failed to influence Iraqi journalists and aims to bring about a national reconciliation among their institutions by reviewing all their previous axioms and strict traditions.⁶³

Such a code could be supplemented and modified in order eventually to meet the requirements of the largest number of components of the press and constitute a common denominator between them. We also believe that the drafting of such a code should not, under any circumstances, be confined solely to journalists since the media sector, having witnessed new technological developments, has now expanded to encompass aspects of social, economic, political and cultural activity in and outside the country.

The proposed draft code comprises four sections:

I. An occupational section designed to develop the tools, titles and human resources of the press in a manner consistent with national realities and lifestyles, and to impose professional rules of practice based on equity, balance, accuracy and objectivity.⁶⁴ The principal requirement is emotional detachment when writing news reports. This association of concepts is possibly attributable to what has happened in Iraq, which has been systematically subjected to overwhelming coercion, supported by the power of armed militias, aimed at ensuring that the sectarian press prevails over the patriotic press of a country which is suffering from daily bloodshed and the horrors of a humanitarian disaster.

The magnitude of this disaster assumes an even larger dimension if we look beyond the borders at the tragedy suffered by more than 2 million migrants who left Iraq in search of a safe refuge from the blind sanguinary violence. The Iraqi press must be held responsible for neglecting this broad section of the population either by disregarding its sufferings or by failing to keep it in touch with its homeland. Our draft is based on a firm belief in the sacrosanct nature of the journalist's mission to bring about a reconciliation between those living in and outside the country and to adopt a tolerant and moderate approach⁶⁵ instead of the culture of violence and marginalization, which most Iraqis regard as an imported culture promoted by the occupation, the external media and the influx of international correspondents who shattered the aspirations nurtured by Iraqi journalists expecting to be able to propagate optimism, hope and national peace throughout Iraq. If despair and incessant misleading propaganda have led some peoples down the wrong path under the pressure of harsh living conditions, the

63 The *Iraqi Media Network* organized a forum to formulate a media code of honour which was boycotted by some newspapers run by political parties. At the beginning of 2006 this forum adopted a draft document aimed at ensuring the success of the national reconciliation initiative, but it was not binding.

64 These basic elements were expressed by Cheryl Halpern, chair of the US Corporation for Public Broadcasting, who was in charge of the programmes to promote media ethics and combat rumours during the presidencies of George Bush the elder, his successor Bill Clinton and George Bush the younger (interview on *Inside Washington*, broadcast by the Al-Hurra channel, 7 July 2007).

65 The Baghdad newspaper *Al-Dustur*, no. 1107, 5 June 2007.

Iraqi press must make rapid and sincere endeavours to ensure that the tragedy of civil war is not repeated in other parts of our world. We therefore call upon the press to abandon its negative attitudes and enter the great battle against its own shortcomings in order to be able to play the positive role imposed on it by the close relationship between the history of the press and the struggle and advancement of peoples.⁶⁶

Accordingly, we propose the following in the professional field in order to overcome the dangers threatening the independent press and meet the demands of the forthcoming stage:

1. There is a need to adopt a calm professional approach and bear in mind the journalistic codes of honour when addressing any Iraqi issue.
2. A co-operative attitude is required when discussing possible future options, and especially the need to ensure that priority is attached to the national interest and social responsibility, without derogating from public and personal freedoms.
3. The press regulations laid down in international media codes should be complied with, and calumny, defamation and the incitement of animosity and bigotry of any form or origin, particularly of a sectarian nature, should be avoided. Competent newspaper managements should also be chosen, since managerial shortcomings, however slight, have a direct impact on the printed pages.⁶⁷

II. The second section, of a political nature, emphasizes widely accepted national concepts and principles, which it seeks to consolidate in order to counter attempts to obliterate identity for the furtherance of other objectives. In this regard, we propose the following:

1. Iraq's interests should be the main objective and priority. National identity should take pride of place, without detracting from other identities or disparaging the cultural particularities of any individual, group or ethnic or confessional community.
2. Any form of tutelage, by any political party or governmental authority, over the press and other media instruments should be rejected.
3. The highest degree of alertness should be exercised to expose any attempts to manipulate, falsify or leak news reports likely to harm political or social bodies or defame their leaders for self-serving and non-objective considerations.
4. Persons working in the press should enjoy guaranteed freedom of action and access to information solely for purposes of their journalistic activity. The press and journalists should not be used to further the aims of intelligence agencies working against the interests of Iraq. A distinction should be made

66 Mukhtar Al-Tihami, *The Press and World Peace*, Dar al-Ma'arif, Egypt, 1968, p. 251.

67 A. Tsukasov, *Newspaper Management*, trans. Iman Ahmad, Tadamun School for the Training of Journalists, Baghdad, 1985, p. 3.

between the integrity of the press and preconceived bias in favour of adoption of the views and positions of political or intelligence organizations seeking to manipulate this profession.

5. Sources of funding should be revealed and endeavours should be made to enhance the status of the press by rejecting its subjection to financial bartering.⁶⁸

III. In the third section of the code, dealing with security matters, we propose the following in the light of our belief that the press, by virtue of its conscience and its role, is capable of contributing to the stability of Iraq and the security of its citizens.

1. The use of violence to achieve political ends should be rejected and care should be taken to avoid falling into the traps set by persons involved in the use of any type of violence, regardless of its origin, such as assassination, bombing or sabotage, on the pretext of access to information.
2. Every endeavour should be made to protect citizens from attempts to harm them. Actions detrimental to society should be thwarted and politicians involved in political assassination and the planning of bombings should be exposed.
3. Care should be exercised when publishing news reports in order to avoid the dissemination of falsified, fictitious, fabricated or inaccurate reports and statements.⁶⁹

IV. In the fourth section of the code, at government level we propose the following.

1. A declaration of the government's commitment to refrain from using government media against the independent national press and independent journalists,⁷⁰ considering this to be a form of state terrorism. To this end,
 - (a) A media/press consortium should be formed to obtain advertisements from governmental ministries and departments by legitimate means, thereby excluding the mafias that exploit entrenched administrative corruption in order to monopolize sources of funding, including advertisements.
 - (b) There is a need to combat corruption in government ministries and departments with regard to advertising and its use as a means of illicit gain, extortion or settlement of accounts. The Probity

68 See Ahmad Abdel Majid, "The funding crisis in the Iraqi press: independent newspapers depending on advertising for their survival", *Al-Adab*, Baghdad, no. 73, 2006.

69 The Lebanese writer Hassan Ajami views the concept of violence in the light of science and technology, believing that it is equivalent to backwardness insofar as a backward people is one that engages in violence and terrorism. See Hassan Ajami, *Super Backwardness*, Arab Scientific Publishing House, Beirut, 2007, p. 13.

70 Senior Arab and foreign journalists have expressed the essence of their experience and their principles in this field. In this regard, useful reference can be made to the experience of the well-known journalist Fuad Matar in Khalil, above note 40.

Commission and the audit offices in ministries and departments in general should be urged to monitor compliance by these ministries and departments with the legal rules concerning the publication of advertisements.

- (c) Since advertising is the principal source of funding for independent newspapers, their exclusion therefrom would affect their development and growth and deprive their staff of salaries and wages appropriate to their social status and commensurate with the dangers that they face in the discharge of their media mission in an honest, honourable and responsible manner. Hence there is a need to denounce the practices of some government agents who illicitly exploit advertisements by distributing them among political parties, ministers, favourites and middlemen working for the benefit of officials using them as a cover.
2. The government should be urged to strengthen the authority of the press by calling to account individuals and bodies who attempt to discredit the press media and prevent them from playing their role as monitors and critics.⁷¹
3. The government should be urged to assist media institutions to obtain their technological and material requirements by granting them customs and tax exemptions, as is the practice in some European countries.
4. The government should be called upon to ensure more training opportunities in and outside Iraq for persons working in press institutions, particularly in the field of telematics.⁷²
5. Rules should be established to regulate competition between the state-funded Iraqi Media Network, media institutions owned by the private sector and charitable organs.
6. The media should be given opportunities for their staff to accompany governmental delegations and benefit from various types of governmental subsidies in this regard.
7. Press institutions that do not own private presses should be allowed to benefit from the subsidies granted to the presses of the Iraqi Media Network to enable them to compete with private presses.⁷³
8. A study should be made of the possibility of giving promising press institutions opportunities to use the facilities of the dissolved Ministry of

71 The Al-Maliki government undertook to respect a number of basic principles in its political programme presented at the Sharm el-Sheikh Conference in Egypt, which was incorporated in the document setting forth the International Compact with Iraq. See the International Compact with Iraq, a Shared Vision and Mutual Commitments, Annex I, containing what can be regarded as commitments to respect freedom of expression, opinion and belief.

72 A new concept expressing the increasing close interrelationship between computers and communications. See Armand and Michele Mattelart, *History of Theories of Communication*, trans. Nasreddin Al-Ayyad and Al-Sadiq Rabih, vol. 3, Arab Translation Organization, Beirut, 2005, p. 143.

73 In this connection reference can be made to the developments in printing technology in some Iraqi press institutions in spite of the deteriorating situation: "Iraq: newspapers escape the effects of the violence", *Al-Tiba'*, Dubai, Vol. 4, no. 37, July/August 2007, pp. 63–4.

Information through usufruct contracts on easy terms and to make use of the technical engineering personnel reassigned to the Ministry of Culture, on which they have become a burden due to the lack of job grades commensurate with their qualifications.

9. A law should be promulgated making it an offence to violate the freedom of journalists, harass them or threaten them in any physical or security-related manner. In this context, journalists often say that the attacks, assassinations, threats and harassment to which they are subjected in Iraq are attributable not only to terrorist groups and armed gangs but also to members of some political parties, officials of civil and military authorities and sectarian groups.
10. Journalists who are currently detained by US or Iraqi forces on any publication-related grounds should be released and deemed to be covered by international humanitarian law in order to protect them from harm.⁷⁴
11. Newspaper correspondents in the provinces should be provided with the requisite assistance and means of protection to enable them to accomplish their mission and report citizens' views in an honest and accurate manner.⁷⁵
12. The Ministry of Culture and the Iraqi Media Network should be required to include media institutions belonging to the private sector among their priority concerns with regard to training opportunities, funding and participation in foreign fairs and forums.
13. An association should be established to safeguard the interests of the independent press institutions in Iraq, monitor the latest media technologies, sponsor relevant working groups, train specialists in journalism and develop relations with counterpart organizations in the Middle East and elsewhere.⁷⁶

74 Although the Iraqi Prime Minister Nouri Al-Maliki promised to promulgate legislation to protect journalists, who were increasingly being targeted and assassinated, nothing has been done in this regard.

75 Journalists are subjected to forms of harassment including legal proceedings against them, as happened to Ali Al-Allaq the *Al-Zaman* correspondent in Kut, Abdul Battat, its correspondent in Basra, and Basim Al-Rikabi, its correspondent in Nasiriyya, on the pretext that they had published news reports prejudicial to a tribe, a political grouping or a government institution.

76 The Information and Communications Authority submitted proposals concerning Iraq's information policy, which the Stanhope Centre had been commissioned to prepare, and these proposals were circulated at an international conference organized in collaboration with UNESCO at Paris on 8–10 January 2007. They contained some useful recommendations, particularly in the field of institutional and human resources capacity building, including the establishment of an association of media professionals to ensure more effective consultations between the Authority and persons working in the media (p. 58).