

THE IRAQ WAR : A HEAVY DEATH TOLL FOR THE MEDIA

2003-2010

//////////////////// REPORT BY THE MIDDLE EAST DESK

//////////////////////////////////// AUGUST 2010 //////////////////////////////////////

**REPORTERS
WITHOUT BORDERS**
FOR PRESS FREEDOM



Patrick Baz / AFP

Two weeks after the U.S. Army's last combat brigade withdrew from Iraq, Reporters Without Borders is assessing the country's seven years of American occupation in terms of press freedom.

Although the coalition forces' intervention put an end to Saddam Hussein's regime, paving the way for a major expansion of the Iraqi media, the human toll of the war which ensued was nothing short of disastrous – too many people died.

The second U.S. war with Iraq has been the most lethal for journalists since World War II. To date, the number of journalists and media contributors killed in the country since the conflict broke out on 20 March 2003 stands at 230. That is more than those killed during the entire Vietnam War or the civil war in Algeria.

Iraq has also been the world's biggest market for hostages. Over 93 media professionals were abducted in those seven years, at least 42 of whom were later executed. Moreover, 14 are still missing.

The situation grew considerably worse, reaching its most critical point in 2006, when community-based attacks forced hundreds of thousands of Iraqis to flee their country. They were not only targeted by Sunni and Shiite militia, but also by al-Qaida, Iraqi security forces and American-led coalition forces. Worse still, they were subjected to arbitrary and illegal arrest by the U.S. Army. In Vietnam from 1955 to 1975, no less than 63 journalists had been killed. During the conflict in the former Yugoslavia from 1991 to 1995, 49 media professionals had died in the course of their work. In Algeria, 77 journalists and media staff had been killed during the civil war which raged from 1993 to 1996.

PART 1 : U.S. INTERVENTION IN IRAQ AND ITS CONSEQUENCES FOR PRESS FREEDOM

2003 HERALDED THE RETURN TO INFORMATION PLURALISM

After almost 30 years of a single-party regime, during which the Iraqi press' sole aim was the glorification of the regime and of its leader, Saddam Hussein, a genuine information pluralism was restored, and the country was able to be open to the world. After March 2003, criticism was tolerated at last, as were differences of opinion. The Iraqis' thirst for information translated into a general run on cyber-café's and stores selling satellite dishes.

Previously, Urulink – the sole Internet access provider – was state-owned. Citizens were prohibited from connecting to private e-mail websites such as Hotmail or Yahoo !. They were also not permitted to own a satellite dish. Repeat violators faced up to one year in prison. During those periods of his regime when Saddam Hussein was most wary of foreign influences, helicopters were dispatched to track down satellite dishes. Iraqi authorities had renewed the ban against them in December 2002, while threats of U.S. military intervention were intensifying.

During the months which followed Saddam Hussein's ousting, the number of print media publications soared. As of 1 May 2004, there were more than 85 political publications – exclusive of sports, women's and cultural magazines. One contributing factor may have been the fact that the leading political groups created or revived their own papers to convey their ideas.

The Iraqi Media Network (IMN) was set up by the United States in January 2003. In early June, this structure temporarily took over the duties of the Iraqi Ministry of Information, which had been dissolved one month earlier. Its mission was to “*build new infrastructures, to provide journalist training and to lay the groundwork for a public policy in the media sector.*” But IMN was also a media group consisting at the time of one television, two radio stations and one newspaper,

Al-Sabah. Therefore IMN had a near-monopoly of terrestrial broadcasting in Baghdad.

However, although pluralism had gained ground, self-censorship was still widespread due to fears of reprisal on the part of political parties and the Baathists.

PRESS FREEDOM RESTRICTIONS IMPOSED FIRST BY THE COALITION PROVISIONAL AUTHORITY (CPA) AND LATER BY THE FLEDGLING IRAQI ADMINISTRATION

In the early days of the Iraq War, American authorities accused certain media outlets – notably television networks *Al-Arabiya* and *Al-Jazeera* – of offering the public a partial, sensationalist, and inflammatory coverage of the situation in Iraq, and of deliberately stirring up anti-American sentiment. In June 2003, Decree Number 7 was adopted by Paul Bremer, the U.S. civilian Administrator. This Decree on “*hostile media*” prohibited inciting acts of violence against U.S.-British forces and against ethnic and religious minorities. It designated the Commander of Coalition Forces as being the “*media's supervisory authority.*” Paul Bremer stated on 11 June 2003 that “*the object of this Decree is not to curb this freedom, but to limit the recourse to violence and (...) to preserve security in Iraq.*”

Furthermore, in the absence of a judicial system, only the U.S. Army or the Coalition Provisional Authority could bring action against, and sentence, the media. The Coalition was judge and jury.

On 28 June 2004, the U.S. administration in Baghdad officially turned over the reins of the country to Interim Prime Minister Iyad Allawi. Presented by the White House as a Democrat, this

former Basshist who lived in exile for thirty-two years did not find unanimous support among Iraqi journalists. From day one, the new government proved to be extremely distrustful of the media, going so far as to prohibit *Al-Jazeera* from operating in the country, after accusing the TV news network of “*inciting violence and sedition.*” The Qatari network still does not have an office in Iraq and is operating via on-site correspondents.

Iraqi journalists soon had to face numerous restrictions and prohibitions enforced by the latest ruling authorities. In November 2004, during the Iraqi-American resistance to the Sunni insurgency in Fallujah, the interim government asked the media to cover the fighting with “*objectivity*” and to present “*clearly the government position which represents the aspirations of the majority of the Iraqi people.*” Those media which did not follow these recommendations faxed to their news staffs on the Office of the Prime Minister’s letterhead would become liable for unspecified sanctions. Such instructions, which were perceived as injunctions, seemed to be directed at the Iraqi and international press.

In 2006, Nuri al-Maliki’s government regularly threatened to shut down certain newspapers after accusing them of incitement to violence. Television networks were also pointed out as being responsible for stirring up ethnic and religious passions. They were prohibited from broadcasting segments that showed blood or murder scenes. On 5 November 2006, the Minister of the Interior decided to close down the Sunni television networks *Al-Zawra* and *Salah-Eddin* for having broadcast footage of demonstrators waving pictures of former dictator Saddam Hussein and protesting against his capital sentence. Both stations are still closed down.

In 2007, additional restrictions were imposed on the media. In May, the authorities banned journalists from filming bomb-stricken areas. In November of that year, they were also prohibited

from going to the Kandil mountains on the Iraqi-Turkish border to meet with PKK rebels.

Passage of the bill for the protection of journalists would make it possible to improve media professionals’ working conditions. The Iraqi Parliament’s delay in initiating a review of the bill – which has been postponed since September 2009 – appears to be one reason for the unrelenting attacks on the Iraqi press.

PART : THE DEATH TOOL FOR THIS WAR'S MEDIA

1 – JOURNALISTS KILLED

Reporters Without Borders has surveyed seven years of American military occupation in Iraq, particularly with regard to the journalists who were killed during this conflict simply because they were doing their jobs.

Who were they? Which media outlets did they work for? Under what circumstances were they killed? Were they deliberately attacked?

This is the third time that Reporters Without Borders is conducting such a study. The last one was released on 20 March 2006, on the occasion of the third « anniversary » of the American invasion of Iraq.

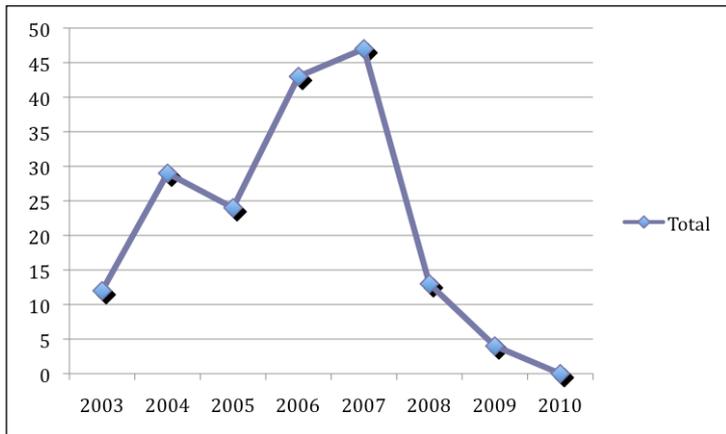


Figure 1: Trend in the number of journalists killed between 2003 and 2010

A - Trend over time

Close to 230 media professionals, of whom 172 were journalists, died in Iraq as a result of the conflict stemming from the American intervention between 20 March 2003 and 19 August 2010, the date on which the U.S. Army's last combat brigades withdrew from Iraq.

In the two months following the American intervention, 12 journalists were killed. After that, the number of victims declined slightly until early 2004, when Iraq experienced a resurgence of bomb attacks and actions carried out by armed groups. From 2004 to 2007, media professionals were constantly targeted : nearly every month one or more journalists were killed. From that date on, it was noted that fewer journalists were killed while doing their jobs. None have been killed as a result of the conflict since the beginning of 2010.

b - Who were these journalists?

- 93% were men.
- The majority of journalists killed were men (93%). Twelve women were killed during the conflict (7%).

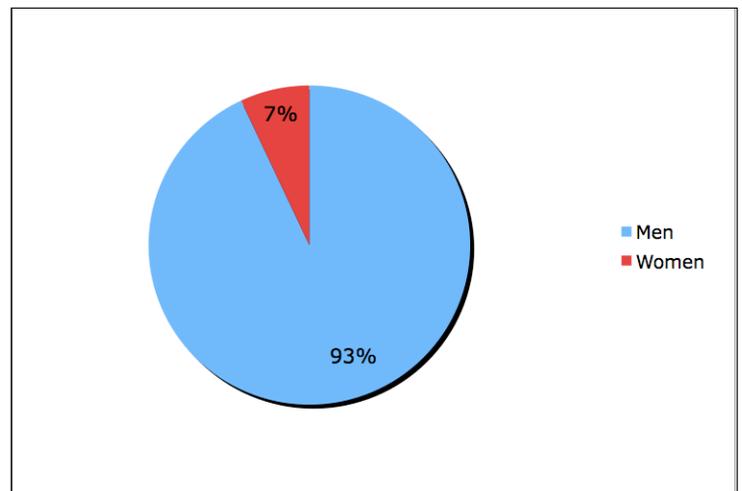


Figure 2: Breakdown by gender

- 87% were Iraqis
Iraqi journalists have paid the highest price of this war: 87% of journalists killed during the conflict were Iraqi nationals.

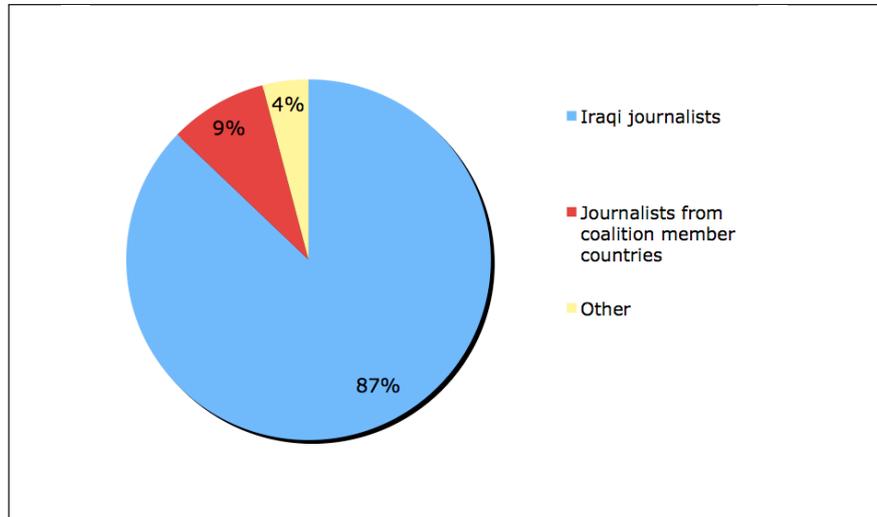


Figure 3: Breakdown by nationality

As shown in the following graph, this trend has changed direction over time. In May 2005, when Reporters Without Borders conducted its first study, Iraqi journalists represented 66% of all journalists killed. In March 2006, they represented 77%.

Nearly all of the special foreign correspondents were killed in the first days of the war, in March and April 2003. The most recent case which dates back to 6 May 2007, was that of **Dimitri Chebotayev**, a Russian photojournalist. Since then, all media professionals killed in the country have been Iraqi nationals.

Various factors can account for this decline in the number of foreign journalists killed as the war progressed. As Iraq sunk deeper into the war, the number of foreign journalists declined in comparison to their number during the initial months of the conflict. Confronted with growing danger and increasing risks, many

foreign journalists decided to cover the war on an « embedded » basis, which is to say in close proximity to the coalition forces. One thing is clear, however: inasmuch as there were fewer foreign journalists and they were for the most part restricted to “protected” areas in the capital, the news they could report at that point obviously depended upon the risks that the Iraqi journalists and media staffs were willing to take.

Contrary to the generally accepted view, journalists belonging to the member countries of the coalition forces were no more adversely affected by this war than journalists of other nationalities. Of the 230 foreign media journalists and contributors killed since the start of the war, 15 journalists originated from member countries of the U.S.-led coalition. Nationality was therefore not a decisive factor and did not constitute a protection for foreign journalists.

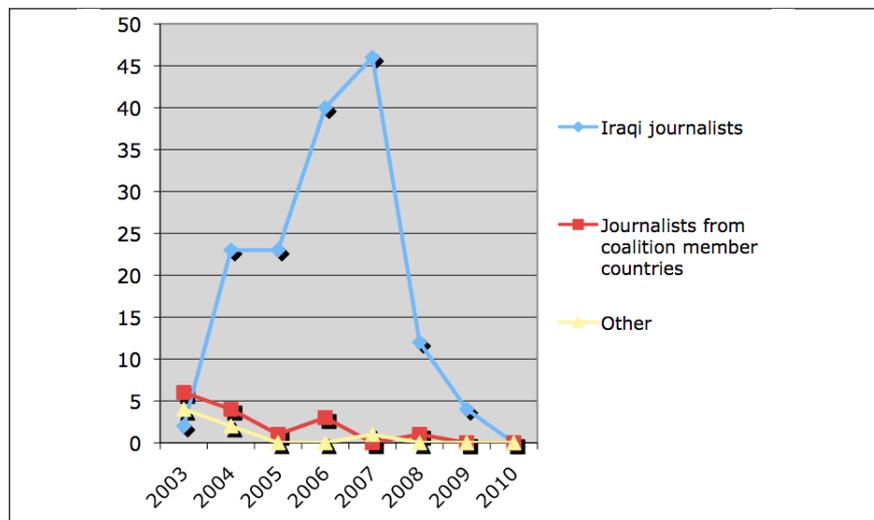


Figure 4: Trend in the number of journalists killed, by nationality

c - Which media outlets did they work for ?

Eighty-three different media outlets experienced losses in Iraq. Of the journalists killed, 46% were working for a television network or an audiovisual press agency, as compared to 36% for the print media. Radio journalists were relatively spared in this war: 8 were killed.

The worst-hit news staff was that of *Al-Iraqiya*, the national television network: 14 of its journalists were killed in the last seven years. The station is part of the Iraqi Media Network group created and funded by the Pentagon before being transferred to the Iraqi authorities. The network is now supervised by an independent board of governors.

Six employees (including five journalists) of the United Arab Emirates-based *Al-Arabiya* network were killed, making this Arabic-language television station the worst-hit foreign news media. With four dead, British news agency *Reuters* is the most adversely affected Western media outlet.

The print media publication that has suffered the most from the violence is the Iraqi daily *Al-Sabah*. Six of its journalists were killed during the war. Four correspondents with the Lebanese newspaper *Al-Safir* were also killed.

In the absence of a full investigation, it is hard to determine the aggressors' motives. But the media's political or ethnic affiliation seems to have weighed heavily in the choice of these victims. It is noteworthy that only those media outlets subsidised by political parties, religious movements, or directly by the government were not shut down. Their employees were exposed to the violence and hatred of groups opposed to those supporting the media. The key targeted media outlets clearly constituted signs of opposition, either to the presence of American troops, or to Iraq's new government.

Foreign press correspondents were victimized the most, particularly those working with the Anglo-Saxon media, considered by the insurgents to be the one which "collaborates with the occupying forces."

The state-funded Iraqi media had to cope with more acts of violence than its private counterpart. In fact, their employees were accused of being on the payroll of U.S. armed forces, whom supporters of the Iraqi insurrection considered traitors and enemies. Obvious exemplary cases were *Al-Iraqiya*, as well as the local television station *Diyala*, set up by the coalition after Saddam Hussein's regime was overthrown. Yet the private networks *Al-Sharqiya* and *Al-Baghdadiya* were also deeply affected.

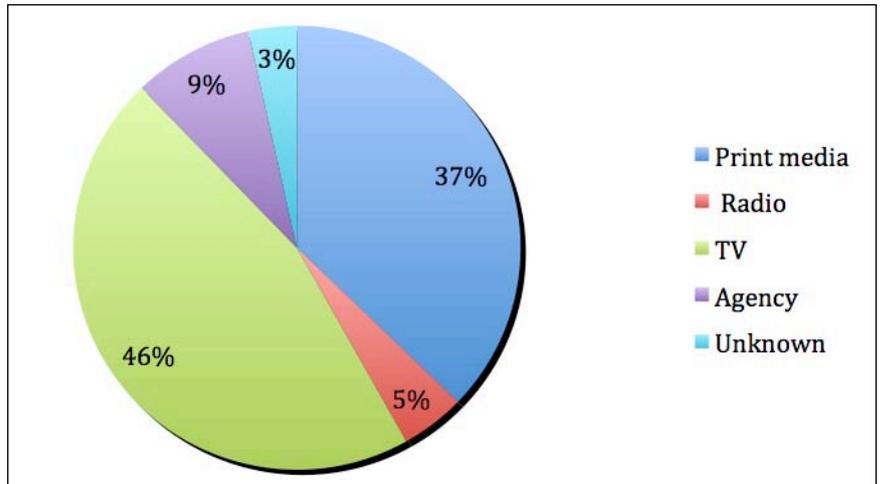
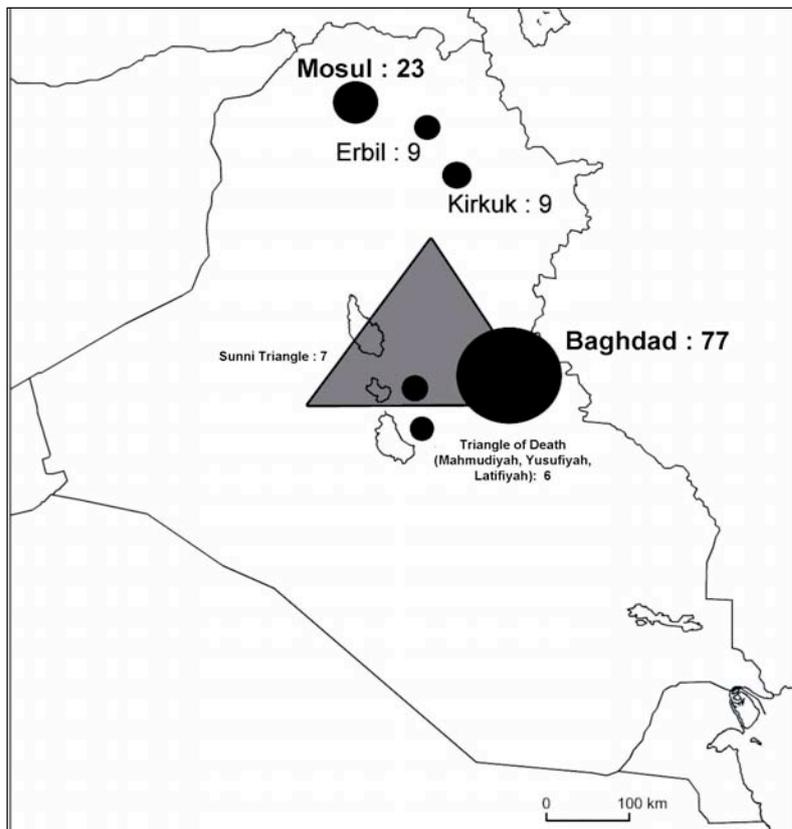


Figure 5: Breakdown according to media type

d - Under what circumstances were they killed ?

- Most were killed in Baghdad.

The vast majority of the journalists – 77 in all – were killed in Baghdad or in the capital's vicinity. The second dark spot for the press is northern Iraq, primarily the cities of Mosul (25 cases, or 17%), Kirkuk (9 cases, or 7%) and Erbil (9 cases, or 7%). The "Sunni Triangle" (northwest of Baghdad), and the "Triangle of Death" (between Latifiyah, Mahmudiyah, and Yusufiyah) were virtually inaccessible to the press for a while.



- Close to 70% died in targeted attacks (see Figures 6 and 7).

Over time, and notably in 2005, a marked change occurred in the circumstances under which the journalists met their deaths. Although attacks by terrorists and Iraqi civilian guerrilla attacks constituted the main source of danger for reporters in 2004 (65% of journalists who died in 2004), they gave way to targeted assaults from 2005 until the end of 2007. During this dark period, armed groups did not hesitate to invade media professionals' residences and to kill them in front of their families.

In 2008–2009, this trend began to reverse, with not only fewer journalists killed, but also fewer journalists deliberately targeted. However, one regrettable exception was the murder in February 2008 of **Shihab al-Tamimi**, President of the Iraqi Journalists Union. Since then, the Union has chosen 27 February as the annual date for commemorating journalists killed in Iraq.

Reporters Without Borders is certain that the journalists were deliberately targeted in 68% of the cases at least. This rate is much higher than in preceding conflicts, during which journalists were mainly victims of indiscriminate attacks or stray bullets. In Iraq, the war's massive media coverage placed journalists in the forefront of the action. Whether or national, they were potential targets.

Iraqi journalists have been the primary victims of targeted killings (97% of the targeted attacks, or 114 cases out of 118).

Usually no one claims credit for journalist killings, and the lack of any serious investigation makes it impossible to identify the aggressors' motives.

Several cases remain unsolved with regard to the circumstances under which the information professionals died. By now, their bodies have most likely been moved, and it is impossible to learn the place and circumstances of their death.

- Most were the victims of unidentified armed groups (see Figures 8 and 9).

In 83% of these cases, the journalists' killers came from the ranks of armed groups which were resisting the coalition forces and Iraqi authorities placed in power by the United States.

Notwithstanding, coalition forces are also responsible for the death of at least 16 journalists, or 9%. In several of these cases, Pentagon authorities have acknowledged the U.S. Army's responsibility, pleading "accidental fire," or even "collateral damage". The U.S. military headquarters in Iraq, during those years, never stopped repeating that their troops had acted "according to the rules of war," or "in self-defence". These explanations are inadequate.

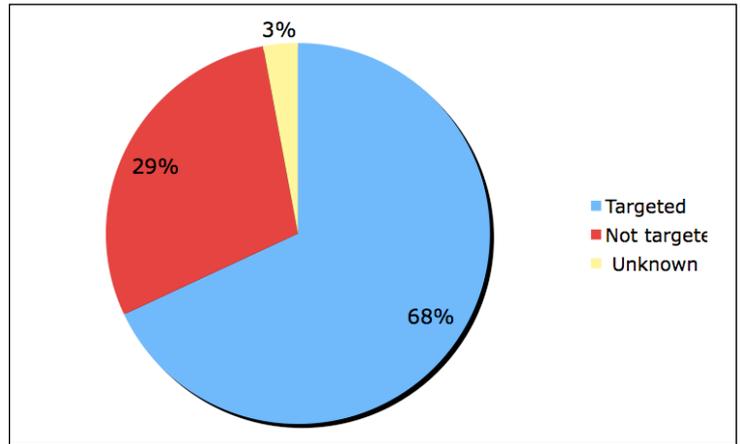


Figure 6: Percentage of targeted killings

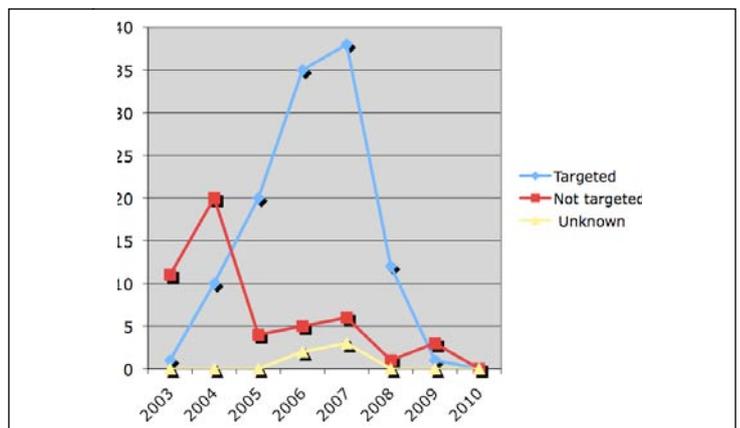


Figure 7: Trend in the number of targeted killings

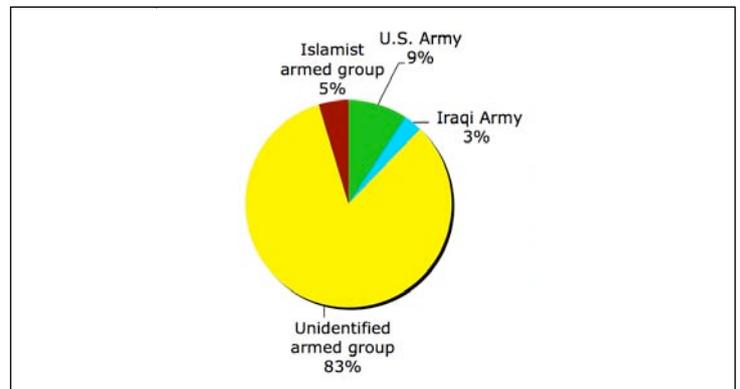


Figure 8: Breakdown by type of perpetrator

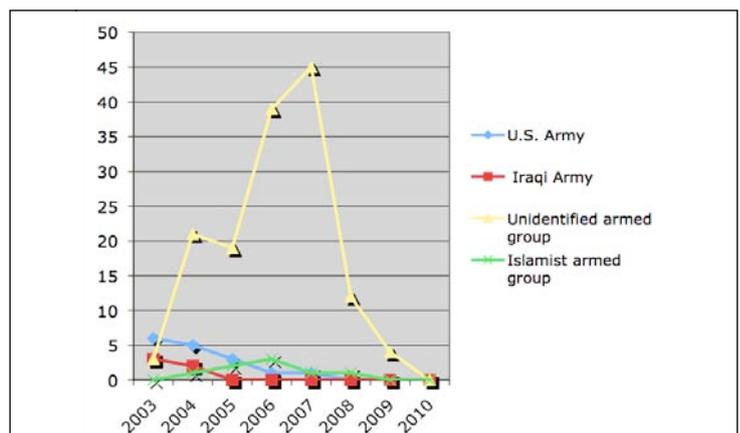


Figure 9: Trend in the number of journalists killed, by type of perpetrator

Examples of such cases :

- American shell fire hit Hotel Palestine – the hotel where the international press was staying in Baghdad – on 8 April 2003. **Taras Protsyuk**, a *Reuters* cameraman, died while being transported to hospital. **José Couso**, a cameraman with *Telecinco*, expired on the operating table. Like many journalists, they were covering the U.S. offensive in Baghdad. The premise of self-defence would be dogmatically maintained in all statements made by the American officials, who refused to accept the “*deliberate fire*” argument. In January 2004, in cooperation with *Le Nouvel Observateur*, Reporters Without Borders had published Jean-Paul Mari’s report entitled “*Two murders and a lie: An investigation of the U.S. Army’s shelling of the international press hotel in Baghdad*”. On 29 July 2010, the Spanish court before which the Couso family had repeatedly brought their case decided to issue new international arrest warrants against the three American servicemen implicated in the death of two journalists.

- Reporter **Ali al-Khatib**, and **Ali Abdel Aziz**, a cameraman working for the television network *Al-Arabiya*, were shot near a check point on 18 March 2004, while covering the aftermath of a rock attack on the Burj al-Hayat Hotel in Baghdad. **Assad Kadhim** and **Hussein Saleh**, two employees of the *Al-Iraqiya* network, were killed by U.S. Army fire on 19 April 2004. **Tarek Ayyoub** (*Al-Jazeera*), **Mazen Dana** (*Reuters*) were killed by American troops. Two other journalists who may also have died from U.S. fire are **Terry Lloyd** (*ITN*) and **Bourhan Mohammad al-Louhaybi** (*ABC News*).

- In 2005, the U.S. Army accepted responsibility for the death of three media professionals, including that of **Waleed Khaled**, a sound man for *Reuters*, who was shot once in the face and four times in the chest on 28 August 2005. Another casualty was **Ahmed Wael al-Bacri**, a director for *Al Sharqiya*.

- On 12 July 2007, photographer **Namir Noor-Eldeen**, 22, and his driver **Said Chmagh**, 40, were killed in an area east of Baghdad by shells of undetermined origin. On 5 April 2010, the Wikileaks Internet website broadcast a video tape showing that during this U.S. Army-led aerial attack on Baghdad, the two *Reuters* employees and a dozen other people had been mistaken for targets and killed.

Lastly, there is still no news of the fate of many journalists, including *ITN* television network’s

French cameraman, **Frédéric Nérac**, and his Lebanese interpreter **Hussein Othman**, who disappeared on 22 March 2003. They were near Basra when they were fired upon by American and Iraqi forces on the second day of the war. Their bodies were never recovered. Also unaccounted for since 15 August 2004 is the Iraqi cameraman for the German TV production company *Suedostmedia*, **Isam Muhsin al-Shumary**.

2 - ABDUCTED JOURNALISTS

More than 93 journalists and media contributors were abducted in the course of this war. At least 47 of them were released safe and sound, but 32 were executed. The fate of at least 14 Iraqi media professionals abducted during this period is still unknown.

A review of the trends marking this conflict shows low-activity phases succeeded by phases in which abductions were very frequent. The first case of a kidnapped journalist occurred in November 2003, eight months after the war started. The most recent one dates back to 13 September 2008, when four members of a team working for the private television network *Al-Sharqiya* were abducted and executed in Mosul. Resorting to abduction became a quasi-systematic practice in 2004, when more than 20 such cases were reported in that year alone. The blackest year was 2007, when over 25 media professionals were abducted.

For quite a while, taking journalists hostage (particularly foreign ones) became a gruesome form of business. Abductions of foreign journalists, who would be easy to recognise and whose release could serve as a means to blackmail external governments, were common. No nationality

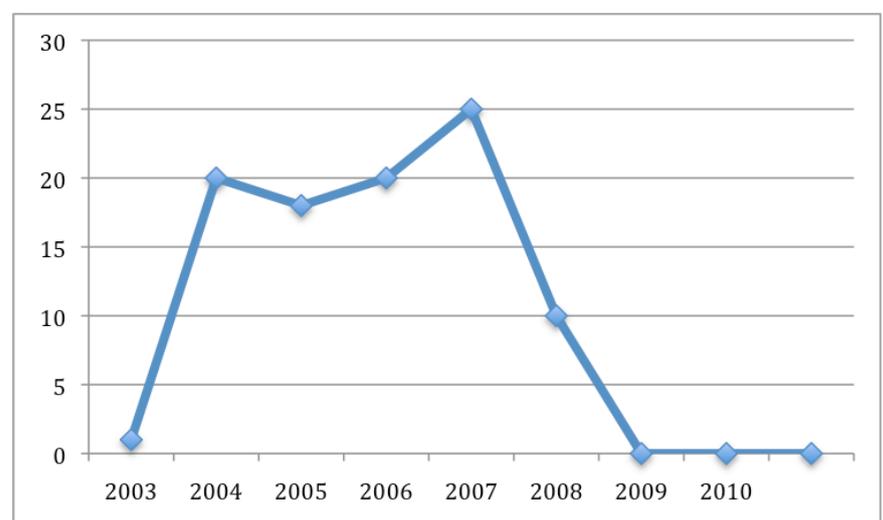


Figure 10: Trend in the number of abductions

– British, Turkish, Czech, French, Italian, or Japanese, just to name a few – was spared. Although the special foreign correspondents were initially targeted the most, their Iraqi counterparts have gradually become the prime targets.

The foreign country (other than Iraq) most adversely affected by abductions was France – a non-member country of the coalition. Nine French journalists were kidnapped in the course of the war, a surprisingly large number with apparently no other explanation than pure chance.

All French reporters who were taken hostage, as well as their Iraqi associates, were released safe and sound. Only one foreign journalist, **Enzo Baldoni**, was executed by his abductors. This 56-year-old Italian freelance journalist was writing articles for the independent weekly *Diario della Settimana*. His abductors executed him in the night of 26 to 27 August 2004.

3 - JOURNALISTS ARRESTED

- **by the Iraqis**

Dozens of journalists were interrogated by Iraqi authorities for several hours or several days within the context of this war.

- **by U.S. authorities**

Suspected of collaborating with the Iraqi insurgents, Iraqi journalists were routinely arrested during the conflict. As the war progressed, the length of their detentions increased, even though they had not been charged or tried by any competent authority.

It is impossible to obtain the exact number of journalists arrested by the U.S. Army from 20 March 2003 to 19 August 2010, but it amounts to over 30, with most of those cases in 2008. By early January 2006, Camp Bucca, an American detention centre in southern Iraq between the cities of Basra and Umm Qasr, had become the biggest prison for journalists in the Middle East.

The discovery in March 2004 that Iraqi prisoners in the Abu Ghraib prison had been tortured led three *Reuters* employees to reveal the abuses and humiliating treatments of a sexual and religious nature that they allegedly had endured in January 2004 at the hands of American soldiers while the three colleagues were being held on the military base near Fallujah (Forward Operating Base Volturno). Cameraman **Salem Ureibi**, freelance journalist **Ahmad Mohammad Hussiein al-Badrani**, and driver **Sattar Jabar al-Badrani** had been arrested on 2 January 2004, while covering a U.S. helicopter accident near the city. The three

men were released three days later without having been charged.

The last Iraqi journalist released by U.S. forces was **Ibrahim Jassam**, a *Reuters* agency photographer

A procedure in violation of the international principles of human rights

Such arbitrary arrests and detentions constitute typical violations of the principles of the Geneva and human rights conventions, even though the United States was claiming to detain these individuals in Iraq in accordance with international standards.

These detentions were reviewed solely by a special tribunal, the Combined Review and Release Board (CRRB), whose procedure was questionable. The CRRB was a panel jointly created with the Iraqi government and was composed of six Iraqi representatives (two for each of the Iraqi Ministries of Justice, the Interior and Human Rights), and of three officers of Multi-National Force - Iraq (MNF-I). Set up in August 2004, the detainee review process was to take place within 90 days following the arrest and to continue on the basis of one additional review every 180 days. Under this administrative procedure, detainees did not appear before the Board individually.

The CRRB would then recommend either that the detainee be released – whether or not vouched for by a guarantor – or kept in prison if it deemed that the detainee represented an “*imperative threat to coalition forces and Iraqi security.*” The case could also be transferred to Iraq’s Central Criminal Court if they contained adequately substantiated charges. But the CRRB merely had a consultative power, inasmuch as the final decision remained with MNF-1’s Commander-in-Chief.

According to MNF-1, the CRRB had been established in accordance with Article 78 of the Fourth Geneva Convention and with Resolutions 1546 and 1637 of the United Nations Security Council. However, MNF-1 totally ignored the legal guarantees which international law grants to detainees. Indeed, Article 3 – provided for in the Geneva Conventions and applicable in Iraq – prohibits “*the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court affording all the judicial guarantees which are recognized as indispensable by civilized peoples.*”

Yet during their detention, journalists (like all other detainees) did not benefit from any legal

assistance nor were they notified of any charges brought against them or legal proceeding. The hearings took place behind closed doors and the presence of MNF-1 officers within the CRRB did not provide any guarantee of “*independence and impartiality*,” a provision set out in Article 84-2 of the Fourth Geneva Convention.

A few examples

In May 2004, a team from the French television station *Canal +* was detained and kept handcuffed and blindfolded for over 24 hours by the U.S. Army before being released with apologies.

Freelance cameraman **Abdel Amir Younes Hussein** was working with *CBS News*, when, on 8 April 2005, he was wounded and arrested in Mosul. Held for 15 days, he was then transferred to the Abu Ghraib prison. On 7 July, he was transferred to Camp Bucca. On 25 August, Iraq’s Central Criminal Court refused to initiate an inquiry into the journalist’s case, which was then examined by the CRRB which, on 20 September 2005, recommended that Mr. Hussein’s be kept behind bars for imperative reasons of security.

For months, the case remained in judicial limbo. *CBS News* denounced its lack of transparency. The charges weighing against the journalist were never made public.

As Andrew Hayward, President of *CBS News*, wrote to U.S. Senator John McCain on 1 November 2005, “*Furthermore, it is a very strange way to set an example for a country that our government is trying ‘to educate’ on the path towards democracy.*”

Majeed Hameed, a *Reuters* freelance journalist and one of the *Al-Arabiya* network’s top correspondents, was arrested on 15 September 2005 while attending a close friend’s funeral. He was suspected of being involved in rebel activities. He was transferred on 2 November to the Abu Ghraib prison before being transferred to the Camp Bucca detention centre. He was freed on 15 January 2006, along with some 500 other Iraqi detainees being held by the MNF-1 on no specified charges. The evidence which the U.S. Army stated it had against him was never disclosed. During his detention he was not permitted to meet with his employer, the lawyer hired to represent him, or any member of his family.

Ali Omar Abraham al-Mashadani, a freelance reporter for *Reuters*, was arrested at his home on

8 August 2005 during a routine search by the U.S. Army in the city of Ramadi. The journalist was transferred to the Abu Ghraib prison, listed as a security detainee, and was suspected of having ties with the Iraqi insurgents. On 31 August, the CRRB recommended that the journalist’s internment be continued because he represented “*a threat to the security of the Iraqi people and the coalition forces based upon information linking him to anti-Iraqi forces.*” The journalist was then transferred to the Camp Bucca detention centre, from which he was released on 15 January 2006.

AP agency photographer **Bilal Hussein** was freed on 16 April 2008 after serving 735 days behind bars. He had been arrested on 12 April 2006 on “*terrorism*” charges while covering a Marines-led operation in the city of Ramadi. The U.S. Army had officially filed a complaint against him with an Iraqi tribunal in November 2007, 19 months after his arrest. On 7 April 2008, in accordance with the new amnesty law, four Iraqi judges had ordered the journalist’s release. It took two years for American authorities to acknowledge that this journalist was not posing a “*threat to national security*”.

Ahmed Nouri Raziak, an *AP* agency cameraman, was arrested on 4 June 2008 at his home and sent to Tikrit prison. He was released on 23 August 2008. **Ahmed al-Majoun**, President of the Salah El-Dine Journalists Union, was arrested during the night of 23 to 24 July 2008. He was freed on the 28th of July after being held at Speicher Base (15 km north of Tikrit). On 26 July 2008, it was *Reuters* news agency cameraman **Ali-Mashhadani**’s turn to be arrested for the third time since the beginning of the American intervention. He was freed 26 days later.

On 1 September 2008, **Ibrahim Jassam**, a *Reuters* news agency photographer, had been brought in for questioning by a U.S.-Iraqi contingent in the southern part of Baghdad, and incarcerated in Camp Cropper (near Baghdad Airport). Despite the fact that Iraq’s Central Criminal Court had dismissed the charges against the photographer and ordered his release on 30 November 2008, the U.S. Army refused to free him. According to Major Neal Fisher, spokesman for the U.S. military’s detainee operations in Iraq, the journalist was listed as “*a security threat*”. Yet at no time did the American authorities publicly state the reasons for his arrest. Ibrahim Jassam was later transferred to Camp Bucca before being returned to Camp Cropper after the former’s detention centre was closed. He was not released until 10 February 2010, despite no charges having been filed against him.

Failure to acknowledge the special nature of the work performed by journalists

It seems obvious, as illustrated by the above examples, that the Pentagon has always refused to acknowledge the special status held by journalists who, by virtue of their occupation, are required to be present on the terrain of operations.

Such failure to recognise the special nature of the work done by journalists is dangerous. American soldiers are not trained to adopt a particular attitude towards a journalist who has been asked to work alongside them in order to cover a particular phase of an operation. In view of the war in Iraq and of the way the American forces handled the Iraqi journalists, U.S. troops on the ground ought to be given clear and imperative orders to the effect that the **possession of a video camera, video cassette or still camera cannot be construed as indicating an illegal activity. A camera has nothing in common with a weapon. Shooting rules should therefore be revised accordingly.**

Reporters Without Borders wishes to stress that, by virtue of the Geneva Conventions, journalists are considered to be non-combatant civilians. UN Security Council Resolution 1738 on the protection of journalists in armed conflict, adopted on 23 December 2006, reaffirms the need to prevent acts of violence against journalists and to prosecute violators. The dozens of journalists arrested or killed by American military fire are major issues that cannot be ignored.

Reporters Without Borders is wondering why U.S. authorities have not thoroughly investigated any of these cases. No official was ever appointed to handle such inquiries, and no guideline has ever been clearly enforced by American authorities with respect to journalists.

4 - IRAQI JOURNALISTS WHO HAVE FLED THEIR COUNTRY

Like many of their fellow countrymen, numerous Iraqi journalists have opted for exile. Targeted, threatened, kidnapped, or simply weary of their precarious security status, they have chosen flight rather than lose their lives. The year 2006 was particularly gruelling for the Iraqi media, inasmuch as many outlets had to close their offices for safety reasons. The vast majority of them sought refuge in Kurdistan, northern Iraq, or in Amman in Jordan, or in Damascus. Dozens also sought asylum in Europe. Reporters Without Borders provided legal and financial support to some forty journalists, helping them secure safe accommodations and a protective status.

In March 2008, on the fifth « anniversary » date of the start of the US-led invasion of Iraq, Reporters Without Borders staff travelled to Amman to meet some Iraqi journalists who had fled their country. Unable to obtain an entry visa into Syria, the Organisation telephoned individuals who had found refuge in Damascus.

The Iraqi journalists initially chose Jordan as their preferred exile destination. In 2008, Reporters Without Borders estimated that about 200 Iraqi journalists had found refuge in Jordan. Several Iraqi media outlets had set up their regional headquarters in the country, using Amman as their support base. *Baghdad TV* set up offices in Jordan in 2007 after two of its employees were said to have been killed and 17 others injured. The Iraqi public TV network *Al-Iraqiya* also opened an office in the Jordanian capital, while *Al-Sharqiya* moved its office to Amman after its facilities in the Iraqi capital were closed in 2006.

The Jordanian authorities would only grant residence permits to journalists affiliated with Iraqi media outlets officially registered in Jordan or working for a foreign agency. Furthermore, inasmuch as Jordan employers were required, in order to hire a foreigner, to prove that the position could not be filled by a Jordanian journalist, few Iraqi journalists managed to find work with the Jordanian media.

After Jordan almost totally closed its borders to Iraqis in late 2006, Damascus became the primary exile destination for journalists fleeing Iraq in 2007, even though Syria had implemented a mandatory entry visa policy for Iraqis. As Iraqi media outlets were scarcer in the latter country, Iraqi journalists were left with fewer work opportunities there.

As a rule, exile was not the end of the journey for these combatants. Some grew tired of the long wait, outrageous administrative formalities and material hardships, and went back to Iraq.

A minority, however, managed to find another journalist position in a foreign media outlet's Arabic-language service, or enrolled in a training program in Europe or the United States, thanks to the support of their former employer or of international organisations such as Reporters Without Borders.

5 - LACK OF PROTECTION FOR JOURNALISTS AND IMPUNITY FOR THEIR KILLERS

Shortly after the ousting of Saddam Hussein, the Iraqi government proved incapable of protecting journalists, who increasingly became targets for murder and abduction. As they were preceded by

threats, some murders could probably have been avoided, such as that of **Mahmud Hassib al-Kassab**, who was killed on 28 May 2007.

The measures adopted in late February 2008 by Nuri al-Maliki's government reflected the Iraqi authorities' inability to ensure the protection of journalists : indeed, the Ministry of the Interior decided to grant journalists a permit to carry a weapon.

In October 2008, however, Iraqi authorities took the first concrete measures to put an end to the impunity previously enjoyed by those who had committed acts of violence against hundreds of journalists in Iraq : a special unit was created within the Iraqi police force to investigate journalist murder cases. Reporters Without Borders had repeatedly urged Iraqi President Jalal Talabani to set up such task force. A few weeks later, the Ministry of the Interior, working jointly with the Journalistic Freedoms Observatory (JFO) – a Reporters Without Borders partner organisation – set up a hotline dedicated to media professionals at risk. In addition to these initiatives, measures were also implemented to facilitate and improve media professionals' movements throughout the country.

Lastly, in 2007, four years after Saddam Hussein's regime was overthrown, the Iraqi Ministry of the Interior initiated investigations into the circumstances surrounding the deliberate and targeted attacks on hundreds of information professionals in order to identify the perpetrators and bring them before Iraqi courts. Yet to date, only an insignificant number of cases have led to arrests. The majority of the killers are still enjoying total impunity, which is dampening hopes for a future democratic Iraq.

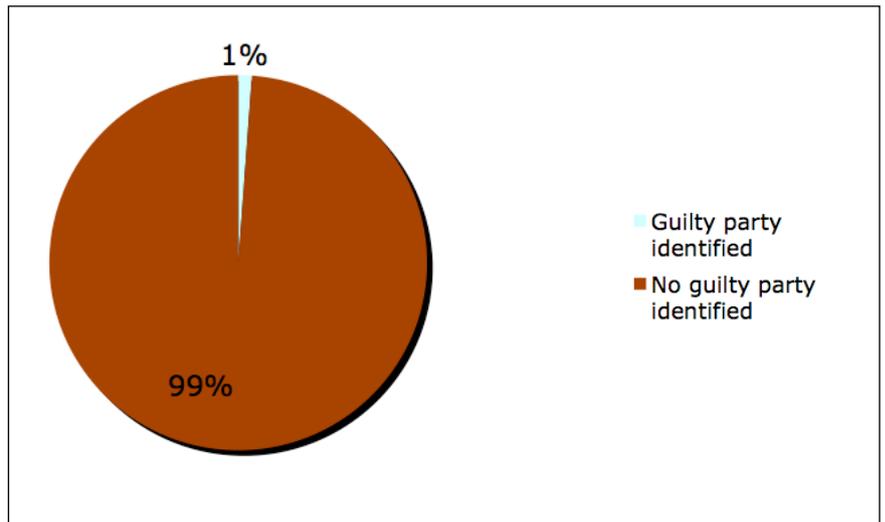


Figure 11: Percentage of total journalist murder cases in which the guilty party was identified

REPORTERS WITHOUT BORDERS

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REPORTERS WITHOUT BORDERS is an international press freedom organisation. It monitors and reports violations of media freedom throughout the world. Consisting of a team of 12 journalists and a network of 140 correspondents worldwide, Reporters Without Borders analyses the information it obtains and uses press releases, letters, investigative reports and recommendations to alert public opinion to abuses against journalists and violations of free expression, and to put pressure on politicians and government officials.

Secretary-general: **Jean-Francois Julliard**