

Media Freedom in the Pacific Region



Research

Exploring Media Freedom in six small island states

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1.INTRODUCTION

This research examines media freedom in parts of the Pacific region. My belief is that it is still a daily uphill challenge because of on-going news reports of journalists, editors and publishers who are still under threat if they report on stories that reveal publicly a lack of transparency, accountability, or corruption in the public and private sectors. These stories tell of media practitioners enduring stonewalling and opposition to their gathering of information for reporting purposes. This reasoning is based on how isolated but tight knit island communities operate. Such cultural communities boast strong cultural ties traditions and numerous political influences. As a result, the western concept of media freedom is likely to appear a distant reality for someone working within a rural community village on a small isolated island state where everybody knows everyone else, as opposed to a journalist employed to report on stories in a developed city. As this report later shows, it is a far cry from the friendly tropical and peaceful Pacific islands most tourists think of, when a journalist or editor sustains unprovoked injuries after being beaten up for simply doing their job. And this research shows Pacific journalists are among those in the world still facing resistance in their job to report stories deemed in the best interest of their communities, and the wider public, irrespective of who the subject is. Other barriers for journalists in the region is pressure to self -censor reports to avoid being subjected to intimidation or face punishments that can breach the most basic of human rights, and in some cases, has resulted in even death. In French Polynesia, a young and independent journalist editor, Jean-Pascal Couraud disappeared without a trace in mid-December 1997.¹ Elsewhere there have been incidences of unprovoked brutal beatings which continue on today.

¹ It has been widely alleged that the GIP, the Presidential Intelligence Service at the time, abducted and killed the journalist because of a corruption story he was investigating. His family have pursued every legal avenue to bring those responsible for his alleged murder to justice since, but they may never get it.

Veteran media advocate journalist and trainer Peter Lomas while working in Solomon Islands was violently bashed kicked and punched at the Solomon Star newspaper in Honiara in September 2009 and sustained violent injuries.² Marc Neil-Jones, the publisher of Vanuatu's Daily Post newspaper has also been assaulted and beaten on a number of occasions, by locals unhappy about press coverage.³ In Fiji, a growing number of foreign and local journalists, publishers and editors have been deported, taken into military barracks for questioning, and allegedly beaten for printing stories critical of the current interim regime with censors introduced into newsrooms under a Media Freedom Decree.⁴ For the purposes of my research, I consider some examples out of numerous stories published by local media that have had negative reactions in six small island states this year. I will consider media freedom in Melanesia (Fiji and Vanuatu); Polynesia (Samoa, Tonga and the Cook Islands); and in one United States Territory, American Samoa. It also explores behind some of the biggest news headlines this year to find out by talking to some journalists on the ground as to what the true extent of violations, if any, are to press freedom. And what progress has there really been in trying to achieve it. The research is limited by time and resources being conducted by one person, but I hope to give the reader at least a snapshot of where media freedom is currently at in some small island states. And where relevant there are also references in this report to other Pacific nations.

To begin let us consider some media groups whose objectives and aims are primarily to promote media freedom.

²Peter Lomas attacked 25 October 2008, ex PFF

³ Marc Neil Jones has been attacked by a number of people, including politicians unhappy about press coverage prior to an election. In January 2009 he was beaten up by four police officers for his coverage of a prison story, which called for the head of corrections to be sacked following an on-going spate of prison outbreaks.

⁴ Fiji's Media Decree came into force in April 2009.

2.PACIFIC MEDIA GROUPS

PACIFIC FREEDOM FORUM, or PFF, is a regional and global online network of Pacific media colleagues. The PFF has the specific intent of raising awareness and advocacy of the right of Pacific people to enjoy freedom of expression and be served by a free and independent media. The organization believes in the critical and basic link between these freedoms and the vision of democratic and participatory governance pledged by regional leaders in their endorsement of the Pacific Plan and other commitments to good governance. In 2009 the PFF stance stated clearly that there is no room for violence in the workplace and any beating or intimidation is an affront to media freedom. More often than not, there is often a lack of prosecution or adequate follow up of assault cases by local authorities. The PFF continues to issue online statements publicly and quickly to condemn any violations to media freedom in the region.

PACIFIC ISLAND NEWS ASSOCIATION or PINA still has its secretariat in Fiji. It was first formed following a conference of Pacific Island editors held in Suva back in 1972 to get a regional body for media. PINA is governed by an executive board elected by members during its general assembly held every two years. Its core business is supposed to promote and defend freedom of expression in the region in the interest of its members, as well as offer training and networking opportunities. But as this report shows, PINA has become a regional body divided. Financial limitations and the continuing difficult economic and political situation in Suva, where the PINA secretariat is based, has somewhat marred its reputation as an independent organization. As a result, its PACNEWS bulletin is also subject to censorship under Fiji's current emergency

regulations imposed by a military dictatorship. PINA has been reluctant to condemn violations of media freedom in Fiji and the region, and this has led to other media groups being set up by former members who have voiced their distrust and disillusionment with the association's censored voice in condemning media freedom violations occurring daily in the very region they are mandated to serve.

PIMA, while similar in name to PINA, is actually New Zealand's Pacific Islands Media Association. The group was formed in 2001 with a vision to see Pacific media being world leaders in the industry. It aims to network, educate, and train those interested and involved in Pacific media. PIMA was also established to encourage and promote Pacific Islands' representation on industry groups. PIMA meetings provide a once a year opportunity to debate and talk about relevant issues such as media freedom in the Pacific. Guest speakers are invited from different Pacific Islands, as well as New Zealand.

VANUATU MEDIA ASSOCIATION or MAV is a non-profit organisation set up in 1981, whose mission is to promote effective governance, transparency and accountability within Vanuatu media. MAV also states it aims to develop excellence and professionalism among media practitioners so they can maintain an effective 'watchdog' role and be champions of truth. Among their objectives is to promote better access to information for the development of press freedom in Vanuatu. In 2009, this association hosted a PINA annual general meeting in Port Vila which provided an ideal opportunity to connect with journalists from all over the region for the purposes of this research.

JAWS - Samoa's Journalist Association that was set up in the 1980s. It is an acronym for the **J**ournalist's **A**ssociation (of) **W**estern **S**amoa, but when the term "Western" got dropped from Samoa's name in 1997, members voted to keep it. It is a legally registered incorporated society with the Ministry of Commerce Industry and Labour. The independent body is made up of local journalists working in the print, online, television and radio media. The association promotes the role of a free media in Samoan society, and protects the rights of journalists in Samoa and utilises a blog site. Members appear active and keen to see progression in their industry and regularly make statements in regards to freedom of the press in Samoa and the Pacific region. Outside organisations have also come out in support of JAWS.⁵ The group chose to sever ties with PINA after the 2009 biannual meeting, citing disappointment in PINA's muzzled reactions to on-going breeches of media freedom.

FIJI MEDIA COUNCIL had consisted of a group of highly regarded media organisations and public-spirited individuals whose role overall is to promote and encourage quality journalism before censorship. Among its objectives was to promote high journalistic standards, to safeguard the media's independence, to uphold freedom of speech and expression and to uphold the public's right to be informed accurately and fairly. The Media Council's General Media Code of Ethics and Practice is supposed to fulfil an important role in raising journalistic standards but under the current military led regime the council's work has been rendered ineffective.

⁵ In 2008 the International Federation of Journalists, or IFJ, issued statements in support of a complaint made by JAWS. The complaint was in regards to the censorship of the media by the office of the Ombudsman, and it supported the organisation in discouraging the harassment of journalists at the Samoan courts

3.DEFINITION

So what exactly is media freedom? Generally speaking, it is the freedom of the media to do their job and report on any issue in the public interest, and the human right to freedom of speech and expression in any democracy. A popular view of media freedom is that it provides a vehicle for free speech.

*"Freedom of expression is a broad concept that is regarded as fundamental to the operation of democracy. It operates on a number of levels, that of the individual, the media and the operations of government. It begins with the right of an individual to freedom of speech. Given the importance of the media as a contributor to public debate, in order for freedom of expression to be meaningfully exercised a diverse and independent media is required. Both the individual and the media are in turn dependent on open access to government information in order that these freedoms can be exercised in relation to the functioning of democratic systems of government. There will always be disparities between the requirements of the law and the practical functioning of the media, individual freedom and government transparency. However a rigorous legal framework for the protection of freedom of expression will help to ensure that unwarranted restrictions on speech can be challenged by taking legal action to protect the rights of individuals and the media."*⁶

By gathering and publishing information in the public interest, the media's role is often regarded as integral to advancing good governance among the region's developing countries. But a lack of adequate legislation to ensure the freedom of information in the region can be an added frustration for some media practitioners, who might otherwise

⁶ P 39 of the Informing Citizens Report, AUSAID 2004

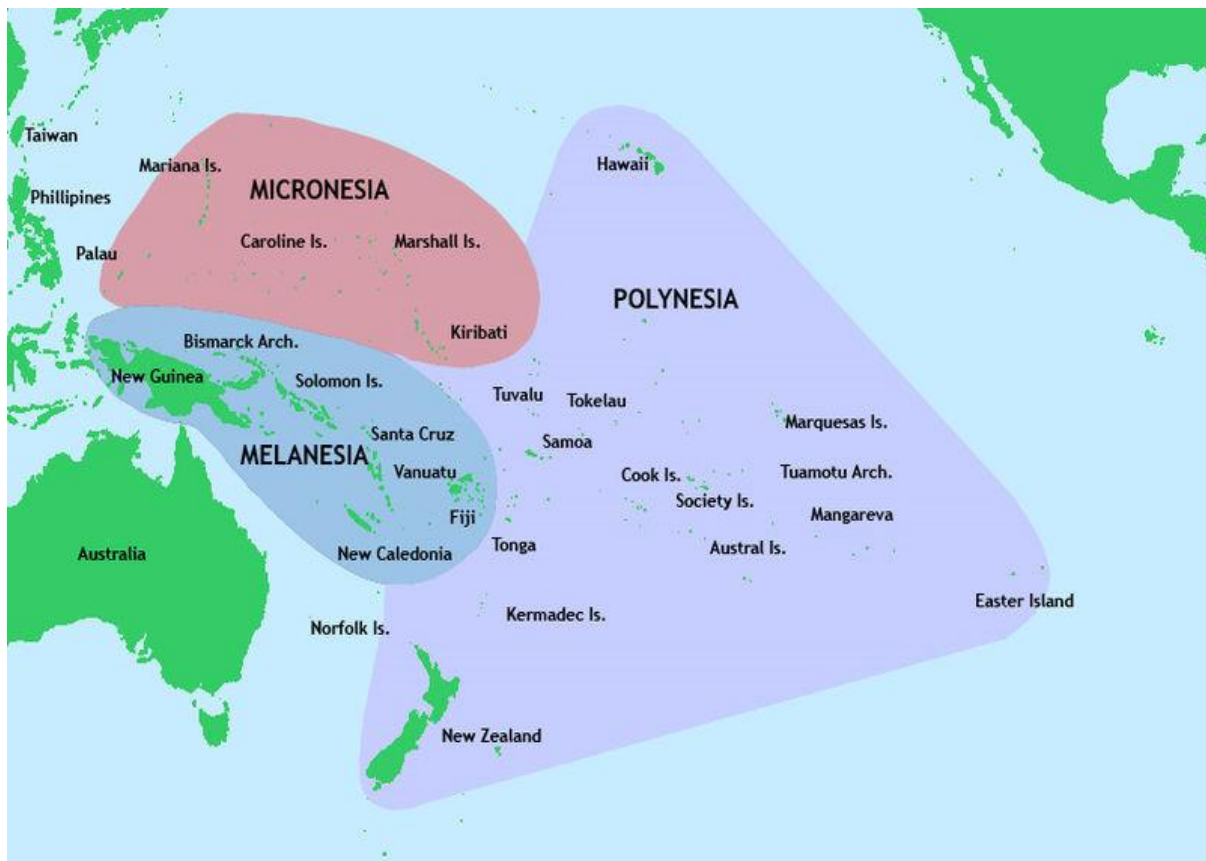
be able to request information under an Official Information Act. But simply enacting a piece of legislation with inadequate record keeping practises in the Cook Islands is not the answer either. Consider a country's constitution, which provides the basic legal principal on which a society operates and is founded on and designed to protect the freedom of expression to ensure unwarranted restrictions on speech can be challenged. There are also global United Nation agreements and global human rights standards small island states sign up for, promising to meet.

But often, things are not quite so clear cut, taking into account that Pacific states have smaller but fast growing populations, shrinking land base, older infrastructures, less money and fewer resources. And as already mentioned underlying cultural protocols need to be taken into consideration, as these do govern how a certain Pacific society operates. For example, in Samoa there is the Samoan Matai or chiefly system under “fa’asamoa” or the Samoan way and in Melanesia it is the “wantok” system. “Wantok” simply means ‘one talk’ and one’s wantok includes all who speak the same language as you. Let’s take a look at the background context of each island state.

4.BACKGROUNDS IN BRIEF

MELANESIA is a division of Oceania in the Southwest Pacific Ocean comprising of islands north east of Australia and south of the equator. Small Island states affiliated to Melanesia includes Vanuatu, Solomon Islands Papua New Guinea New Caledonia and Fiji.

Fiji consists of over 300 islands, divided into 14 provinces, with its population now numbering 860,000.⁷ The capital is Suva and Fiji's main cultures are Indo Fijians and indigenous Fijians, but there is also a smaller population of Chinese, European and other Pacific people residing there. The main languages spoken are Fijian, Hindustani and English.



Map of Melanesia/Polynesia/Micronesia ⁸

⁷ World Bank

⁸ Google maps of Pacific Region

Fiji is also well known for its many coups. One coup led by then Lieutenant Colonel Sitiveni Rabuka in which Timoci Bavadra was deposed, took place on May 14, 1987. The colonel led another coup on September 28 which ended the Fijian Monarchy. A new constitution promulgated in July 1990 with elections held in May 1992. Then in 2000, George Speight led a coup that took hostage the then Prime Minister Mahendra Chaudry and members of government. The hostage taking was followed by the abrogation of the constitution, the departure of the then President Mara, and the installation of three successive unelected interim administrations. Subsequent rulings by the Fiji High Court and Court of Appeal that the 1997 Constitution remained the supreme law of the land saw Fiji's general election held late August 2001 and Fiji returned to parliamentary democracy. Laisenia Qarase was the elected Prime Minister until his ousting in 2006 in a coup staged by Fiji's Military Commander, Commodore Frank Bainimarama, who took on the role of interim Prime Minister. Under his leadership military personnel were appointed to key roles and Fiji's constitution abrogated, the judiciary system overhauled and censorship imposed on all media under a state of emergency. Fiji's situation remains fluid in the lead up to democratic elections earmarked for 2014.

Vanuatu Tourism states there are more than 80 islands with a population of more than 200,000.⁹ The capital is Port Vila and while Vanuatu boasts over 100 distinct languages and innumerable dialects the three official languages are English, French and Bislama or Pidgin English. The Republic was named New Hebrides during its colonial period until

⁹ Vanuatu Statistics Bureau 2006

the 1960s when the Ni-Vanuatu¹⁰ people started to press for self-governance and later independence. Full sovereignty was then granted on July 30, 1980. The nation's name is said to be derived from the word 'vanua' and the word 'tu' which translates to mean land eternal. As well as Ni-Vanuatu, there are small communities of Australian, New Zealand, Vietnamese, Chinese and other Pacific Islanders. Vanuatu has a parliamentary democracy and a 52 member parliament elected by the people every four years. My research was conducted when Edward Natapei was the elected Prime Minister. It is a nation still largely dependent on aid donors but is perhaps more stable than neighbouring Fiji. The Pacific Forum states while Vanuatu has experienced significant economic growth over the past few years, averaging 5.6% per year, it still struggles to adequately meet the needs of its people. The country suffers from a low standard of literacy compared to other Pacific Island countries with the cost to families for educating their children still high and the infrastructure to enable rural farmers to increase their income is lacking.

POLYNESIA is the east central region of the Pacific Ocean bounded by a triangle stretching from New Zealand to Easter Island and up to Hawaii. Samoa, Tonga and the Cook Islands are located within this area.

Samoa gained independence in 1962, and the nation and its people have held annual celebrations to mark the occasion ever since. Savaii and Upolu are the nation's biggest islands and the capital is Apia. The two main languages spoken are Samoan and English. The current population numbers over 180,000 ¹¹ made up of mostly indigenous

¹⁰ Refers to all Melanesian ethnicities originating in Vanuatu

¹¹ Source: World Bank

Samoans. But with the war and the shipping in of labour from China, many Samoan people have Chinese and German European ancestry. The first European visitor to Samoa in 1768 was believed to be French and treaties were signed between Samoan chiefs and European nations in 1838-1839. The British, German and US rivalry for influence continued but Western Samoa was annexed to become a German Territory until 1914, when it was occupied by New Zealand and following World War II became a United Nations Trust Territory under the administration of New Zealand. In October 1961 the UN General Assembly passed a resolution to terminate the trusteeship agreement as from 1 January 1962, on which date Western Samoa became an independent sovereign state. The prefix "western" was dropped in July 1997, and the country officially known as Samoa. The nation has a parliamentary democracy and the constitution provides for a Head of State who has executive authority. Parliament has 49 members, 47 seats are reserved for matai or chiefs, the other two for Samoans of mixed blood. The main political party in Samoa is the HRPP, Human Rights Protection Party and the opposition party is the recently formed Tautua Samoa. The current Prime Minister is Tuilaepa Aiono Sailele Malielegaoi. Its developing economy is small but agriculturally based and increasingly tourism focused. Overseas remittances are also a significant source of income. The fa'asamoa, or traditional Samoan way, with its historical customs, social systems and language, remains strong in Samoan life and politics, despite outside influences.

Tonga has more than 170 islands and its population now numbers over 100,000,¹² with two thirds residing on the main island of Tongatapu. The main languages spoken are Tongan and English. Tonga is unique in that it is a constitutional monarchy. The unicameral Legislative Assembly was dominated by the royal family and nobles until

¹² Source: World Bank

recently.¹³ An increasingly popular pro-democracy movement that formed in 1992 started a demand for more rights for the common people and curbs on the influence of the nobility. In November 2006, days of political demonstrations deteriorated into a riot, leaving the central business district of Nuku'alofa in ruins. The government had to declare an on-going state of emergency to restore law and order to the capital. In August 2007, a tripartite committee of cabinet, nobles', and people's representatives issued a report on reforms to the Legislative Assembly and in July 2008, the Assembly passed legislation to establish a Constitutional and Electoral Reform Commission (CEC) charged with undertaking preparatory work for 2010 political reforms. The reforms included increasing the number of people's representatives in the legislature from 9 to 17 and a new electoral system under which 17 electoral constituencies were drawn by a newly established Electoral Commission. The electoral reforms for the first time prepared for a majority of the parliament, 17 of the 26 elected seats, to be directly elected. Following the death of his father Taufa'ahau Tupou IV on 10 September 2006, George Tupou V became Tonga's new and current King. The Kingdom is heavily reliant on remittances from Tongan communities' abroad and external development assistance.

The Cook Islands capital is Avarua town on Rarotonga. The southern group of islands include Aitutaki, Atiu, Mangaia, Mauke, Mitiaro Palmerston and Takutea and the Northern group include Manahiki, Nassau, Penrhyn, Pukapuka and Rakahanga. The islands are named after Captain James Cook, who visited the islands in the late 1700s. The Cook Islands became a British protectorate in 1888, but by 1900 administrative control was transferred to New Zealand. In August 1965 residents chose self-government in free association with New Zealand.

¹³ November 2010



¹⁴ Cook Island dancers

The Cook Islands has 15 islands in the group and the main language is Cook Island Māori and English. The outer islands have their own dialects as well. Parliament has 24 elected members and elections held every five years. At the time of my research the current Prime Minister was Jim Marurai and his deputy Sir Terepai Maoate. While the current population is 14,200, ¹⁵the Cook Islands has, like neighbouring Niue, suffered a decline in population due to large numbers migrating to New Zealand and other countries for better opportunities. Under the terms of free association with New Zealand, Cook Islanders hold New Zealand citizenship and have rights to free access to New Zealand.

¹⁴ Cook Islands News photo

¹⁵ MFAT NZ Statistic 2008

A UNITED STATES TERRITORY is an extent of region under the jurisdiction of the federal government of the United States including all waters. The United States currently administers 16 Territories as Insular areas. American Samoa is an unorganised and unincorporated U.S. Territory.

American Samoa

American Samoa has been occupied by the United States as a territory since 1900, but it is believed to have been inhabited since 600 B.C. The country's five islands and two coral atolls, which make up the eastern portion of Samoa's archipelago in the Pacific Ocean, are managed by the U.S. Department of the Interior and a local, popularly elected Governor. The legislature consists of a House of Representatives and a Senate, and the country also has an elected delegate to the U.S. House of Representatives. The main island of Tutuila houses most of the territory's total population estimated at more than 65,000 people.¹⁶ The official languages are Samoan and English. The current Governor is Togiola Tulafono, who has now held this post for the allowable number of consecutive terms and can't run for governor at the next election scheduled for 2012. The non-voting representative to the U.S. House of Representative is currently Faleomavaega Eni Hunkin. Pago Pago is the capital. Its economy is largely dependent upon American aid but is not as developed as the mainland U.S. or Hawaii. Most locals are employed either with the American Samoa Territorial government, its one remaining tuna cannery Star Kist, or the private sector. The other tuna cannery in American Samoa, Samoa Packing Chicken of the Sea subsidiary was forced to close in 2009 due to a mandatory increase in the minimum wage.¹⁷

¹⁶ American Samoa Tourism statistic

¹⁷ Ex RNZI news coverage

5.MEDIA

FREEDOM

IN

MELANESIA



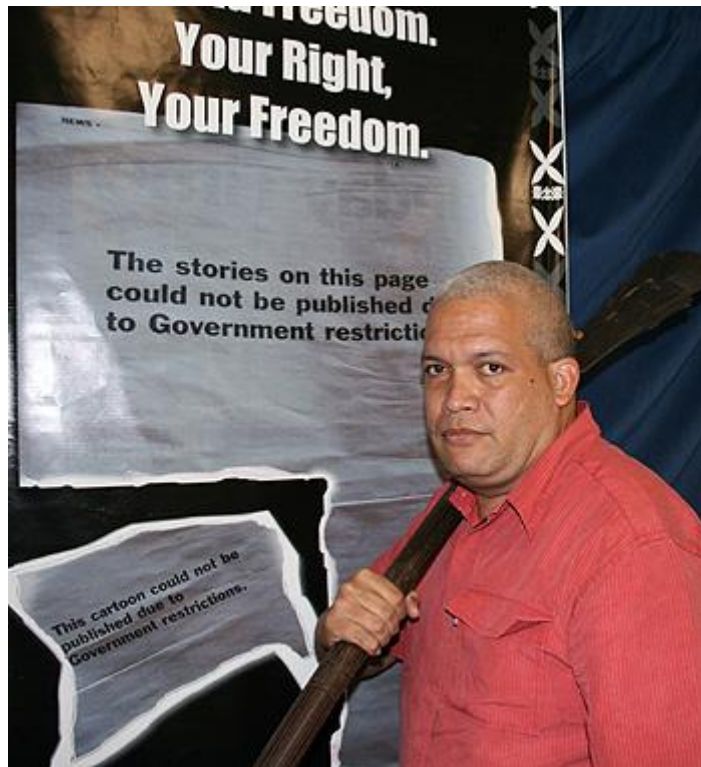
FIJI AND VANUATU

The Fiji Times newspaper is one of Fiji's oldest papers, ¹⁸and has continued to exist despite the implementation of emergency regulations and censoring of media under Fiji's Media Decree in April 2009. Since the decree came into force, journalists and publishers have faced deportation orders, beatings, or faced intense private questioning by the military or thrown into cells. Despite this, there are still journalists against censorship, holding steadfast to media ethics with a tenacious desire to tell a story that is in the public interest, no matter what the cost. This year, the paper reached its 140th anniversary, but to little fanfare and celebration.

During my brief visit to Fiji as a tourist in 2009, many locals, including journalists, lived in fear. At that time journalists either said they'd preferred to be interviewed for this research outside of Fiji, ignored my request, or politely declined to take part in the research for fear of retribution on themselves or their families. The mood among many of them seemed to be one of fear, nervousness and anxiousness. Others were being regularly followed by military personnel, and it was difficult chatting openly. Some journalists made mention of the fact that at the time of my visit, Methodist Church Ministers organising their annual conference were being taken in for questioning, including renowned High Chief in the Rewa province and former high ranking cabinet minister under the Laisenia Qarase government, Ro Teimumu Kepa. ¹⁹The military felt the Church was undermining its authority by using their meeting for political gain. It is no wonder journalists and their families living in Fiji feared they could be next.

¹⁸ Fiji Times newspaper was founded in 1869

¹⁹ Radio New Zealand International coverage 22 July 2009



Netani Rika, Fiji Times Editor

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So it was fortunate that Fiji Times staffers were among other journalists who visited Vanuatu to take part in PINA and speak at a workshop in 2009; titled "Shooting the messenger intimidation and violence against Pacific media practitioners". That year, the Fiji Times editor, Netani Rika, gave a first-hand personal account of what it is really like to work in a Fiji newsroom nowadays where media freedom is non-existent, saying how journalists there feel gagged, restricted and forced to comply with a military regime who are doing their best to hold on to power. I have included it in full, as it gives an honest account of what working as a journalist editor now has to put up with in Fiji.

"The Fijian culture is rich in an ancient system of carrying messages between individuals, clans, kingdoms and the various social strata which has been part of our lives since the beginning of time. Our culture is one in which respect plays a significant role in the lives of every member of society. Messages are communicated

²⁰ Netani Rika photo, by The University of Queensland Australia UQ News.

by chosen emissaries who are born into the role, or chosen representatives of the land for its people. They are trained in the formal and respectful use of the language and told of the links between districts and neighbouring provinces for these links are based on ancient bloodlines political alliances and friendships which have endured the test of time. The role of the Mata Ni Vanua, the messenger, is that they provide the links between two families or kings and individuals. Sometimes it is to support the role of the master, other times it plays the central role for forgiveness and reconciliation. In ancient times the Mata Ni Vanua was treated with dignity but to kill a Mata Ni Vanua was considered a grave insult to the person who'd been sent a message. The lives of these ambassadors was often fraught with danger as it was sometimes the message they brought back rather than the one they took that could result in anger and death. Today the role of the Mata Ni Vanua remains in communication, an integral part of our future. It is not peculiar to Fiji. We have cultures throughout the Pacific with adoptions of similar systems of diplomacy, message bearing and communication. Our role as journalists is in a way similar to that of these ancient Pacific messengers, providing a valuable line of information to poorer people regardless of status. In some countries, our tasks are thankless, and we work in dangerous conditions every day constantly under threat by us people who would rather hide the truth from their people, or would promulgate a particular message for the sake of a few more political miles. Our role is not easy for we may not agree with the message that must be purveyed in our newspapers, or on TV stations, or in radio studios. Despite this we meet people of all beliefs and ethnic backgrounds with differing opinions and carrying different messages. We still carry these messages, more often than not encountering the wrath of authorities. Like the great philosopher Voltaire we may not agree with

*what people may say but who will defend their right to say it? It has been our philosophy at the Fiji Times since Sept 4, 1869. We've been criticised, threatened and abused by every Fiji government in the last 140 years. I do not expect that the future will be any different, as not everyone is always happy with the message that we carry. Unfortunately in Fiji and the Pacific the message carried by the media is often only acceptable to authorities when it's what they want to hear. It will only happen in the state of Utopia. It is our duty as journalists to carry the messages of all communities, religious, social and political groups and we must do so with responsibility, dignity and with respect. The messengers in Fiji may not have been shot, literally, but they've been arrested, detained, abused verbally and physically and most recently been gagged by authorities. Two of our most hard working reporters were recently detained on certain occasions in Labasa. They were women. Their detention had nothing to do with the fact they were women. Their detention had to do with gagging the media by the authorities. Those same authorities are represented here today. These people, who restrict our work and the work of our colleagues every day, have been accepted to speak at this forum. They have been allowed a voice as a member of this association. That is what we should do, as journalists we allow views of all people in the community, even when we don't agree with their message. They have been treated with decency, respect and dignity which we as journalists, are refused back home. It is my hope that the ministry's messengers will return home and tell those who sent them of the dignity, decency, and respect with which they have been treated. Colleagues, I thank you for your constant messages of hope and support that has helped me and my team at the Fiji Times to keep going, during some difficult times."*²¹

²¹ Extracts of Netani Rika's speech at the PINA Media Freedom Workshop, 2009 Port Vila.

Netani Rika's account and experience in Fiji won him the PINA award for media freedom in 2009. Obviously it has not been easy for him to practise journalism in the face of the Fiji military backed regime's strategy to target key areas of society for control, like the media and the judiciary. The censoring of news does stop messages or images that could incite violence or uprising and having a state of emergency prevents large numbers of people gathering together in a group which could start a riot²².

At the end of his speech, Netani Rika was referring to Lance Corporal Talei Tora from Fiji's Military, who was present and next to speak at the workshop. She had been allowed in as a "fully paid" PINA member despite her being one of 60 or so military personnel distributed throughout Fiji's public service. She represented at that time Fiji's Information Ministry, but her presence caused somewhat of a stir among many PINA members, who felt it was an affront to have a military person attending and a slap in the face for Fiji media and other Pacific media who advocate in support for media freedom. Lance Corporal Talei Tora aired her views, which I have also included in full in order to see her perspective on why censorship is deemed a necessity in Fiji.

"On the 10th of April this year, Good Friday, the President of Fiji, His excellency Josefa Iloilo abrogated the country's 1997 constitution and promulgated the public emergency regulations, what we term the PER²³. Under the PER, the Ministry of Information has been assigned the task of censoring the media on a daily basis. This practice involves staff from the ministry using certain guidelines to determine what is permissible in broadcast or print under the PER. This job of censoring is by no means an easy task. It requires the ministry of information staff to be on the ball

²² Such as Tonga riot's in Nukualofa in 2006

²³ PER = Public Emergency Regulations

at all times about issues at the same time working within confines of the PER. It has never been a situation as it's once been described, that we go into newsrooms with a pen as a marker to disallow every political story that comes our way. On the contrary, we liaise with headquarters about issues that can run and we liaise with journalists how a story can run to fit within PER guidelines. And just like journalists we have a job to do and like journalists, we are tasked to carry it out to the best of our ability. Again I reiterate this is no easy task. Having to deny journalists a story that they may have been working on for days because it doesn't fit into PER guidelines is not a task we carry out with malicious intent. In terms of shooting the messenger, we too have been subjected to intimidation, from our names and photos posted on blog sites, which in turn incites the public to then jump onto the band wagon and issue threats against us and our families. And to be looked on with slight contempt like at this meeting here as if the Fiji government has gone out of its way to spy on journalists at this regional meeting. The Ministry of Information are fully paid PINA members and we have always attended PINA meetings and have every right to be here. We are here to exchange ideas, meet old friends and contacts, forge new friendships and more importantly enjoy ourselves, me as a Pacific woman empowered to represent our nation. On July 1 government announced a strategic framework for change. From now until 2014, particularly now until Sept 2012 will be a period of immense change for the betterment of Fiji and its people. The Prime Minister announced at an AIDB²⁴ meeting just held last week in Nadi that the government deems it necessary to put in place the PER, which is only a temporary measure in providing a stable social political platform that is conducive for nation building initiatives to take place. The government

²⁴ Asia Pacific Institute for Broadcasting Development

believes in media freedom and freedom of expression. We recognize these are fundamental principles of true democracy. The government also believes media freedom isn't an absolute right and that the media must exercise this freedom and the right to express itself with a greater responsibility because it influences the public's perception. Because of this power, our government is appealing to the media to be more responsible on how it disseminates information because the media can make or break a society. In Fiji's experience, a careful analysis reveals that the media has actually contributed to breaking up Fiji's communities. Fiji has had four coups in 20 years. On-going quantitative and qualitative analysis reveals the following equation. Divisive racial policies + politicians with vested issues + irresponsible media = political and social unrest. Media Freedom isn't an absolute right. An attempt by the Fiji media industry to monitor itself has failed miserably. The Fiji Media Council has had a zero strike rate and therefore highly ineffective. The PER is a temporary measure. It is to bring to the fore the need for media to be more responsible. It doesn't stop constructive criticism. It just stops comments that could incite or undermine the rule of law or government. More human interest and development stories are given priority that may not have seen the light of day since the PER. The government is also appealing for the media to be more positive. There is so much negativity in the media. For example the Fiji Times can have in any given week no positive headlines unless it says the Fiji rugby team wins a tournament. As a messenger, the media is challenged to be one of giving hope. The government recognizes that the media places greater priority and profitability at the expense of nation building. This has proven detrimental for Fiji. The government is also careful not to paint all media industry with the brush of irresponsible journalism. What it wants to do instead, is assist the media industry by working closely with the Fiji

Media Council, journalists and training institutions. And it wants to challenge the rights of workers in the same way it wants to assist visitors. The government recognizes that the Fiji Media lacks valuable components to contribute to professional and responsible media. Work conditions and salary for journalists are very low and this reference is to research done by David Robie on Fiji and PNG media published by the University of the South Pacific, which states that over 70% of journalists in Fiji are paid F\$10,000 a year, the equivalent of US\$4,000 per year. Added to this, the worker's voices are barely heard due to the absence of a journalist association which directly relates to the high turnover of staff in newsrooms around the country. Certain parts of Fiji media have chosen to abuse media freedoms. Fiji as a whole has suffered the consequences. As a sovereign nation and with responsibility to its people the government intends to work closely with the media industry to address underlying efforts at nation building. The Fiji media can choose to be part of this wave of change or it can choose to miss out on all the exchanges needed to make Fiji grow".²⁵

Lance Corporal Talei Tora's argument portrays journalists as people who are irresponsible, abuse media freedom and are out to destroy communities in their role. She also says she has been intimidated by the media, and her family threatened. But there is no mention in her speech of Fiji no longer operating as a democratic society, or of the constitution being abrogated, or people being forced to comply or face being beaten up or taken to the military barracks for questioning or beaten up if they don't comply with the military's new rules and regulations.

²⁵ Lance Corporal Talei Tora's speech to PINA Media Freedom workshop Port Vila 2009

One journalist open to hearing her views at the meeting was Shalendra Singh²⁶ who heads up journalism and media at the University of the South Pacific. He defended her right to speak as a member of Fiji's Ministry of Information. He said it was an ideal opportunity to put regime representatives under the spotlight and question them as any media would and journalists should practise freedom of expression, not just preach it.

Fiji's interim regime has also instigated other decrees affecting media. Recently it decreed all now using the airwaves will have to apply to the government to keep doing so. In 2009, Fiji's Interim Attorney General and Communications Minister Aiyaz Sayed-Khaiyum said this was because the nation's airwaves were allocated in a disorganised, inefficient and ad hoc fashion. One broadcaster, Communications Fiji said changes made by the interim government to broadcasting rules did not present a threat to freedom of expression in Fiji.²⁷ While the New Zealand government was disturbed at reports broadcasting Licences will be revoked, and observers feared the regime's latest decree means further curbs on the media, Communications Fiji, which has 60% of the radio market, says it was told by the regime that all frequencies should be viewed as temporary, pending a review of the broadcasting spectrum. The company stated it did not fear anything sinister agreeing that the haphazardly managed airwaves are due for a shake-up. As the action was carried out by yet another decree, it prevented any court or other agency to overturn the decision. At the time Australia's Foreign Minister, Stephen Smith said the effective seizing and reallocation of licenses at the whim of the interim attorney-general and minister for communications sent bad signs to the international investment community and intended to bring the matter up at the Commonwealth

²⁶ Media Freedom and dealing with the regimes gag blog - by David Robie at Café Pacific Friday August 7, 2009

²⁷ Press release Communications Fiji & Fiji Government Information

Foreign Ministers' Meeting, stating that freedom of the press is essential for good governance, democracy and the rule of law. ²⁸

Also attending the Fiji Times associate editor, Sophie Foster, was fearless to criticise the military's implementation of the Public Emergency Regulations 2009, published on Friday 10 April that aimed to control broadcasts and publications - Section 16:1. Under it, all media outlets and staff were immediately forced to comply under the threat of closure or being detained by the authorities if they did not. She also said that printing blank pages was not an option either, which is what the paper had done on their first day of censorship. Sophie Foster said the paper had been warned not to destabilise the country - not with guns but with words - or it would be shut down, and censors really did act vigilantly.

"They told us that they must see all stories that we develop and tell us they'll decide which stories are contrary to the PER and will be banned from publication. The next day, the Sunday Times ran with large blank pages where stories, letters and a cartoon should've been. These were stories letters and a cartoon that censors banned from publishing including feedback from all sectors of the community and feedback about a court case ruling just issued days before which had ruled the takeover of the government had been illegal. These stories raised concerns all over the country. The next day we were told running stories with blank pages was also considered a breach of the PER and running a strip at the bottom of the page saying we were running under the PER which was also considered a breach. Effectively what they wanted us to do was to only run those

²⁸ Press release, Stephen Smith's office

stories that showed the interim regime in a positive light."²⁹

The point Sophie Foster made is that there didn't appear to be any set criteria for exactly what would be censored and not be allowed for publication and despite asking for clarification their query went unanswered. Her one saving grace she said was the calibre of many of the journalists working at the paper, and their unwavering integrity to stay true to the profession. She believes many Fiji journalists are resilient and they must keep moving forward as a necessity, with a firm belief this censorship cannot last. Their struggle continues.

Foreign journalists and publishers have not been exempt, having also faced military action against them. Australia's ABC's Pacific Correspondent, Sean Dorney told of being deported from Fiji in 2009. He had been given a deportation order by the Permanent Secretary of Information to be removed from, and remain out of, Fiji indefinitely, dated 13 April 2009. He had been in Fiji for eight days to cover some stories in particular the political party leaders meeting that Commodore Bainimarama had called the Thursday prior to Easter from which he banned leaders of political parties, supported by 70% or more of the voters at the 2006 elections.

"I knew the court of appeal was sitting to determine whether the Bainimarama administration was legal or not. But I wasn't expecting the three judges to hand down their decision that very afternoon. As we all know the judges declared no legal justification for the 2006 coup and that Commodore Bainimarama was not legally Fiji's Prime Minister. The next day the Fiji constitution was abrogated, all

²⁹ Sophie Foster's speech to PINA Media Freedom workshop Port Vila 2009

the judges sacked, emergency regulations promulgated and heavy media censorship imposed. I reported all of this and my reports came back into Fiji both via Australia networks and Radio Australia. On Easter Monday I received a call from Peni Nonu to come in and discuss my reporting. It wasn't much of a discussion. I was told the new legal order government wasn't happy with my reporting. Some of which included the reporting of a comment by the Fiji Media Council with Daryl Tarte that people were living in a police state. To cut a long story short I was driven across the island and put on a flight the next day."³⁰

Sean Dorney is no stranger to deportations for stories. He has been deported out of Pacific countries before, like Papua New Guinea in 1984, when he was thrown out then by Prime Minister Michael Somare but later allowed to return, spending another 12 years in PNG as a correspondent for Australia's ABC. But being deported out of Fiji he claimed was one of the worst situation he's ever found himself in, during his entire journalism career. "I think the situation in Fiji is about as worrying for the media as any in the thirty plus years I've been reporting on the region. Since 2006 I've been trying to get a serious interview with Commodore Frank Bainimarama to no avail. I've written letters, sent emails and approached people like Colonel Neumi Leweni to try and get an interview. Every approach I made was rejected. The only interview the Commodore has granted me was two weeks ago in Vanuatu after he attended the Melanesian Spearhead Group Leaders meeting. I'm not allowed back into Fiji. I've applied but gotten no reply. But my problems are insignificant compared to those in Fiji."³¹ Interestingly, media in New Zealand also struggle to get comments from Commodore Bainimarama on a

³⁰ Sean Dorney's speech during a PINA Media Freedom Workshop Port Vila 2009

³¹ Sean Dorney's speech during a PINA Media Freedom Workshop Port Vila 2009

regular basis and he has done few one on one interviews with New Zealand media, with the exception of perhaps Radio Tarana.³²

Another Australian and former Fiji resident Russell Hunter is the former publisher of the Fiji Sun newspaper before he was sent packing by Fiji's interim regime. In 2009, I interviewed him on a trip to Samoa. He said he had genuinely feared for his life in Fiji at the time, referring to article 19 of the United Nations Declaration of Human Rights, where everyone has the right to freedom of opinion and expression. This right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. Mr Hunter also firmly believed there will always be friction between the media and state governments but when one gets an upper hand, it's not good.

"I think media freedom, it is ones right to send and receive information which is at the heart of it. But there's also the freedom to entertain, to inform, and don't forget the freedom to advertise which is often forgotten and people pick up their newspaper when they want something, which is a very useful thing to have in their house. As you know they have got government sensors and soldiers in every newsroom. Good luck to them if they can make sense of what is going on in the newsroom. Your heart goes out to those in Fiji. It must be awful for them to just endure this. Fiji is such a small place. Everybody knows what's going on anyway. They are serving no purpose in gagging the media. And as you can imagine rumours are flying. They should just let the media do their job. They are doing more harm than good now."³³

³² RNZI reporting on Fiji & having to share media comments with Radio Tarana on key issues

³³ Russell Hunter interview at Samoa Observer Apia, 2009

Likewise Evan Hannah was also subject to deportation and former Australian publisher of the Fiji Times, Rex Gardner, was another promptly deported in January this year before his contract ended on February 5th after he tried to take court action against the military ³⁴ before being declared a prohibited immigrant and ordered to be removed from the country. He told the Fiji Times on his abrupt exit:

“I'm being kicked out of the country. I don't write what goes in the papers. Until the people who put pen to paper are being harassed as much as I am, I don't think there'll be a problem. My freedom doesn't exist anymore but I think media freedom will exist if the newspapers push hard enough and continue to fight for their right and the public's right to freedom of information. The onus is on the media to report sensibly and carefully and truthfully and cover all the facts and keep pushing for the public's right to know because that's the most important thing. Media freedom is one thing but it's the public's right to know that's so very important.”³⁵

Mr Gardner also told the Fiji Times it certainly did not look good for Fiji when three publishers were expelled in less than a year.

“Such is it seems to my mind a chilling message to the international business community that this is the way people can be treated when they go about their business. As far as what we're doing, we're going about our business. I think even Russell Hunter and Evan Hannah's deportation, the career path was a bit rocky and I expected there would be problems along the way. I didn't go looking for any problems and I don't believe I created any problems.”

³⁴Rex Gardner's deportation came after he had appealed a High Court ruling that fined the paper US \$4000 and suspended jail sentences handed down to Netani Rika and Rex Gardner. Netani Rika said at the time he couldn't say much about the case under appeal but that the immigration minister alluded to the case in a media interview, saying Mr Gardner's predecessor, Evan Hannah, and Russell Hunter, were both deported after the publication of controversial articles .

³⁵ Fiji Times article Jan 28 2009

Deportations and intimidation by Fiji media of journalists has also gained on-going international criticism including from Australia and New Zealand. Barbara Dreaver has been a PIMA member and works as the Pacific Correspondent for TVNZ's One News. She shared at an Amnesty workshop in 2009 about her fears as a New Zealand based female journalist working on a story in Fiji.

“Journalism in the Pacific is going through a challenging and crucial time in its development. Earlier this year two journalists in Vanuatu were terribly beaten after they did stories that weren't liked by some of the people who read them. And what journalists are going through in Fiji is beyond comprehension. There is no doubt that Fiji is now in the grip of a military dictatorship. It's a dictatorship which is effectively getting rid of anything that stands in its way, judges, the media, and even the constitution. And in yet another farce, the Human Rights commission has been told it should protect the human rights of everyone living in Fiji, but it has been told not to investigate any human rights abuses. There would be few people who do not think Fiji's electoral act needs to be changed but this is no longer about an electoral act or racial policies, it's about power pure and simple. Any voiced opposition is being silenced and the censorship has gone to new levels. A story I did last week about Samoan prisoners breaking out of jail and hijacking a bus wasn't allowed to air in Fiji because it might incite violence. A story on a well-known sports person turning 55 and having to retire under new rules was also not allowed to run also, because well who knows? The only real news coming out of Fiji at the moment is on blog sites and some of that is so inaccurate so rumour which has always been prominent in Fiji is taking over the facts because there is a lack of them out in the public. Internet cafes are being monitored. The problem the military has is this, the power of the people. They can censor all they like but they

can't stop the people feeling the impact of an economy in trouble and the lack of a judiciary. The EU has just cancelled sugar subsidies in Fiji but wasn't allowed to be published but the farmers already know this, as they are struggling to put food on the table. The story that finally got me blacklisted was this story here. It wasn't even a political one. We had visited this Goldmine town of Vatukola and schools. This was a goldmine and the mine shut down so most people lost their jobs many years ago and we did a story about prices going up and people not being able to afford it. Look at this shop, there's no stock as the shopkeeper can't afford to buy stock. So the message was basic human necessities was lacking in Fiji. You can imagine this story hit military hard, as it's about grassroots Fijians feeling the effects of a dictatorship, and the inability of parents to feed their parents. This is the reason why when I arrived in Fiji, I was taken in December to a detention centre, that story right there. It was pretty awful. The thing I worried about the most were the guards downstairs who were drinking kava and the room I was put into, the door didn't close properly. I was worried about the military. Every time I heard the metal grate on the door open I'd jump up to see if there was a military car coming to take me to the barracks. I was furious at myself for being fearful because that is what the military counts on to keep control but it was hard not to be. Some of the stuff, I think it was a case too of knowing what happens when one is taken up there, some of the women who had been taken up there have had terrible things happen to them. What is not known is that many local journalists worked tirelessly through the night calling every contact they had to try and get me out. Their support and efforts kept me sane. It's one of the reasons I now return the favour as I see my friends and colleagues struggling to do their job. But it is incredibly frustrating that I can't do any more than listen and offer moral support to my Fiji

colleagues. We also have our own issues here. Covering Fiji for TV as opposed to print and radio is proving different. We obviously need pictures and any pictures we get need to be censored, or we endanger people. Another problem is how to prove the stories are correct, and right. I am proud of the stories that I do and they do have an impact and I do really care about them. I believe that Pacific journalism has never faced so many challenges as now and the way ahead is unclear but the one thing we are not short of though is passionate and committed journalists and that at least gives me hope.”³⁶

However one regional organisation that refuses to be critical or publish news that the regime doesn't like is PINA. It still remains unclear as to the real reason why PINA's secretariat, among other regional and international organisations such as the Pacific Islands Forum secretariat, and Secretariat of the Pacific Community or SPC, stay based in Fiji subject to the military's dictatorship. There has been talk that the PINA secretariat might move, but any such move still hasn't eventuated and attempts to get straight answers as to a date when the move will occur are not forthcoming. PINA members, however, endorsed its secretariat's position that it should remain in Suva in spite of the strict censorship all media outlets in Fiji have to work in. "This is PINA's real testing ground, thus the need for the secretariat to continue its efforts to engage with the interim government on behalf of our members in Fiji," argued PACNEWS editor Makerita Komai in her report to PINA's AGM. Dwindling membership and rising costs have seen PINA posting consecutive losses for the last two financial years. At the beginning of 2007, cash reserves of the regional news body totalled F\$72,516. This dropped to \$69,416 at the end of 2007 and again shrunk to \$38,783 by the beginning of this year. Unless PINA finds other sources of revenue, its current rate of operation is

³⁶ Barbara Dreaver extracts on Fiji speech from the Amnesty Workshop at AUT, 2009

unsustainable. In their report tabled at PINA's 2009 annual general meeting in Vanuatu PINA's membership fees declined by 42 %. In 2009, PINA manager, Matai Akauola, said they had done projected costs of relocating PACNEWS but admitted finances are tight. "We were hoping discussions about this would have been had in Vanuatu but it didn't happen. Guess we just have to wait and see as to what will happen in PINA's future." ³⁷

The 2009 PINA president Moses Stevens of Vanuatu also believed dialogue was needed when handling Fiji's censorship.³⁸ "Concerning the on-going censorship and regulations in place we understand the situation in Fiji isn't a normal situation they have a military government in place and they are jumping on people and making it worse for people. We must understand for any military there are rules. And I think we should approach it in a Pacific way. Let's go and talk to them. And we in the media need to be responsible in our reporting. This is a time where Fiji journalists need to exercise highest responsible reporting. We don't want to do anything to prolong the situation. We want to listen to them as to what they want from the media. And we want to talk this thru and then surely media freedom will come back to Fiji." But how long should one have to dialogue before action is taken? In Fiji, censoring and strict requirements must be adhered to, if entering with the purpose of working as a journalist, with an increased likelihood any journalist will be watched and closely monitored. The situation appears increasingly unlikely to change any time soon, but with on-going international pressure it is hoped that democracy will be restored to Fiji and its people sooner rather than later. The expected time frame given by Commodore Frank Bainimarama has been 2014 for democratic elections, but he has changed the election date in the past and could change

³⁷ Matai Akauola interview in Vanuatu

³⁸ Moses Stevens interview with me in Vanuatu 2009

it again in the future. What is very clear is that as long as the current military regime is in place in Fiji, it remains risky to be a true journalist, or to be outspoken in any manner be it as a church leader in the Methodist Church or as a foreigner trying to do a job in Fiji. There is on-going hope and pressure internationally that freedom of the media to operate as it should might be restored in places like Fiji sooner rather than later, but that still remains to be seen.



³⁹ Commodore Frank Bainimarama

In Port Vila, Len Garae works at Vanuatu's Daily Post Newspaper and as a correspondent for Radio New Zealand International. He says PINA has changed its priorities and operates on an exclusive basis. He claims he and others from the newspaper were locked out in a deliberate attempt to cover up shortcomings of MAV and to prevent local journalists sharing more about the daily challenges to reporting in Vanuatu with regional members.

"The Vanuatu Media Association hosted PINA this year and Daily Post staff are members of PINA. But some of our staff had felt strongly that some staff on the executive are not qualified to play a role to best suit the occasion and so in line with the constitution we applied to have an urgent general meeting where we

³⁹ ex Blog - FIJI COUP 2006

could raise these concerns. But we were told by the current president, Moses Steven that it was too late to meet as they were all busy with PINA preparations. Next thing we know the MVA executive locked out Daily Post members from attending PINA this year. We tried going through Matai Akauola at the secretariat, and he assured us there would be no problem and we could pay when we arrived on day one for the meeting but later said it had been decided that PINA registrations had closed and Daily Post staff who hadn't registered in time had missed out. It was a sad decision; given it is one of the biggest local papers and the paper who fights for press freedom in Vanuatu. This country enjoys the level of press freedom today due to the work the Daily Post carried out for press freedom. For Vanuatu's media industry to go to the next level we have to have journalists totally committed and neutral who are not politically motivated as Moses Stevens is a former unsuccessful political candidate. We need well qualified journalists, not afraid to hit the nail on the head and work as a team and respect each other. Respect remains the key factor."⁴⁰

Len Garae has been in Vanuatu's media industry for over 30 years and admits he has faced political pressures during his career to not publish certain stories, particularly ones that did not portray politicians in a good light. He can still recall in 1982 when police and authorities shutdown a paper he was freelancing for. He later realised that the Prime Minister ⁴¹ had been mandated to run the country from scratch but had felt that the voice of this particular paper wasn't conducive to the development of Vanuatu and forced it to close. Len Garae says while media freedom in Vanuatu has certainly improved somewhat over the years, there is still some way to go. He said many

⁴⁰ One on one interview held with Len Garae in Vanuatu 2009

⁴¹ Walter Lini took office from 30 July 1980 – 6 Sept 1991

violations to press freedom can unfortunately be culturally motivated.

"It was while at the Daily Post paper early on in my career I started to experience threats. One particular minister threatened to send someone down to crush the Daily Post newspaper because the newspaper was telling the truth. In those years it was very educational, a very new thing for politicians when newspaper published mistakes made in those days. They just couldn't take it. This is because of "Big Man" status. In Melanesian culture if you are regarded as a leader or a chief, it's not right for media to disclose the wrongs they made", so it is a challenge for us. They would come in not only them, but their supporters would come in too to the office. I personally haven't been assaulted but my staff members have been. " ⁴²

He says the paper's editor and publisher, Marc Neil Jones, has frequently been beaten up over the paper's content and Len Garae wrote a story about it for the Vanuatu Daily Post.

"A truck pulled up with angry officers allegedly under the influence of alcohol working with Correctional Services at the prison. They stormed into the office and accused Neil-Jones of causing the dismissal of Joshua Bong as Acting Director of Correctional Services and demanding to know who was going to look after the prisoners now. A shaken Neil-Jones advised police. "One of them was well built, strong and with a belly wearing shorts and a singlet punched me in the eye and nose and hit me four or five times. "I was kicked a number of times when I was on the ground. The two others with him threatened to kill me because I hadn't got their side of the story on the problems with the prison. One threatened me with a knife and said he would cut my neck and another threatened to shoot me

⁴² One on one interview held with Len Garae in Vanuatu 2009

with a gun. They said they were going to take me to the prison to look after the prisoners. It was not a pleasant experience."⁴³

Their freelancing female colleague, Esther Tini, has also been violently assaulted while with child. The account of her violent assault does makes one wonder how many more such incidents are still occurring but are never reported or followed up properly by authorities. I've included her entire speech to again highlight this life threatening type of situation journalists in Vanuatu are still facing today.

"Some people want to rise, shine and be famous. Some want to rise but be hidden under bristle, maybe because they are being meditative about their past and been unsure about their future although there seems to be a light at the end of the tunnel ahead. I guess that's the state my 22 year old assailant was in when he severely assaulted me on the morning of Feb 22. The 22 year didn't dispute me publishing his story. I did approach him about publishing his story. I talked with him before publishing his story. I approached him to speak about it. But he had some restrictions that if it had been left out it would make the story incomplete. So my editor thought otherwise that we publish his picture and that's what he didn't want us to put. The source of his story is his sister, who runs a youth development programme and she noticed the achievements in this young man's life which could be an example to other youths and she submitted a written statement which I developed into a feature story. On the first of May I went into the office and my colleagues gave me a brief statement he'd come into the office and threatened to beat me up and my editor. My editor convinced him that there was nothing wrong with the story and he went home and seemed ok. I didn't go home that day because I knew. On May 2nd having my two children beside me we were walking down the

⁴³ Ex Vanuatu Daily Post newspaper article written by Len Garae 2009

road so we could see them off to school and the young man was waiting down the road. He didn't actually accept what my editor had told him the other day so he beat me up kicked me and used foul language as my children fled for their lives and this was the worst nightmare I'd had in my whole life. Even worse I was three months pregnant. And after one week later, due to all the stress from the incident, I miscarried. I don't know whether the crime deserved such punishment. I wish to ask Pacific media organisations, I want to speak for women journalists in the Pacific, to ask media organisations and staff some security in workplaces. So in situations like that we can rely on you guys to take us through such times. I take this opportunity to speak honestly and condemn the Vanuatu Media Association of which I am a member of, because I personally feel that MAV hasn't stood up strongly for me apart from a shallow statement about this hardship I went through. I didn't get much support from my association even right up to today to make sure pressure remained on authorities who still haven't laid charges against the person concerned. MAV should leave aside personal differences and work together so that during such a crisis, personal differences don't get in the way to serve journalists in the industry. And the government needs to work together with police to ensure justice prevails. All I know is that the assailant was brought in, six months later, for questioning, but I don't even know if he'll be charged. I think women need more support in the media industry. " ⁴⁴

Vanuatu's Minister of Media in 2009 was Prime Minister, Edward Natapei, who agreed that more could be done to ensure media freedom, and acknowledged that a strong free and responsible media is one of the pre-requisites for economic development and the well-being of the populace.

⁴⁴ Esther's speech at PINA meeting Port Vila 2009

"All of our Pacific Forum⁴⁵ countries, including my own, I can say without hesitation, are proudly democratic states, although it may differ from the definition used by many of the developed countries. Still every so often we are confronted with accusations from sectors of our communities of violations of human rights many of these enshrined in our countries constitutions. One of the most publicised violations is in the area of media freedom and the emerging important issue of Freedom of Information. The reality as we know and appreciate is that when media cannot access information people are denied information. The question is how do we tackle this important issue of the people's right to free media and access to information? Each of our countries probably has its own way of dealing with this question and in many cases these may be similar in nature to those of the other states."⁴⁶

Moses Stevens also admitted that MAV could do more to assist in these types of assaults.

"I believe media freedom will come. I think we are enjoying a more free media environment today, but some reporters who have lately been attacked, then we have to look at ourselves again. Make sure we abide by our own rules. We in Vanuatu aren't experiencing what is going on in Fiji, PNG and Solomon Islands. But we're learning how our colleagues are dealing with things day to day. We want media freedom to prevail. Everyone has a right of reply. That's a basic rule of media. We have to be careful how we exercise our duties. "⁴⁷

⁴⁵ Pacific Forum a political grouping of 16 independent and self-governing states.

⁴⁶ PINA meeting Port Vila 2009

⁴⁷ One on one interview with Moses Stevens in Vanuatu 2009

The regional monitoring watchdog the Pacific Freedom Forum, PFF are among the most vocal to keep issuing statements to condemn media freedom abuses in Fiji, Vanuatu and elsewhere in the region. The PFF chair Titi Gabi of PNG says there is a lot of work still to be done, and solutions need to be found, even by the United Nations. She believes the opinion expressed by the UN's Pacific Office for Human Rights regional representative Matilda Bogner is a welcome step by a key regional development partner. Matilda Bogner's opinion notes the key basis of a free media to governance and accountability issues, as a guideline for leaders in Vanuatu to help tackle the culture of impunity surrounding harassment of journalists. "The PFF would especially welcome a country or regional visit by the UN Special Rapporteur on Freedom of Expression to Pacific nations, such as Fiji and Vanuatu, who are struggling with media freedom."⁴⁸ Titi Gabi said journalists doing their jobs free from interference or censorship is at the core of thriving democracies. The PFF has also called on other Pacific agencies who partner with media workers on training and development to raise their concerns with Pacific governments on their development commitments which rest on their support to uphold human rights.

"We are mindful that regional agencies based in Fiji, where military censorship and leadership by decree continues to suppress freedom of expression and other key human rights, may themselves be self-censoring and fearing for their personal and professional safety. It's the work of all of us, not just media and monitoring networks like PFF to sound the warnings when our governments backtrack on their promises and agreements, especially on basic human rights. So we look forward to more opinions from the UN on Article 19 in the Pacific,

⁴⁸ PFF release

including the country where the regional office is hosted, Fiji." ⁴⁹

One can continue to genuinely hope that efforts towards media freedom will improve the situation in Fiji and Vanuatu. And with on-going international and local pressure for change, it is hoped that journalists still striving for media freedom can make a difference to how media is seen and respected in Melanesian countries, and human rights abuses on journalists can one day be a thing of the past.

⁴⁹ PFF blog

6.MEDIA

FREEDOM

IN

POLYNESIA



SAMOA, TONGA, AND THE COOK ISLANDS

Samoa's Prime Minister, Tuilaepa Sailele Malielegaoi, says the independent nation is one of the leaders in the Pacific region for press freedom. He told me proudly that he regularly fronts up to local media despite his busy role as Prime Minister, and his daily schedules of meetings and travel. He says he always likes to encourage the media to ask any question under the sun.

In 2009, the Prime Minister was highly critical of a story by TVNZ reporter Barbara Dreaver on gun smuggling, drugs and gangs in Samoa. The Samoa government holds firmly to the view that the media has an important responsibility to report fairly accurately and transparently at all times, and really does take exception when it feels media do not. The Prime Minister took quite an exception to Barbara Dreaver's gang story which resulted in the Samoa Government hiring top lawyers in New Zealand to take TVNZ to task over the report, alleging much of Barbara's story had been staged for the news camera. "We know that she was telling a lie and we are taking it further to the court."⁵⁰

However the New Zealand based journalist of I-Kiribati descent, Barbara Dreaver has always rejected the Prime Ministers allegations and still stands by her story. Speaking at an Amnesty workshop she said the reaction of the local media was indicative of some of the challenges of fa'asamoa. I have included another extract of her speech because it demonstrates clearly the struggles and dilemmas faced by a New Zealand based journalist covering the Pacific round.

"I'm often told how lucky I am to be a Pacific Correspondent and this wistful statement is usually prefaced with the words 'suntan', 'cocktails' and 'beach'. I am here to tell you that's a big lie. In my job you have to report without fear or favour.

⁵⁰ One on one interview with the Prime Minister, Apia 2009

Professionally that is a pretty easy thing to do, but personally it's a little harder. My job is to cover Pacific issues. It's hard to do as it's my job to report on everything. Good and bad, the ugly and the pretty. Often topics the community would rather keep hidden or not discussed. But I have to, otherwise change won't happen. I sometimes think the qualities you most need as a Pacific Correspondent are bravery, fearlessness and the capacity to eat vast quantities of food hoisted on me by Pacific people. Other problems New Zealand journalists have covering the region, is accessibility. Its isolation, transport barriers, and the cost stop media going there. Most media is cost cutting, and the Pacific has never much of a priority in mainstream newsrooms. Now we have a new [filing] system that plugs into a computer, which makes it more affordable to cover stories in the region. It is lighter smaller and it is going to open up the region, and we will be better able to tell the stories that need to be told. As media technology improves, so too do some island governments desire this to work for them. In the 1990s a journalist Mike Field was banned from Kiribati because he called the country dirty. I'm I-Kiribati and I particularly didn't like it. But it is true. Some places are filthy. If he did that story today, he wouldn't be banned. The current president is media savvy and he knows how to use the media to try and get the help it desperately needs. The Niue people last year at the Pacific Forum, they went out of their way to help journalists to cover the story. But I found a story that didn't paint Niue in a good light about a group of Indian men who were scammed and were promised if they came to Niue they could have a farm and they could bring over their families. But they were abandoned there, and Niue never did anything. And New Zealand put up a huge complaint about the way they were being treated. The Prime Minister at the time, Helen Clark, said something had to be done. These guys wanted to go home but they

were stuck there in limbo. There's the local agent, he's Niuean, who said he never made any money from it. Sad story and it would be fair to say I felt like a worm doing this story live from Niue when the people treated media so well. The men were sent home. And human rights abuses exposed. There is nothing like a regional meeting to highlight that. But the end result was a good one and action was taken. Sometimes the fallout from exposing a story has the unfortunate result of overshadowing important issues. Gun smuggling has been going on for some time in Samoa but with increases in drugs marijuana and methamphetamines and the gangs that deal in them this is now upping the ante. In the nearly 20 years reporting that I've done, never have there been such howls of outrage over this story that I did. Some of the minor drug dealers we interviewed and were rounded up by police and not surprisingly given that they faced several years of jail gave statements that the whole thing was staged. They weren't really smoking marijuana, they were told to act like gangsters by me, and they didn't know they were going to be on One News, they thought it was for a Hollywood movie. Incidentally we have photos and footage of our crew wearing one news tee shirts, me holding a big one news mike, our cameras covered side and back with one news signage, and me talking about one news on tape to them. We also have photos analysed by a drug use expert that prove beyond a doubt the story is true. The Samoa government has made a formal complaint to TVNZ and possibly BSA and it is now going through the proper process. What has been improper though has been the reaction of some of the local Samoan media. In print I've been called evil, a liar, unprofessional, even sexually frustrated. On one level I do understand because it strikes at the heart of fa'asamoa. It is infinitely more preferable to believe the word of a Samoan drug dealer than an outside journalist who is revealing unsavoury

facts about a country that is so dearly loved. On another level pretending Samoa does not have a very serious problem is not doing anyone any good except the criminal gangs which are operating there.”⁵¹

There was also some reaction in New Zealand to her story, which sparked many debates on drugs and gangs in Samoa. Being a Pacific Islands Media Association or PIMA member she had also asked this executive for support, but however for one TVNZ Tagata Pasifika reporter at the time, Aaron Taouma, it sparked his resignation from his post of being interim chair of PIMA. In a letter at the time, he stated that he had felt that PIMA had been pushed towards certain political directions and a recent news release on media freedom may have been at odds with the group’s constitution. In his resignation letter dated May 10, 2009 he stated “recent reports have ... brought to light the issues of ‘parachute reporting’ and sensationalised single-angled accounts of events in the Pacific Islands.” PIMA’s deputy chair, Chris Lakatani, later issued a public statement to reiterate that PIMA was not a political body.

Her controversial report was also debated at a UNESCO funded workshop in Apia in 2009.⁵² But Barbara Dreaver said she did find on-going accusations of her defamatory, and a character assassination against her. New Zealand based author, journalist and educator, Dr David Robie who heads up the AUT Pacific Media Centre, agreed and described an editorial published at the time in a Samoan paper to be “one of the worst personal attacks on a journalist he has seen for some time.”⁵³ TVNZ 7 journalist and newsreader, Sandra Kailahi stated in an AUT blog that she hadn’t been aware of the

⁵¹ Amnesty workshop at AUT, 2009

⁵² Pacific Media Watch news story

⁵³ David Robie refers to a Sunday Samoan unsigned editorial on Barbara’s story in Pacific Media Centre feedback blog May 4 2009

gang issue until the story ran, however Samoa is not the only place where drugs are an issue as Tonga is also used by gangs to traffick drugs. “But in all honesty, I am not surprised given its strong ties and links to New Zealand, Samoa and America”. She admits Samoa is not the only place where drugs are an issue as Tonga was used by many gangs as a stopping place. In one big case many years ago, drugs were hidden in root crops like yams bound for NZ. When asked why Samoan authorities and many news people reject the accusations of gangs in their country, Kailahi says: “A story like this can alter peoples’ perception of an ideal South Pacific destination and that translates in hard cash or lack of it”. She also believes it might also be “about not being fakama” and the people felt shamed.⁵⁴

Pio Siua is the current editor of NEWSLINE, a newspaper based in Apia who believes journalists working in the Pacific need to take account of cultural sensitivities, so media freedom isn't clear cut. His view on Barbara’s story is clear though.

“The media is very powerful. It’s a heavy responsibility as a journalist to be accurate. It’s not just about reporting facts; it’s about knowing what’s behind those facts. Barbara's report was very damning to Samoa's stability in terms of the power of the village council, the matai system which we have. When she went out with that report, it reflected badly on that. I’m not saying the story was wrong, there are elements of drugs and drug smuggling here but there are sensitive and grey areas that when you are a journalist coming you have to take into account cultural sensitivities.”⁵⁵

In the end, the New Zealand Broadcasting Standards Authority upheld the Samoa

⁵⁴ Sandra Kailahi quoted from Pacific Media Centre feedback blog May 4 2009

⁵⁵ One on one interview with Pio Siua Apia 2009

government's complaint over Barbara's TVNZ news story on 'gangs, drugs and guns' a year later.

Government of Samoa Press Release 4 March 2010

The New Zealand BSA upholds government complaint over TVNZ 'gangs, drugs and guns' news item TVNZ has been ordered to make public statement, pay \$5000 to Samoa Government and pay \$2000 to Crown. The New Zealand Broadcasting Standards Authority has found TVNZ in breach of standard broadcasting laws in relation to a news item claiming widespread gangs and drugs and gun smuggling in Samoa. The Samoan government, through the Attorney General's Office (and the assistance of the law firm Chapman and Tripp), laid a complaint with the Authority following the One News item – aired also by the network's prime-time Agate Pasifika programme – in April last year. The Samoan government's complaint alleged breach of law and order, balance, accuracy and fairness under the BSA laws of the news item in question. Asked for comment this afternoon, Prime Minister Tuilaepa Sailele Malielegaoi remained circumspective. "I see it not so much a victory for our (Samoan) government but a victory for responsible and substantive reporting," said the Prime Minister. There have been far too many incidences of unbalanced reporting with reporters and editors alike bent on producing and publishing half-cooked, sensationalized stories with the sole aim of stirring up controversy. The ruling by the BSA is an onus for broadcasters and publishers to produce fair, balanced, in-depth and accurate news items." He added, "There are also some very important lessons there for our local editors and budding journalists in how they do their jobs."

FINDINGS

In regards to balanced reporting, the BSA in its 30-page findings concluded that the news item "only presented one perspective...viewers needed information about the gravity of the problem in a wider context and from other perspectives". According to the Authority; "Given that New Zealand is home to a significant Pacific Island community, and that New Zealand has strong historical ties with Samoa the Authority disagrees with TVNZ that the issue was not of public importance to New Zealand. In the Authority's view, the cumulative effect of such a dramatic introduction coupled with the information presented in the item was to create an impression for viewers that not only was the situation in Samoa extremely serious, but Government officials were complicit in the guns and drugs trade. While the reporter's (TVNZ Pacific correspondent Barbara Dreaver) information does show that there have been isolated incidences involving drugs and guns in Samoa spread over a number of years, it does not support the impression given in the item that Samoa was 'awash' with guns and drugs. ...the reporter's evidence certainly does not support her unequivocal statements, the entire thrust of the item, or the suggestion that the situation was so clear-cut that no alternative perspective needed to be given in the item."

On the question of accuracy, the BSA found that the reporter, "under the circumstances should have questioned their (Makoi Boys) reliability and made efforts

to corroborate what they said. “The Authority pointed out, “The transcript of the interview, as well as the footage in the item, suggested that the ‘Makoi Boys’ were joking around and acted for the cameras. The boys were visibly amused by the interview and their own responses. The Makoi boys’ also laughed when the reporter commented “you guys look so tough’, and when one of them said ‘the matai hate us’. ‘The Makoi boys also laughed when asking each other how prison was, and the transcript recorded one of them saying, “see if you hadn’t been’ so heavy-handed and chopped the hand off someone with an axe which caused you to be locked up [men all laughing]”. The complainant has provided evidence from the Ministry of Police and Prisons in Samoa which confirms that none of the ‘Makoi Boys’ had any criminal conviction’ The two other complaints on fairness and the impact on law and order were not upheld by the Authority. But the BSA has ordered TVNZ to make a public statement summarizing the Authority’s findings, pay the Samoa government costs of \$5000 and the Crown another \$2000 in costs. ⁵⁶

On TVNZ’s Media 7 programme⁵⁷ Barbara Dreaver was unhappy with the ruling. “BSA decision win or lose doesn’t affect how I do my job. Won’t be the first time I’ve upset a government and won’t be the last.” And Tim Pankurst the Commonwealth Press union Media Freedom Committee also believed the BSA got it wrong and the government went to the extent of hiring expensive lawyers to bully their case suspecting they were protecting their big earner, Samoa’s tourism industry. Samoa Observer editor, Mataafa Keni Lesa, said he felt Barbara Dreaver’s report had some substance.

"While it is embarrassing it has substance, but the way it was done, in relation to ethics, it really paints Samoa as a country of thugs and go around with guns. But axes and machetes everyone has one in Samoa. And most families have guns for farming purposes to shoot pigs that eat taros. But how she did it and presented that story because she couldn't get anyone to comment on the story, probably because the commissioner was caught up in gun smuggling, you can't draw your own conclusions as that charge was never proven. But Samoa's problem with methamphetamine, and other drugs, that is true. And media ethics is very

⁵⁶ Samoa Government Press Secretariat press release

⁵⁷ Media 7 Series 4 Episode 9

important in the newsroom and staffs are encouraged to go out and cover stories, but then leave early and avoid the cultural protocols. It is about standards and the more it is upheld the more respect that's given.”⁵⁵



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In 2009, Samoan freelance journalist and Editor of Environment Weekly and Secretary of JAWS, Lagipoiva Cherele Jackson said the report has f**cked up⁵⁹ relations with government given an extremely sensationalized report. “Lots of worried people have been ringing me. The kids in the story weren't being genuine, they were joking. Playing up to the camera. Put a chief in the picture and these kids do whatever. And machetes? Well everyone has one.” She believed the government had overreacted to the story and says that journalist should never have to reveal their sources. But journalists and police have never really been close, she says. “I got assaulted four years ago, but police haven't done a thing. What justice is there for journalists? JAWS is supposed to look at these

⁵⁸ Radio New Zealand International website pic

⁵⁹The ‘F’ Swear word to mean ‘botched up’ or ‘ruined’

issues." ⁶⁰

She has been in media for over a decade and has written for a variety of local media in Samoa, including the Samoa Observer newspaper, and this year works as a news editor for FETU FM. She also strings for various international media and been on the former executive of PINA, but is among those strongly disillusioned by PINA's reluctance to stand up for media freedom and journalists working in the region. She is also an active member and current secretary of Samoa's journalist association, JAWS. She believes there is freedom of the media in Samoa to an extent where she feels as a practising local journalist that she can publish what she wants. But self-censorship also exists for journalists there, given the small population everyone is related somehow through churches or volunteer groups or some other association. In 2007, JAWS has hosted several workshop forums for editors and media. "We do cop a lot of flak from politicians, and verbal abuse, as Samoa is such a small place".

Uale Papali'i Taimalelagi is the 2009 president of JAWS who believes getting together a big group of journalists helps to develop a country but challenges that still remain are a lack of resources and being able to observe cultural sensitivities. He says when it comes to media freedom most reporters do feel it exists.

"People seem to respect the media, that it has a function to let people know what is happening around the country, and an opportunity for people to express their views. For example reporting a story on someone who has stolen something, it does impact on the whole family, the village, the country. So reporters have to be fair in their reporting. And Samoa has a defamation law that reporters need to be mindful of."

⁶⁰ One on one interview with Lagipoiva Cherele Jackson

He mentions the 1992 Printers and Publishers Act, which is designed to make media feel more responsible with their sources and the aim is to take a journalist to court to force them to reveal their sources. He remained staunchly critical of Barbara Dreaver's gangs report.

"Is something wrong with her? I say that because how come she put that on TV? I think she was very irresponsible and there is something wrong with her. That is the result of her not knowing the people she is talking to. Those kids say to police now there is an investigation they were given money and beers to act out something and how come Barbara thought this is Samoa?"

JAWS are meant to uphold media ethics and stand up for the role of the media in Samoa society and the region and are hosting this year's official World Press Freedom Day for the Pacific in May, along with media colleagues from around the region.

On March 30 2009, the International Federation of Journalists called for an immediate renewal of public respect for journalists and press freedom in the Pacific island state of Samoa, after a spate of attacks on court reporters. According to JAWS a camera operator and a news reporter were attacked while reporting on a high-profile trial of a church leader at Samoa's Supreme Court in the capital, Apia, on March 24. Media workers were reportedly chased away from the court entrance by members of the public attending the trial and physically threatened at court the following day. Cherelle Jackson said the association called upon the public to be mindful that a journalist reports not for his or her own sake but for the sake of readers, listeners and audiences and by hindering the work of journalists, members of the public are inadvertently infringing upon the people's right to know and be informed.

The International Federation of Journalists joined JAWS in calling for authorities in Samoa to provide additional protection to any media worker reporting on the remaining proceedings of the trial and on any matter of public interest. "Court reporting is a necessary part of ensuring transparency in governance and justice in a democratic state," IFJ Asia-Pacific Director Jacqueline Park said. "It is the responsibility of the Samoan authorities to send a clear message to any person who attacks members of the media that their actions undermine this process and will not be tolerated."⁶¹

JAWS have also cut ties with PINA after claims of some hostile treatment of Samoan journalists at the PINA AGM in Port Vila in 2009. JAWS instead now openly supports the activities of the PFF who has always supported media freedom issues in Samoa and is in closer partnership with other international groups, including the International Federation of Journalists, or IFJ, on media freedom activities in the region. Members agreed a better awareness of the role media plays in Pacific societies like Samoa is still needed.

Advocacy is important in order for people to understand why journalists are there to do their jobs, says Radio New Zealand International stringer, Autagavaia Tipi Autagavaia . He believes a better awareness campaign on the role media plays in any democratic society is important. "According to many journalists a better understanding of a journalist's role avoids any misunderstandings not just at the courts but in any other situation that journalists find themselves in."⁶² He says currently Samoa has no specific laws to protect journalists on duty, but only laws which can convict journalists doing their work, in the line of duty. While there is also no Freedom of Information Act in Samoa, the independent nation's press freedom issues do pale in comparison to Fiji

⁶¹ JAWS /IFJ press release

⁶² One on one interview with Autagavaia Tipi Autagavaia in Apia, 2009

Vanuatu and other Melanesian countries like Papua New Guinea. He mentions Samoa has a drafted a media code of ethics, but it is yet to be endorsed and there is on-going talk of setting up a media council as a forum for complaints hearings against media.

“There is no funding for it though, it would cost ST\$50 000 to do it,” he says.

Savea Sano Malifa is the editor publisher and chief of the independent Samoa Observer newspaper and has worked in Apia for over three decades. The paper was founded in 1978 and did fall foul of the government for its exposes of corruption, receiving death threats and a number of lawsuits. He believes there has been significant progress to media freedom in Samoa, compared to the early days.

“About 20 years ago, there was no freedom. It was very hard for the media to operate. No, let me rephrase that. Any government papers like ‘Savali’ it was easy, but it was very, very, hard for the private media to operate. But all that has thankfully changed. You don’t hear any more strong objections from the government as to what is being published.”

Savea Sano Malifa says when his newspaper burned down in the April 1994 in a suspicious fire many believed was retaliation for the paper’s reporting on allegations of government corruption he almost gave up fighting for media freedom in his country. Today he is glad he didn’t give up back then. The paper’s publication frequency had to be reduced to two editions a week, but went back to daily publication in November 1994. He said the public support was what really kept him going, and he felt so strongly about the government trying to hide things from the public that he decided to keep on it. Sano Malifa has won numerous press freedom awards, including the International Press Institute World Press Freedom Hero award in 2000.

“Since the beginning, Malifa has faced a number of civil and criminal libel actions brought by the prime minister, government officials and business leaders. He was assaulted by relatives of a government

minister, and death threats were made to Malifa and his family. In 1996 all official advertising was withdrawn and given to newspapers directly linked to the government. The Observer rocked the government in April 1997 when it uncovered a scandal involving the alleged sale of Samoan passports in Hong Kong. The ensuing political crisis led to public demonstrations against the government and angered Prime Minister Tofilau Eti Alesana, who called for regulations to license and control the press. In 1997 Tofilau brought criminal defamation proceedings against Malifa and his editor after the paper allegedly defamed the prime minister's political and personal reputation. He also threatened to back legislation allowing the government to close newspapers for stirring up trouble. However, bringing some good news for press freedom, the Supreme Court ruled in August 1999 that the criminal libel case against the Observer should be discontinued. The Samoan government announced in May 1998 that top officials from the prime minister to the leaders of state corporations could use public funds to pursue civil libel claims against the media. As a result, suits brought by officials upset by critical news coverage became a painful routine for the Observer. In September 1998 the Supreme Court awarded Prime Minister Tofilau a US\$40,000 judgment against the paper. Tofilau had sued the paper for defamation because of a 1997 story claiming that public funds were used to upgrade a hotel owned by the prime minister's children. After the ruling Malifa feared that mounting legal fees could force him to sell his paper. Malifa was awarded the Pacific Islands News Association's Freedom of Information Award in 1994. He received both the Commonwealth Press Union's Astor Award for Press Freedom and the Index on Censorship press freedom award in recognition of his courage and commitment to the principles of free expression. Some in the Samoan media were hoping for a more relaxed approach from the government after Tofilau, suffering from liver cancer, stepped down in November 1998. However, such hopes were not immediately forthcoming as the new Prime Minister Tuilaepa Sailele Malielegaoi criticized the Commonwealth Press Union and Index on Censorship for giving awards to the Observer. He said that the Samoan government should have been the recipient of both awards for allowing the newspaper to be published freely in the country. "We all know that a vigilant press is vital to the survival of freedom of opinion. Without it there can be no democracy. This freedom is the sustenance for the mind," Malifa said upon receiving the Astor Award at a ceremony in Kuala Lumpur.⁶³ "And this freedom is even more needed in small countries in the Pacific where I come from. This is because our governments are young and our economies very fragile. Because some of them are run by unprincipled men with one-track visions, and to many of them, the temptation to get rich quickly at the expense of others is overpowering. This is why their dominating desire is to smother press freedom, so that it is kept out of the way, completely."⁶⁴

Savea Sano Malifa's advice to journalists in places like Fiji is to hold fast to the principals of media freedom - no matter what.

"The moment you are seen by the authorities to be buddying up to them, not criticising the moment you relent, you don't criticize and they see that, you are no longer respected by the government or by the leaders. Doesn't matter what they do to you, harass you kick you or put you in jail - just continue to criticize. It is the only way you can get freedom. "⁶⁵

Another long time journalist who has written for the Samoa Observer newspaper is Alan

⁶³ Pacific Media Watch 29 October 1998

⁶⁴ International Press Institutes "Defending Press Freedom for over 60 years" website

⁶⁵ Quotes from Sano Malifa from a one on one interview at Samoa Observer newspaper office in 2009

Ah Mu. He says being a journalist appealed because it sounded exciting and interesting, plus he enjoyed writing features. He also doesn't like that one piece of legislation that states a journalist must reveal their sources in court. Alan Ah Mu says Samoa is free in that you can interview anyone, even the Prime Minister, who allows interviews even outside of the office, outside his home during weekends. "The problem is that most cabinet ministers defer comment to the PM, but it is pretty open otherwise."

Interestingly during his time working for the newspaper, he says he struggled daily with having to deal with cultural protocols in his reporting out in rural Samoan villages.

"Sometimes I think it is easier to be a palagi or non-Samoan journalist to cover some local stories, as they won't be subject to these cultural norms. The thing that we are still trying to work our way around is if you go somewhere to cover a village function or something like a matai title being bestowed on someone or even a birthday, the villagers give reporters things like food. It is a tricky situation, because if you don't accept it, it means that you are in a hostile situation with the village, which of course you are not, so we are struggling with that. One time I came back to the office with all this food and an entire roast pig. I had to have a meeting with management to see what to do with the food, and we donated it to a women's group. The policy is not to accept anything, but that is much easier said than done. One time I went to a village thing but luckily I knew a senior matai, or chief, and so I said to him, 'I can't accept 50 tales and a box of canned fish.' Lucky he knew why, as he'd lived in New Zealand and said to the village that I had accepted it, but had given it back to the village. But if I don't know a village, I can't do that. So I have thought about it a long time and decided I am a Samoan man, before a journalist. And so that can be really tough. The other struggle is to use the right vocabulary in a village context in how one

addresses a woman and a girl. And of course sitting down when talking to people and refer to people by their respective chiefly titles. When we visit a village to cover a story, we are always the guest. To get information we have to build up relationships with people, smile a lot, be polite and make them understand you want the information for the public good. Some understand that principal, while others don't. "⁶⁶

Mataafa Keni Lesa compares Samoa with American Samoa, saying that he doesn't believe media in Pago Pago is free. "They got their own corruption. It's an interesting bunch those Pago people they get millions of money. There is too much money and no accountability."⁶⁷ But he believes in comparison, the media in Samoa is relatively free.

"There are certain laws we'd like to get rid of but compared to Fiji we are relatively free and our Prime Minister is readily accessible. We'd like to get more reports as to what is happening with money side of things, and we get reports slipped under the door alleging corruption but relatively free. It is hard to get people to speak out about corruption still though. People don't want to lose their job. In relation to police cases, they aren't very good at giving out information. But police reputation at the moment is not good, as people are sceptical and I think it's because they aren't promoting good values. You can't track the Police Commissioner down very often he is always in meetings. The other issue is they have preferential treatment for which media they deal with."⁵⁵

Samoa TV3's Analise Auelua is one of the few women who have made it to a higher

⁶⁶ Alan Ah Mu one on one interview in Apia in 2009

⁶⁷ Mataafa Keni Lesa one on one interview in Apia 2009

management level in the media. She has been working in the industry since 1995 and says she loves her job because disseminating critical information out to people is such an important role. She says when it comes to media freedom in Samoa, I think in terms of culture media freedom should come in, as culture is always a part of the report.

“So that we don’t hurt some people as everyone tends to be related and every news article connects with someone you know. So when we report say in court, we report on what the court says, but we always get complaints about people who aren't happy. I know we shouldn't have ties and connections but it is very hard in Samoa. It's like we tend to do positive news items, instead of items that will hurt other people. We try sometimes we can't avoid it, but we do get around it and say it's happening everywhere rather than target a specific person or group of people. In court is where my crew is always and one time a man came up to us with a rock. And another time a reporter took the matter to police, when this family verbally abused our TV crew, and the police explained that we were doing our job. And as news editor it is my job to calm people down when people ring and complain. We have to be careful what we say. In another case, a man had abused his stepdaughter and told village leaders where he lived nothing happened. But the matter ended up in Victim Support and the matter was aired on TV3. Next minute all these men came up and threatened to sue us. But I tried to diffuse the situation and even though the chiefs were angry and trying to find out the source of the leaked information, we refused saying as journalists, we protect our sources.”⁶⁸

⁶⁸Analise Aualua one on one interview, Apia 2009

She says if they do get stonewalled by a government department they seek alternatives, like Victim Support who has helped to raise awareness of abuse cases by speaking out to media, whereas police clam up. The only other thing she struggles with on a daily basis is being a woman in management.

“You got to know and understand your culture and treat everyone the same. And here at TV3 we prioritise our Samoan language too. For me as a woman in a media management role I handle daily deadlines and complaints very well utilising my feminine side. Being a woman in the media it’s a challenge but gives us the best of both worlds we have a career and then we go home and be mothers and wives. I also admire the overseas media but they can be critical of how we cover stories in Samoa saying it’s biased. But it’s not; it is just different how we say things. We try and go in at a softer angle rather than in your face.”⁵⁵

UNESCO provides on-going significant training assistance to journalism education. Abel Caine is a communications advisor for UNESCO based in Apia. Prior to UNESCO he had limited experience with media when he took on the role in 2004 but now believes overall media freedom in the region is very good except in certain parts.

"UNESCO defines media freedom as nearly absolute freedom, or to be more precise an environment where the media are well aware of their capacities and power to lift the nation. And in the event they make a mistake, there are processes in place to ensure that mistake doesn't happen again. That is self-regulation. We believe in a competitive environment but we don't support media regulation, e.g. "We want to ban all media by law." Media freedom stems from declaration of human rights article 19. And it's written into UNESCO's

constitution and many other international conventions and covenants. There is a big difference between media freedom and freedom of information. Currently 12 out of 14 pacific countries have specific provisions in their constitutions that allow for freedom of the media. It's quite unknown but it's true. Many small island states adopted the provision from previous colonial administrations. It could be strengthened, but often constitutional motions get bogged down with other things and can be time consuming. The other way is to get the judiciary to look into it. Many countries have done that, and strengthened these clauses. Of course on May 3 every year, countries can organise public events to get it into people's consciousness it exists and there is a fundamental clause of media freedom and this is how we celebrate it. I don't think we need a regional framework for this. In April 2009, the constitution was abrogated and there was a clause in a decree to restrict media freedom and such a clause meant that a workshop we were to have had in Suva would have been impossible, so UNESCO moved that workshop to Apia during May. 15 international regional journalists have been invited, along with all Samoa media and the aim is to look at media freedom, how to get it into the education curriculum, journalists rights, and how best to respond to violations of media freedom in the region. I personally believe the future of the media is on the internet. Most people will access their news and information on internet via the PC or phone and most media organisations will need to implement a strategy for this."⁶⁹

This research also discovered politics still influences the professional judgement of

⁶⁹ Abel Caine one on one interview UNESCO Apia 2009

some media owners. The owner of Radio Polynesia in Samoa Maposua Rudolf Keil denies having suppressed any media freedom, but in 2007, he vehemently defended his decision to stop two of his journalists from attending media conferences given by a certain leader of a political party who was making corruption allegations against the government. JAWS did issue a statement at the time to condemn the ban and called for journalists to be given the freedom to report as they saw it, but Maposua Rudolf Keil still took exception to Asiata's allegations.

"Well he can use his freedom of the press anywhere else but my radio station because I don't want to be a party to something that may be false. Let the other radio stations, TV and newspapers report on the bad things. Why don't we report on the nice things that these people are doing?"⁷⁰

Owner and managing editor of Talamua Media, Apulu Lance Polu has just set up a new STAR TV channel. He too has been in journalism for decades and believes media freedom has evolved and progressed through the years.

"When I worked for government media it was quite hard as they do tell you what to do. Influential we were as we told people what they needed to listen to. It is powerful. It wasn't until the government offered licenses to private owned media it changed the industry in Samoa. It has changed how information was disseminated and now we have privately owned TV radio and newspaper. Also technology was fast changing whereby information from overseas media was becoming more accessible to Samoa. So change was inevitable. Nowadays we can pretty much interview the Prime Minister regularly. In the old days we had to wait weeks, if that. "

⁷⁰ RNZI story coverage 5 June 2007

He believes as a result of the changes, media freedom does exist in Samoa and this is reflected in people's way of life where they are freer to express their views and opinions. And nowadays with many journalists now business oriented, whereby business is information and we are competitive, many like him want to be the first to publish a story because it is good for business. But on the other hand he believes that journalists in Samoa do come together well, and support each other in training and the internet has definitely impacted on media whereby its easier and faster to access information from different sources, and Samoa has adapted well to changing technology.

Other journalists I interviewed during my time in Samoa reiterated similar sentiments. It does seem Samoa is further ahead than Vanuatu and Fiji to some extent, with no outright censoring or being beaten or hauled off to military barracks for publishing a certain story. And the majority of Samoan journalists are of the belief that there has been significant progress in obtaining freedom of the press through the years, but there is still room for improvement.



⁷¹ 2006 Nukualofa Riots

The Tongan publisher and chief executive of Taimi Media network, Kalafi Moala, firmly believes in maintaining high ethical standards of journalism, and governance around media organisations and the training of Pacific journalists. So for him, Fiji is a totally unacceptable situation and he is among other media practitioners in the Pacific region who are actively calling for PINA to move out of Fiji to a democratically led country, where press freedom as well as freedom of expression is respected. He believes Fiji media have been rendered ineffective due to the military backed regime that remains in power and even though the executive still say dialogue is needed and PINA should remain in Fiji to show solidarity with local journalists, Kalafi Moala, doesn't buy it. "I've always said PINA needs to make a stand but they are not. There are so many things PINA could do if they were outside of Fiji. We need to work with media to do our job. We have a role to play. In PINA there is this whole notion that they have to work

⁷¹ Tonga Nukualofa 2006 Nov Riots photo (Wikipedia)

with government but in doing so you compromise your principals and objectives.”⁷²

Kalafi Moala has been a long term advocate for democratic reform and at the forefront of fighting for media freedom, not only in Tonga but also in the region. He is always actively advocating for better conditions for journalists and encourages further training opportunities. Like Savea Sano Malifa in Samoa, he too has ended up in jail for his reporting and he too has won international recognition and awards for his efforts to further media freedom. For example in October 2003 he was awarded the PIMA media awards in New Zealand because of his efforts to fight off on-going bans on the newspaper by the Tongan government.

In 2009, he published a new book, *In Search of the Friendly Islands*, which critiques Tonga’s political, social and cultural challenges and it deals with the many misconceptions that the public have about issues and the media. In it, Kalafi Moala also writes about the notorious 16/11 riot where he claims the crisis was driven by self-interested pro-democratic leaders wishing to seize political power through mob force and overseas “parachute journalists” got it wrong. He criticized how Western media reported the riots, saying they were “very shallow” and pushed a “one size fits all” democratic model that ignored the complex Tonga situation. He believes that user generated media, like you tube and blogs is a revolutionary tool for media journalists to stay informed. And in them, he says, freedom of the press belongs to those who use such mediums regularly to tell their own stories. Despite his arrests, Kalafi Moala says his aim was to get Tongans to hear new voices and that meant at the time setting up media independent of government owned press. “People need to own it, not governments. This transfers power to the people. People need to be informed and preferably by their own

⁷² Kalafi Moala, one on one interview in Nukualofa Tonga 2009

people.”⁷³ Instead of PINA, Kalafi Moala backs PasiMa, one of the Pacific media freedom groups, that takes a new media approach for the region, including New Zealand. “We want to build a relationship with New Zealand’s Pacific media, which has much to offer the region. The PIMA constitution doesn’t allow NZ Pacific media membership, but PasiMa does. PasiMa’s board is independent of government and consists primarily of private media owners and practitioners, but all are welcome.” Samoa’s Savea Sano Malifa is the chair, Kalafi Moala is the vice chair and Cook Islander John Woods who is the managing editor of Cook Islands News is the secretary treasurer. “PasiMa wants to be independent of government owned media, who can be associated but not voting members. PasiMa also wants to be independent of donor control. Much of the operation of PasiMa is to be self-funded.” Kalafi Moala’s efforts with independent media have contributed to greater media freedom and progress towards democratic reform in Tonga. “I’m far more optimistic now about Tonga than ever before in my life. I see a lot more togetherness, in the political, social and religious spectrums.”⁷⁴

Pesi Fonua is the founder, publisher and editor of the online newspaper, The Matangi Tonga Online. He believes the biggest threat to media freedom in the Pacific is the aggressive and violent mentality of leaders and public figures towards journalists and news organisations. Looking from a regional perspective, he cited the deportation of Australian newspaper publishers, banned journalists from Fiji, and beatings.

“I think in island states there are efforts by politicians and those in the public eye to either influence media or shut them up. There is a tendency for an aggressive violent reaction among some of them that often results in some sort of

⁷³ Kalafi Moala at a Pac Media Summit, 27 July 2009

⁷⁴ In Search of the Friendly Islands by Kalafi Moala

confrontation. That remains a continuing struggle.”⁷⁵

Tonga's constitution does have provisions for the protection of freedom of speech and the press although occasional infringements of press freedoms do occur. In 2003 the law was amended to add two sub-clauses that enable the government to restrict freedom of speech and freedom of the press which introduced licensing for the importation and sale of foreign newspapers. However in 2004 the chief justice declared both sub-clauses void and newspapers now only require a trading license to operate. Tonga's Broadcasting Corporation (TBC) was established in 1961 as a government department, to operate Radio Tonga. Its current general manager, Nanise Fifita, says radio and television are government owned but it doesn't get any contribution from government as to what airs. The TBC owns one AM and one FM station and the free to air Television Tonga station but the general public views are that TBC only runs government approved programmes. Nanise Fifita believes members of the public had their own agenda during the 2006 September riots.

" Tonga had the riots. In our effort to cover the political rally our reporters were constantly abused. They thought we didn't give them enough air time. But we knew it was because we gave both sides of the story. But they wanted their view alone. Our coverage went up to Sept 11 2006 at the rally when it turned ugly and people threw stones. They rampaged nearby shops and violence broke out. We recalled our staff immediately to return to the station. We had calls from people saying people had announced at the rally that they'd take over radio and TV. We thought it was a joke at first. But when some protestors came closer to TBC, they stopped at a nearby store, a

⁷⁵ Pesi Fonua one on one interview Nukualofa 2009

few hundred metres away. By the time they finished destroying the store, the TBC was already blocked off and under guard. Because threats that people were coming to also burn down TBC we took it seriously and it was a frustrating time. When people most needed to be kept informed, we eventually went off air and closed down transmission to protect staff. Now to the issue of political programmes we are covered by broadcasting act, public enterprises act, communications Act. This is for electronic media. TBC was set up in 1961 with its own media ethics and guidelines and standards. TBC has to adhere to these Acts under these requirements. We are often faced with criticisms and derogatory comments if we don't run certain stories as well. " ⁷⁶

The TBC was set up under the Broadcasting Act with a mandate to inform, educate and entertain as a public service broadcaster, but it also has to rely heavily on the advertising dollar. Nanise Fifita's address to the Commonwealth Broadcasters Association (CBA) showed her support for Tonga media to be regulated.

"Now let's focus on how the State puts pressure on TBC. I believe that we must be careful of what kind of information, we as media, empower our people with. Let me give this illustration. To my knowledge, TBC is perhaps the only media outlet in Tonga with a written formal broadcasting standard guidelines and code of ethics, that have been in place and implemented since it was established. Since the early 1980's, people have become aware of some failures of the present Constitutional Monarchy System of Government. This began a rather long road to push for political reforms – towards a democratic system of government. It also began a so-called 'party-politics' as our present system does not accommodate that. This trend continued and became rather stronger, gaining an increasing number of

⁷⁶ One on one interview with Nanise Fifita PINA Vanuatu 2009

supporters. Their causes were made known when the leading member of the democratic movement established his own monthly publication that later became a weekly paper in recent years up to now. This paper gained much popularity through its own kind of reporting and ethics that TBC cannot even dare use for the “don’ts” in our ethics and broadcasting standards and guidelines become all “do’s” in theirs. And what has government do to bring them in line with the rest of the media? Virtually nothing at all! Now the interesting part here is that – to many people, Radio and TV Tonga (TBC) news coverage is ‘dull’, ‘slanted towards government’, or perhaps reporters don’t know how to make the news interesting – but of course – that would be through sensationalism and exaggeration – while the other privately owned media may be seen as smart in doing. Now, the media plays a vital role in empowering the people, as our theme goes. But it should be important to stress here that the media has a heavy responsibility in ensuring that the information being disseminated is truthful, accurate, objective and fair, and to exercise responsible journalism – even if some of you may regard this as old fashion! In 2006, Tonga saw and experienced an unprecedented event when the first riots took place. Supporters of the democracy movement took to the street, burned down several businesses that belonged or associated with the Royal Family and the Prime Minister’s family as well as foreign-owned businesses, mainly Asian, together with innocent bystanders including some Chinese, Indian and Tongan businesses. From November of 2006 the day of the riots to this day, most of these businesses that lost millions of dollars in the riots, are yet to rebuild, secure loans to start anew or pay huge debts, not to mention some who opted to close their doors permanently. In a survey carried out by a local website, some of the people they interviewed believed that the media played a major role in creating and inciting the riots. Some even

blamed government for not acting soon enough to enforce some elements of responsibility on this TV station from airing inflammatory statements and views from the public. As a state owned media, I feel TBC is being closely scrutinized by the government and the general public to lead the way or become role models on performing in accordance with our broadcasting guidelines and to report ethically. Government would be the first to remind or perhaps warn us of our obligations as a public service broadcaster, to inform and educate the people. Even following the riots, we're still expected to be the avenue and platform for nation-building and reconciliation to take place. I must say that one may feel suffocated by these expectations, but is this still the way to empower the people – while the privately owned media still enjoy their “liberty” of disseminating inflammatory information – perhaps their own way of empowering their followers and perhaps the people in general? The stance being taken by TBC in this scenario often led people to accuse us of taking side with the government, or we are the government mouth-piece or simply too afraid to break every rule of being a responsible media, for the sake of keeping everyone happy in the decision making level. But one may wonder, why does government perhaps turn a blind eye to what the “other” media is doing, after all the Ministry of Communications is under the Government and also, Government is responsible for issuing and renewing their business licence. Another aspect of State pressure on TBC is on Reporting from parliament. During the middle of last year's parliamentary session, a partial ban was placed on our coverage from the House, due to – according to the Speaker and the PM – a seemingly biased portrayal of the proceedings. They believed that through the use of the camera, we only focus more on the pro-democracy MPs rather than what the government MPs said during that particular debate. It should be pointed out here that Parliament

only allowed a one-hour of recorded TV coverage to be carried in our news, and during that hour-long debate, how we proportionately present both sides to the public, if – during that one hour – the debates were dominated by one of the sides. Since then, the Speaker imposed a temporary ban on our using of camera footage. However, our reporters can still sit in the House during the entire proceedings and write his own notes for his news. We also have access to the daily minutes of the parliamentary proceedings. This allowance still does have an impact on our radio and TV coverage, with the absence of necessary sound bites as well as video footage from the House. Another example is the airing of programs seemed to be lop-sided towards one side – whether it the government, the democracy movement or any other party. With the prolonged emergency powers still enforced since the 2006 riots, Government often remind us that as the national broadcaster, we have an obligation – as in our public service mandate - to help maintain law and order, peace and unity, in the Kingdom. And this should be reflected in our program and news contents, or any information that may be aired over Radio & TV Tonga. In terms of general information and programming, we refuse to air notices by government or any other organization that has some elements of personal attacks or does not comply with our broadcasting guidelines, unless they reword their initial statement. It may take some time to clarify matters, but in the end, it can be sorted out. Now, one may wonder how could government exert this – seen here perhaps as a pressure – on the state-owned media, while privately owned media are at liberty to criticize, sensationalize, exaggerate and even say inciting and inflammatory views over sensitive issues or otherwise. Is this a way of fully empowering the people or simply to empower them to make wise and informed decision about their future and the future of the country and the generations to

*come? Or, this is a pressure by government on its state-owned media as a way of dictating its way through? I believe, in the context of Tonga, the public's views dictate the answer."*⁷⁷

Despite a crackdown on the pro-democracy paper Kele'a run by pro-democracy campaigner, Akilisi Pohiva, media freedom does appear to have improved somewhat in Tonga under the reign of the current king, George Tupou V. In that crackdown Tongan soldiers had closed the offices of Kele'a temporarily in February, and its editor Tavake Fusimalohi, charged with sedition and criminal defamation. Mr Fusimalohi won the PINA Pacific Media Freedom award that year, and Kalafi Moala asserted later that there had been no crackdown on media in 2007 and that the closure of Kele'a was because it published on Sundays in breach of the law.⁷⁸ The Kele'a paper has also been targeted in being ordered by Tonga's Supreme Court to pay excessive damages of more than US\$229,000 for defamation of an individual which the PFF has described in a statement as draconian.⁷⁹ It is yet another example of an attempt by authorities to determine what media organisations can or cannot publish and the fine imposed is excessive.

Tonga's government still seems to work hard to fob off valid enquiries from the media. In 2009, Tonga's interisland ferry the MV Princess Ashika unexpectedly sank off the coast of Tongatapu on August 5, 2009 killing 74 people on board. Tonga's transportation minister Paul Karalus resigned within weeks following the sinking and the following year in 2010, there were calls for Tonga's Minister of Information and Communications Eseta Fusitua to consider a sincere apology to grieving families over her botched handling of the release of the official report into the Ashika Tragedy. But

⁷⁷ Commonwealth Broadcasting Association: Address 2009

⁷⁸ Freedom House report 2008

⁷⁹ Matangi Tonga Online April 9, 2009

instead at a pre-Easter press conference the following year, she used the time to just talk about a set of ‘protocols’ delaying the handing out of the report, even though she had access to the report that was already able to be downloaded from the internet. At that time, PFF chair Susuve Laumaea issued a statement to condemn the stonewalling.

“Any high-level Pacific leader holding the communications and information portfolio should have sought advice on how to best proceed with a report of this magnitude, and the overwhelming level of public interest in the results.

Sadly, we’ve just witnessed another avoidable sadness for the families of those who died. These people have just spent their first Easter without their loved ones, their lives still on hold despite the closure this report now offers them. This was a preventable maritime tragedy, and has repercussions for Tonga’s elected and appointed leadership. A process which leaves itself open to failure because everyone with an interest and an internet connection already has the report is hardly effective. It fosters a perception that government is acting in its own self-interest and delaying its own response and public discussion.”⁸⁰

The PFF has continued to encourage Tonga’s leadership, in particular its Information Minister, to make the most of its journalists and independent media, and rather than stonewall to seek their advice for engaging and encouraging public debate and feedback to allow the kingdom to come to terms with their tragic loss. And PFF co-chair Monica Miller said:

“Freedom of Information and timely access by robust, responsible and independent media to official reports is an important key to good governance and informed Pacific communities. This report must go hand in hand with a

⁸⁰ PFF press statement

decisive strategy from the government to place the findings quickly into the hands of those whose lives were turned upside down by what happened on that night of August 5 2009. They are the ones who most need to know.”

Like with Samoa, Tonga have on-going cultural pressures which subtly challenge progress to freedom of the media, with more respect often paid to the King, the Nobles, and then Commoners no matter what the news story. Faka’apa’apa or respect still remains highly important in Tongan and other Pacific cultures and it is this that still pervades the minds of Tongan and other Pacific journalists during their job.

It also appears in Tonga that freedom of the press is a continuing struggle between the advocates of development and the guardians of the status quo. The government appears wary of giving out vast information freely to all media for a story, and does in fact often give out limited answers when questioned by journalists as well as favour pro government media over others.⁸¹

The Cook Islands Government is the only small island state in the Pacific region so far which has made an effort to introduce a Freedom of Information Act. The Official Information Act, or OIA, was introduced in 2008 and is largely based on the New Zealand version of the Act. The Deputy Prime Minister of the Cook Islands, Sir Terepai Maoate, said although getting the Act passed did take some time he is glad it is now a reality as accountability is important. “Having done it, we are probably the first to get it passed by parliament. We have offshore finance companies and by passing it, we become more transparent with OECD.”

⁸¹ Source is a government communications worker (anonymous did not wish to be named but happy to be quoted)



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15-2-2008

FREEDOM OF INFORMATION ACT PASSED

Parliament yesterday passed the Official Information (Freedom of Information) Act.

The Act gives public easy access to official information and will be administered by the Office of the Ombudsman.

Meanwhile the passing of the OI Act has drawn on-line demand from Pacific media for copies. They also congratulate the Cook Islands Government for taking the lead in what they say is a historical and momentous occasion.

Closer to home the moment culminates almost five years of lobbying for the Bill to progress into Parliament. The Deputy Prime Minister Sir Terepai Maoate tabled the Bill in the House on Tuesday.

And at the first 'workshop' for Heads of Ministries on Thursday Sir Terepai briefly said that Government understands media concerns about the availability of OI, and it was very important for the two to work together.

Cook Islands News editor John Woods said Government Agencies must now start embracing and building the new culture of greater access to OI to make OI successful.

*Source: Govmedia*⁸²

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⁸² Cook Islands Government Press Release 15 Feb 2008

Sir Terepai Maoate says the Act was necessary as people seemed always concerned about transparency and there was always some resistance to the giving out of any government information. He also believes all small island states need it. “This OIA will enable people to ask for information. We see it as a useful piece of legislation for our people and so when I took it to parliament people understood and when I did that I realised we are probably one of the first Pacific Island countries to get this legislation passed by government. Having passed that Act too, it makes us more transparent and we can now comply with OECD demands. I believe that a lot of us in the Pacific really should have an OIA to help keep us on track with accountability. We should do the right thing, and be seen to be doing the right thing. It’s a good piece of legislation.” He says he doesn’t have any issue with freedom of the press either.

“This legislation is to do with law and order, good governance, accountability and transparency. That to me is very important. As for media freedom in the Cook Islands? Well the way they are treating me, they should be stopped.... No I don’t really have a problem with media freedom as long as it’s factual. But sometimes I do get frustrated, as some information is not correct and you have to try and put it right. That is the only thing I am not happy about some times, otherwise I don’t have a problem with media. It should be promoted. But not everyone is pure and so there should be regulation. If one has a license for media and there is regulation then they can’t do what they like. I really hope other countries will see our OIA as a good thing. Because we think it’s something good for us. This year 1999, we are happy with it.”⁸³

⁸³ One on one interview with Sir Terepai Maoate Rarotonga 2009

Journalist Florence Same-Buchanan was seconded to work for Sir Terepai Maoate's office as a communications advisor and says it took hard work to lobby and convince members of parliament to pass this piece of legislation. "Well people were suspicious at first, like one minister vehemently opposed to it, said it would be cumbersome, but now this minister has done a complete switch."⁸⁴

Six ministries were reportedly the first to take up the OIA but they had to prepare for it. The office of Ombudsman Janet Maki was tasked with administering the Act, but immediately knew a major barrier to its full implementation would be poor record keeping among many government departments. A key platform to any OIA is good records, but at the moment there is some real practical difficulty to ensuring that.

"The first part is to prepare the staff of departments on how to handle the Act. And the second part builds up awareness of the Act. We are a very small office as I only have three staff one of which is secretary. We have had a lot of assistance from New Zealand Ombudsman office and the archives, kaveka.⁸⁵ The first part is good record management so that has involved my staff looking at this in different departments. You need to have good and easily accessible records. And some departments now would have great difficulty doing that. It is now law. This was tabled in 2008 and we gave ourselves 12 months to ready ourselves but we discovered over 70 government entities would be difficult. So we staggered the process. When it was first floated I wasn't aware of administration difficulties at the time but when I joined the Ombudsman office I realised administration record keeping was very poor and it was hard to find the information. So after an

⁸⁴ One on one interview with Florence Syme-Buchanan

⁸⁵ Kaveka the regional body for archivists in the region

OIA conference in 2008 I learned more about information storage and access to it. The OIA it's beneficial as the government is shining a light on record keeping. Firstly the problem is that there are no records management standards in place. Second problem is one of resources e.g. not enough space to store records in and many departments have poor record keeping. We've had support from CI News, who has done stories on the Official Information Act. They indicated through an OIA request they managed to access the information for their story. By the end of 2009 about 21 ministries under the Official Information Act, includes police, public service, health ministry of justice, office of PM, finance, foreign affairs etc. also various boards and councils come under the act too. We are leading the way in the region and New Zealand Ombudsman's office has been very helpful."⁸⁶

At its current rate of rollout, it is likely to take some time to get the different departments fully up to OIA standard.

UNESCO's Abel Caine agrees it is a difficult thing for the Cook Islands to enforce and up to date technology is a necessity. Not only is it costly, it is also further down the list of priorities for budget spending.

"As for freedom of information only one has it as law that is the Cook Islands. But it isn't easy to do. Places a huge strain on government department obliged to provide information upon requests. So if information is collected on someone, then the individual has the right to read it and correct it if necessary. But this requires record keeping. So if a government hasn't digitised nor have a good process in place for accessing information, it will be difficult. For Freedom of

⁸⁶ One on one interview with Janet Maki 2009

Information, people believe it is good for transparency, however setting it up can be a different story. I recommend baby steps, as it requires so much effort to optimize processes. Do we need an overarching framework for Freedom of Information? I would say no as it is complex enough within a particular country, let alone across a series of countries.”

Ulamila Kurai Wragg is a Cook Islands based journalist and writer, of half Fijian and Cook Island heritage. The Fijian born learned the journalist trade in Suva during the late 1980s until 2001 when she settled in Rarotonga the following year. She embraces the OIA and believes there is much more media freedom in the Cook Islands as a result.

“We are the first to pass such an Official Information Act. They say we cut and paste from New Zealand but we are still a Pacific Island country. Our legislators and law makers worked hard on debating this bill. They enacted it and it is now for media houses to make use of it. And she says the Act has made a difference already. I know that they are going through a stagger. I suppose to make the offices familiarize themselves with requests. But we've had stories that have come out using that Official Information Act and we have some NGO's who are now using that Act to get information.”

She commended Fiji for previously being a solid learning ground for journalism when she was younger.

"I mean Fiji was the best place to learn journalism and I worked under some renowned experienced media people who were in Fiji then. Fiji had pools of staff to do different jobs too. It was good as it gave me solid experience with on the job training. I joined during the first coup, so it was baptism by fire. And in Fiji everyone worked weekends, unlike here in the Cook Islands. If you compare the

two I think we are lucky that we have good internet access in the Cook Islands which makes a huge difference. In this media network we get so many queries about media in the region. My life in the newsroom was during the 1980s and 1990s. Whereas nowadays, the digital age with the internet is the biggest gift to the profession. It's something we all can take advantage of, to connect us and communicate, relay stories from one side of the Pacific to the other. The other thing is Rarotonga is so much smaller and I'm always home after a working day. Whereas in Fiji you could be away days at time just to cover a story. "⁸⁷

But the OIA hasn't impressed everyone and has its critics like Shona Pitt of the Pitt Media Group, who owns and runs a television station, newspaper and radio station in Cook Islands, says there was no need for such legislation as they haven't had any problems getting information as people leak details all the time. Plus she says the Cook Islands is so small compared to New Zealand.

"It was good before as we could talk to different people. Now you have to talk to the head or the CEO. So things get sent out wrongly. They can make it difficult for you. Otherwise you have to develop a rapport with people so that they aren't misrepresented. We can pretty much go wherever we want to go. I do think we have the freedom here because the media is privatised here but I know the government tries to override us. They want to bring in a media bill. They also wanted to develop their own broadcast station of course in direct competition with us. It is not really the government, but the person of the day."

Despite not knowing much about media Shona Pitt says her family running the business quickly learned.

⁸⁷ One on one interview with Ulamila Wragg, Rarotonga 2009

“People here don’t understand the logistics of operating media. They don't understand the background. Because they get free programmes many residents don’t pay for TV at all, they get it free to air but we still get criticised. Governments have threatened to take our license off us, like if we publish something negative about the government they threaten us with the license.”

She also believes there is media freedom in the Cook Islands, but they still get threatened if they publish certain stories.

"Of course there are the threats lurking in the background. It used to be good before, but now when we ring departments and we are referred to CEOs or ministers they can make it difficult for you. Otherwise you have to build up a rapport with them and a trust, so people realise you aren't going to print or publish misinformation about things. We do have media freedom here because media is privatised here. Government wanted to bring in a media bill and they wanted to bring in a new media paper. We've never had a problem getting information as people do link information frequently. Maybe other media outlets struggle but we don't have a problem."

She says organisations like PINA largely ignore Cook Islands issues. “Well we've been in the organisation since it started and I've found them geared towards government broadcasters and they didn’t really cater for the Cook Islands. I was always saying things about Cook Islands media in the region, we are forward in media sense in the region but we are largely ignored at PINA I feel. There are a lot of personalities in the association, but I say get over it. “

John Woods is the editor of the Cook Islands News newspaper and fears the OIA is a huge distraction from further media legislation that he believes is aimed at controlling local media “This dreaded media bill is back on the table. Same politician who gave us the official information act now wants to bring in another layer to standardize, to license and control. Our approach is that we'll fight that legislation and fight resistance to disclosure and or approach is we can fully inform our readers that will bring about awareness which will lead to discussion, involvement engagement in government process.” He is also a former PINA member who also recognises the group’s shortfalls. “It’s inevitable that members of PINA will fall away. PINA has fundamental problems to do with its compromising position with the Fiji military regime and in due course, all membership will fall away except of course I guess those that support the regime and the concept of censorship.”⁸⁸

Samoan radio journalist, Cherelle Chan manages hits 101 FM in the Cook Islands, whose coverage extends to 50 % of the islands. “For Rarotonga I'd have to say its laid back really compared to Samoa. I did work with media in Samoa and I find here in Rarotonga it's laid back and there is so much more opportunity. Like for my show there is so much there you can choose from and you have the freedom to do whatever you like. I haven't seen any kind of censorship really, it is quite open. We can talk about anything it is so laid back.”⁸⁹

And Barbara Dreaver said on a TVNZ 7 media show⁹⁰ when she lived and worked in the Cook Islands she used to be attacked for writing and publishing stories about dengue, because some people feared her story would affect tourism to the islands. She remained adamant that the story was published anyway.

⁸⁸ RNZI interview with John Woods, editor of Cook Islands News

⁸⁹ One on one interview with Cherell Chan, Rarotonga radio station, 2009

⁹⁰ TVNZ Media 7 programme, series 4 episode 9

The loss of experienced staff for various reasons in a media newsroom is another challenge for small island states. The Cook Islands has seen journalists such as Lisa Williams, Barbara Dreaver, Jason Brown, Florence Buchanan all work there and move on to bigger and brighter things outside of a newsroom. Ulamila Wragg left mainstream media to raise children at home and now volunteers to run the Pacific WAVE network, a women's media network as she could still help raise awareness of relevant issues such as climate change and providing network support and digital access. "We are indigenous to where we work and being women we are traditionally obligated to be the primary caregiver in the home. Most of us came out of high school into media and we trained on the job. But when we started to have partners and children things change and a lot of women start to exit the media to care give children. We are often torn between covering a cyclone and looking after our kids."

The internet has changed how media can operate and get around limitations or restrictions, offering some reprieve to getting information out into the public eye using blogs and emails. Ulamila Wragg says computer technology has made this big wide world a lot smaller as a result. "Fiji had their own weakness and strength, so did the Cook Islands. So I suppose if you compare the two, I think that you're lucky that in this era, we have internet. It is a great advantage as the newsroom this century is very different today, compared to what it was back then."

She is optimistic that on-going advocacy work in the Pacific region to strive for true press and media freedom in Pacific states that lack it will eventually make a difference.

6.MEDIA

FREEDOM

IN A

UNITED STATES

TERRITORY



American Samoa

As a territory of the United States, American Samoa enjoys press freedoms provided for under the U.S. Constitution and provides one of the better environments for Pacific journalists to work in. There are two main newspapers: the *Samoa News* and the *Samoa Post* and stories in both newspapers are written in both English and Samoan. The *Samoa News* is printed Monday through Saturday; its circulation is approximately 4,000 a day in addition to an online edition. The *Samoa Post* publishes Sunday, Tuesday and Thursday. Its approximate circulation is 1,500. Three FM stations and three AM stations serve approximately 57,000 radios. One television station broadcasts over three channels to approximately 14,000 TV sets and it is owned by the Office of Public Information of the American Samoan government.⁹¹

Many people wake up in the morning to another news day hearing the KHJ radio voice of Monica Miller, who has been a practising journalist for decades and a long time stringer for Radio New Zealand International. In 2009, the journalist, news director and newsreader began co-chair for the PFF, the regional group committed to fighting infringements on media freedom in the region which is gaining more support. Monica Miller became actively involved with the PFF when it seemed like nobody else was being very vocal about the injustices and human rights abuses happening to some Pacific journalists in the region, who were targeted for just doing their job.

"It was set up as an informal exchange network among journalists to discuss issues that were happening that affects journalists, but at the same time there were incidences happening in Fiji and other Pacific Islands. And the main organisation here in the Pacific PINA wasn't as vocal as it was in the past. I mean

⁹¹ Online encyclopaedia about American Samoa

I was president of PINA for seven years in the past and it was vocal. But we felt we needed to make our voices heard and to point out these impediments for the media to do its work and how that impacts on information that the public have a right to know.”⁹²

She says PFF has continued to issue statements to strongly condemning violations to press freedom in the Pacific region. Monica Miller’s sole aim is to support her peers and to advocate for greater awareness of what is happening on the ground, in an attempt to try and bring about attitude changes toward media.

“This year there’s been quite a lot of cases and particularly in Fiji. It is a worrying situation. I hope in five years’ time. I think that everyone should make it their responsibility to speak out when there are situations where media freedom is curtailed as media is the voice for information and when that voice is gone, then people will be less informed.”

After hearing of some situations fellow journalists are facing elsewhere in the region, Monica Miller is thankful that American Samoa operates under a constitution that allows for free speech in a democratic society. She says as a result, local stories affecting people living on this small island state is considered free with journalists able to follow whatever angle or avenue they deem necessary to do their job of informing the public well.

But that hasn’t stopped people who are unhappy about press coverage taking their gripe against a reporter personally. Fili Sagapolutele writes for the Samoa News newspaper and has heard stories through the grapevine of a journalist being beaten up after hours or journalists being verbally abused for stories they don’t like being

⁹² One on one interview with Monica Miller, PFF and KHJ Radio, American Samoa

published, but that is about the extent of it. “Yes I always do feel quite free to cover stories that are in the public interest no matter what. I still feel we do a very important job in society and our role in media is to keep the public informed as best we can. I am lucky to be living and working in Pago Pago, unlike other journalists elsewhere in the region who are being subjected to abuse and beatings like in Fiji. It is terrible.”

There are a wide range of news topics for journalists in the territory to be able to cover on a regular daily basis with no boundaries. In 2009 the most memorable event that occurred affecting American Samoa, Samoa and Tonga, was the September earthquake and subsequent devastating tsunami. There was no attempt by government officials to censor any of the coverage when the territory’s local news media moved into action quickly to cover the disaster by publishing stories photos and footage almost immediately to a shocked global audience still reeling from the mass damage and loss of life caused by the natural disaster.

Other main stories tend to highlight how finances are managed for the territory and its economic progress. American Samoa was among other U.S. territories included in the U.S. mainland’s mandatory rise⁹³ in the minimum wage which contributed to one of the Territory’s key employers, Samoa Packing having to close⁹⁴. It was a story well documented and covered by local media and affected a large number of cannery employees, including many workers who had come over from Samoa. The only cannery still operating in Pago Pago is Star Kist that reportedly still exports several hundred million dollars’ worth of canned tuna to the United States each year. The cannery’s closure was a huge blow to the territory’s economy.

⁹³ Radio New Zealand International coverage

⁹⁴ Samoa Packing is a Chicken of the Sea subsidiary

Authorities also seem accessible, although Governor Togiola Tulafono rarely comments directly to media over the telephone he maintains his daily radio show address most weekends to generate official comments and views on a variety of issues. And Congressman Faleomavaega Eni Hunkin seems happy to comment on issues affecting the territory, when his schedule allows time for a phone chat. However media are still able to publish factual stories or opinion pieces that can still be critical of authorities. It is clear that journalists in Pago Pago echo proud sentiments of working in a free and democratic society, in comparison to elsewhere in the Pacific region.

7.CONCLUSION

The western concept of media freedom can still seem a long way from small island villages that remain isolated in a geographical sense, but increasingly connected in another.

The free flow of information in the Pacific region has been significantly helped by the internet and mobile phones that offer more opportunities for disseminating information to a wider and global audience. In China, and other countries known for restricting the media, it has been the evolution of the internet, blogging and the use of mobile phones that has improved free press somewhat. Increased connectivity using mobile networks and wifi have made a significant difference to how people communicate. All of the small island states that I visited for this research had internet access both in cafes, workplaces, and in the accommodation where I stayed and surprisingly good mobile phone service.

While Pacific governments do have a tendency to pay lip service to media freedom, my research uncovered that the reality on the ground differs to varying degrees between each small island state. There is on-going censorship in Fiji, journalists are still being

beaten up in Vanuatu and the subtle pressures of culture and tradition are still evident in Samoa and Tonga. In the Cook Islands media appear freer but it is American Samoa who has the most conducive environment to promote freedom of the press under the United States constitution. Some small island states have effective media groupings, while others do not.

It is still clear that media freedom in the majority of small island states still threatens some people in positions of authority. As a result they choose to be inaccessible to reporters don't respond to media enquiries or take matters into their own hands when a report is not to their liking. Perhaps training and more awareness of the media's job to inform and disseminate information is needed in communities is the answer to allay fear from government officials and members of the public who are ill-trained to dealing with the media. Other times language and culture pose a barrier for others. Some Pacific journalists face an internal battle to juggle cultural sensitivities and respect for those in positions of authority, power or status can impact on how a journalist covers a story.

Since 2009, it is clear the situation in Vanuatu has still not improved. In 2011 there were more episodes of newsroom intimidation in Vanuatu by a government minister with the PFF calling for politicians to be reminded that state media outlets funded by taxpayers should be able to do their jobs without interference or pressure. Vanuatu's Minister of Ni-Vanuatu business, Pastor Don Ken visited the newsroom of the state-owned Vanuatu Broadcasting and Television Corporation demanding that a story covering his arrest and jailing on the eve of Vanuatu Independence day celebrations that year, be censored. PFF's Titi Gabi said whether journalists work for a state or private media outlet, journalists should be able to impartially inform the public freely and without fear or

favour especially when it comes to highly paid and powerful public servants whose actions breach a nation's law, or codes of conduct. The PFF had also condemned at that time and questioned the court fine against Vanuatu's Minister of Public Utilities and Infrastructure Harry Iauko, who was involved in the assault on the publisher of the Vanuatu Daily Post in March. He was only fined the local equivalent of about US\$150 after he pleaded guilty to aiding and abetting the assault on Marc Neil-Jones while more serious charges to which he entered a not guilty plea were withdrawn by prosecutors.

This clearly demonstrates that even after journalists continue to have harrowing experiences of being beaten up for publishing stories, there is still no immediate and well-coordinated official investigation into such incidents. Without any investigation, it is feared that the on-going abuse of position and power will continue in Vanuatu. And the right of Vanuatu people to know the truth is also at stake. It is courageous that there are still journalists in Vanuatu who remain staunchly committed to the profession and endeavour to strive for media freedom, no matter what the cost.

Cook Islands news went to court one time to face contempt charges for cartoons.

Perhaps journalists, editors and publishers have either to face the risk of action being taken against them, or work within known restraints - imposing self-censorship. The PFF's Monica Miller says legislation around media freedom only goes so far. "While we are moving forward we are also going backwards with moves to legislate. I think it's up to us ourselves in the media to police ourselves...I think it's the best mechanism. I don't believe it's necessary to have legislation as to say what should be out in the public and what shouldn't be. Those are my thoughts at this stage."

Not surprisingly, Fiji's political situation and its impact on media and freedom of the press remain fluid and constantly changing. The following year in September 2010 the

Fiji Times underwent a forced sale, after the gazetting of the Media Decree 2010, requiring all media in Fiji to have 90 % local ownership. The paper was 100 % owned by Rupert Murdoch, but was sold in order to comply with the new decree, and the majority shareholder in the newspaper is now the Motibhai Group of Companies. And in early 2012, the Fiji prime minister announced an end to emergency laws that have been in place since 2009, that gave police and the military extended powers, allowed for the censoring of local media, and restricted public assembly. In light of public emergency laws being lifted, a new Public Order decree was issued in its place, but groups in and out of Fiji say it continues to violate human rights and in essence, nothing has changed. Fiji's journalists have also being warned to adhere to ethical standards to guide their reporting of regime speeches and statements in response to Fiji's State Proceedings Amendment Decree, which grants Fiji's regime leader and his minister's exemption from defamation suits over anything they may say in public or private.

Commodore Bainimarama still remains under pressure to hold democratic elections sooner rather than later, especially as relations between Fiji and its neighbours Australia and New Zealand have soured and travel sanctions remain in place. It must be difficult to learn journalism in Fiji that now operates under such tough restrictions and the absence of any media freedom. It is also clear that a more media in the Pacific region needs to become more independent and try and separate itself more from government control. In 1996 Kalafi Moala and Akalisi Pohiva were freed for contempt of parliament after they were illegally arrested. Kalafi Moala's message is that social and political problems won't be solved simply by changing any political or economic system but rather it must involve a spiritual and ideological dynamic as well.

The PFF media watchdog group recently admonished the Tonga government for how it shut down a radio station broadcasting current affairs. Broadcom's FM 88.1 was ordered to stop broadcasting after it had been using a borrowed license by Kalafi Moala, who withdrew it after the government said there had been complaints about the station's content. The PFF's Lisa Lahari said that the government should have followed proper process rather than reacting to criticism. "Otherwise you know you've got stations losing their license on allegations, on complaints, on some people that were upset over something they found to cause others to be angry. I mean there is surely something that needs to be looked at and given a lot more weight than just saying crazy complaints have been heard, people are upset, let's shut a station down. It's crazy."⁹⁵ In January 2011, station management said they would be getting a license to operate again, after it was ordered to be shut down following the last general election.⁹⁶

Many Samoa journalists want to implement a media council to hear complaints and are lobbying hard for Samoa's Publishers and Printers Act of 1992 to be abolished. The editor of the Samoa Observer believes both are necessary as it would be impossible for media to operate if a media council is created while other restrictive legislation exists. Mataafa Keni Lesa wants the Publishers and Printers Act of 1992 scrapped because he says it will continue to threaten press freedom and publisher Savea Sano Malifa agrees. He wants the Act to be repealed and the policy allowing public funds to be used for legal fees incurred by government leaders suing newspapers for defamation, and for the ancient British law of criminal libel scrapped from Samoa's law books. Savea Sano Malifa even goes so far as to also support an Official Information Act in Samoa as being

⁹⁵ Ex RNZI story coverage Dec 2010

⁹⁶ Ex RNZI coverage 23 Jan 2011

the best way forward to achieve more media freedom. “Until this is done, Samoa would not be free for the media. Despite glowing reports that it is free deep inside, it is not. It is a country sobbing day and night under the rubble of suppressed freedom.”⁹⁷

But owner and managing editor of Talamua, Apulu Lance Polu says a media council would help gain the public’s trust of media and play a major role in maintaining and improving standards, as well as promoting public awareness about the role of media and media freedom. In the past he says there has been some reporting that has harmed reputations, but currently the only option for the public is to take the matter before the courts. He says the media council will provide a solution to this. Apulu Lance Polu says the council will also be useful when facing power institutions such as village councils and the church. ⁹⁸Currently Samoa’s Law Reform Commission has begun reviewing the need for such a council, the possibility of Freedom of Information legislation and for the Publisher and Printers Act of 1992 to be abolished.

In the Cook Islands there has been mixed reactions to legislating media and introducing an Official Information Act. On the one hand it is believed to help crackdown on corruption, but on the other the small island state has been required to allocate money and resources to reorganize its entire administration system and improve the storage of information that can be readily accessible for an OIA request. But in the scheme of things, it is unlikely that a small island state can really justify this cost, in the midst of more pressing issues like climate change, politics, people’s health and education.

Not surprisingly, American Samoa had the least infringements on media freedoms and the right to free press, but it too is a still a very small island where everyone knows and

⁹⁷ Pacific Media Watch 6843, Samoa Not so free says Observer Publisher

⁹⁸ RNZI posting, 27 Feb 2012

recognizes who you are and people can are still able to identify reporters, know their address in a village, and could take verbal or physical abuse if anyone was unhappy with media coverage, but in comparison to other Pacific states, this type of personal reaction does appear rare.

The PFF's Titi Gabi has said that defamation and libel restrictions are cornerstones of journalism ethics and the practice applies whether a country has defamation laws or not.

In conjunction, education and public awareness campaigns using Pacific networks is also an important key to ensuring people are kept informed of important issues and getting more support in favour of media freedom across the region. "Media freedoms isn't just for people who work in media, it's the individual's right to information. People outside the media also need to come in and jump in on the bandwagon issues that affect media freedom. For example the churches."

The PFF and other regional networks in the founding membership of the umbrella Media Alliance of the Pacific, MAP, endorsed the creation of a regional code of ethics for journalists in May in 2011. "Journalism codes of ethics share the same common concerns. A Pacific code makes sense and in terms of monitoring and complaints, could lead to a more effective space for addressing concerns over industry standards."

Perhaps this would offer an ideal way forward for Pacific journalists to be able to do their job safely in the region, but this remains to be seen.

9.BIBLIOGRAPHY

American Samoa FCC FM Radio Query www.fcc.gov

American Samoa Tourism www.amsamoatourism.com

Asia Pacific Institute for Broadcasting Development www.aibd.org.my

Cook Islands Government www.cook-islands.gov.ck

Cooks Islands Tourism www.cookislands.travel

Commonwealth Broadcasting Association www.cba.org.uk

Communications Fiji www.cfl.com.fj

Encyclopedia Online www.encyclopedia.com

Fiji Coup blog www.fijicoup2006.com

Fiji Government www.fiji.gov.fj

Fiji Times Newspaper www.fijitimes.com

Freedom House www.freedomhouse.org

Informing Citizens Report, Opportunities for Media and Communications in the Pacific, AUSAID 2004

In Search of the Friendly Islands, by Kalafi Moala. Published by Kealakekua Hawaii Pasifika Foundation Press and AUT Pacific Media Centre 2009

International Press Institute www.freemedia.at

JAWS www.jawsamoablogspot.com

Matangi Tonga Online www.matangitonga.to

Media Freedom and dealing with the Regime's Gag blog by David Robie. Café Pacific Friday Aug 7th, 2009

NZ Ministry of Foreign Affairs (MFAT) www.mfat.gov.nz

Pacific Forum Secretariat www.forumsec.org

Pacific Freedom Forum www.pacificfreedomforum.org

Pacific Media Watch email listing pacific_media_watch@lists.apc.org.au

Pacific Island Media Association (PIMA) www.pima.co.nz

Pacific Island News Association (PINA) www.pina.com.fj

Radio New Zealand International www.rnzi.com

Samoa Government Press Secretariat www.govt.ws

Samoa News www.samoanews.com

The University of Queensland Australia UQ News www.uq.edu.au

TVNZ Media 7 Programme Series 4, episode 9

World Bank www.worldbank.org

Vanuatu Daily Post www.dailypost.vu

Vanuatu Statistics Bureau www.vnsso.gov.vu

