
Editorial

WHEN Papua New Guinea's Constitutional Review Commission first mooted possible legislation against press freedom towards the end of 1995, the *Post-Courier* was among the news media that greeted the news with more than a modicum of pessimism. In a sombre editorial titled PNG HEADED FOR DICTATORSHIP, the newspaper warned the move could be the beginning of a move towards a 'dictatorship style of government' in Papua New Guinea.

Fortunately, the news media organisations in a determined show of unity moved to do their best to head off such a scenario. In a bold effort to inform the public of the issues at stake — the importance of freedom of the press and freedom of expression and information as pillars of a democratic society. A revamped Media Council of Papua New Guinea (formerly the Press Council but with a wider mandate now covering broadcast media) organised a two-day seminar with the theme "Freedom at the Crossroads: Mass Media and the Constitution". Although the CRC media subcommittee didn't treat the media seminar as seriously as it ought to have, and the public largely ignored it, the move was strongly supported by the news media industry and other interested groups. It was a healthy barometer reading for the state of the news media and comprehensive news coverage spread its message.

Strong representation of the news media — Anna Solomon, chairperson of the Media Council; EMTV chief executive John Taylor representing broadcast media; and *Post-Courier* senior reporter Neville Togarewa representing journalists — suggested that the subcommittee might back off recommending further legislation controlling the news media. In its interim report drafted after six months of hearings and considering submissions, the subcommittee said: 'The existing laws on the media are sufficient and the government should not propose and get Parliament to enact any new restrictive legislation'.

However, the subcommittee went on to recommend that an 'independent Media Commission' be established. This caused some disquiet because the views of CRC commissioners are that this 'commission' should have government involvement, including the choice of its members.

The misgivings proved well-founded when three draft media laws emerged from the CRC in November with draconian effects for journalists and media organisations — and the public's right to know. The International Press Institute

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Faka'atā toko tolu'

Tu'utu'uni Tu'i Fakamaau Lahi' ta'efakakonisitutone honau fakamāu'i'

"KO e me'a'oku ongo' ko hono taahi pōpula kinautolu 'i he 'aho e 26, 'o fakamāu'i fakamālohi kinautolu mei honau ngaahi fāmili 'ta'ofi ai 'emau ngaahi ngāue', pea to'o mo e ngaahi tau'āina ne māu angamāhehi ki ai. kae lolotonga ko ia' nā'e ta'efakalao pea ta'efakakonisitutone 'a e fakamāu'i mo e tu'utu'uni nā'e fai," ko e lau ia 'a Kalafi Moala. 'Euta 'o e Taimi 'o Tonga' fekau'aki mo hono tukuaŋe ia. Filo 'Aka'u'ola, mo 'Akilisi Pōhiva' i he pō'uli 'o e Monte 'o e uike kuo 'ou'i.

Nā'e pehē 'e Kalafi 'oku ne fiefia mo'oni 'i he tu'utu'uni ko ia nā'e fai 'e he Fakamaau'anga Lahi' ke tukuaŋe kinautolu. kā 'oku ne fakame'apango'ia 'i he a'u 'a e Fale Alea 'o Tonga' ki ha tū'unga ne malava ai ke nau fai ha ngāue ta'efakapopototo 'a nā'e fepaki mo e Konisitutone'. pea fakapōpula'ia ta'efakalao ai kinautolu.

"Mahalo 'oku hoko 'a e me'a'ni ke fai ha ako mei ai ke tukua' 'a e ai'anoa ia' 'e he kau mā' 'a mafai', he kuo nau tofongava'ala 'i he hanga 'e honau foto 'iti' 'o uesia' 'a e fakakaukau fakapopototo." ko e lau ia 'a Kalafi.

Nā'e pehē ko e tefito'i me'a ia nā'e fai ki ai 'e tautanga 'i he Fale' lolotonga hono fakamāu'ia', pe 'e mā'u fefē 'a e fakamaau'itutone' 'i he founga ko ia nā'e fai ai 'a hono fakamāu'ia ai kinautolu.

Kā, nā'e fakafepaki' 'emē 'e he Minisitā Polisi, Clive Edwards, 'i Fale Alea 'o pehē ke oua' e toe ha'u ia 'o lau pehē 'i Fale Alea kae fakamatala pē ki he uhiŋga ne pulusi ai 'e he nusipepa' 'a e fakamatala nā'e fai.

Nā'e tukua' 'i foki 'a Kalafi, Filo 'Aka'u'ola mo 'Akilisi Pōhiva' ki he hanga ta'efakalao 'a pa'apa ki he Fale Alea' 'i hono pulusi 'i he Taimi 'o Tonga' 'a e tohi fokotu'u ke fakalo'i faka-Fale Alea 'a e Minisitā Lao', kima'a pea toki mā'u 'a e tohi nā'e he Fale'. Pea toe pehē foki 'e he

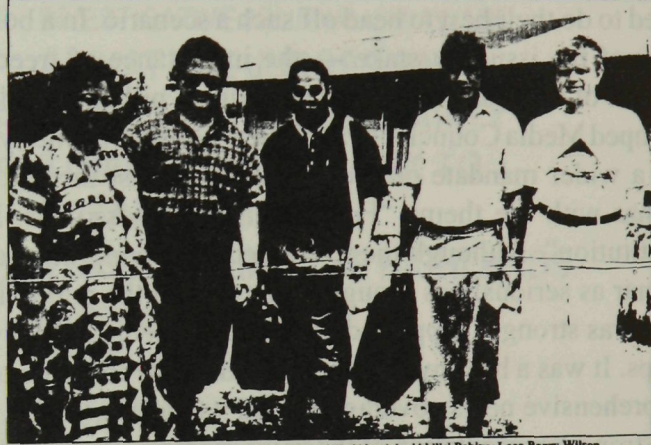
tukua' 'i nā'e 'ikai totou' 'a e pehē 'e he nusipepa' kuo 'osi 'outu' 'a e tohi ni ki he Fale Alea', he nā'e te'eki ai ke a'u ia ki he Fale'.

Ko e founga ko ia nā'e fakamāu'ia' 'a e kau tangata ni 'i he 'aho 19 'o Septemba', nā'e pehē 'e he Tu'i Fakamaau Lahi', Justice Hampton.

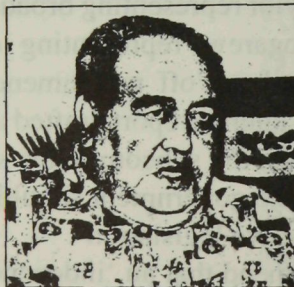
nā'e 'ikai ke totou pea ta'efakakonisitutone. Pea ko ia ai ke tu'utu'uni nā'e ola mei ai' nā'e 'ikai ke fakalao, pea ko ia ai ko hono taahi pōpula kinautolu' nā'e ta'efakalao.

Nā'e tukuaŋe leva 'a e kau tangata ni mei he Pilisone Hu'aitolili, 'i he pō'uli 'o e Monte

14 'o 'Okatopa', ko e 'aho ia e 26 'e hono taahi pōpula kinautolu. Pea neongo ko e 'aho pē 'e 4 nā'e toe 'i he 'aho e 30 ko ia 'o hono tautā', kā nā'e pehē 'e Kalafi ko e me'a' mahu'inga', 'a e tu'utu'uni ko ia 'a e Fakamaau'anga Lahi' nā'e ta'efakakonisitutone 'a e me'a' nā'e hoko



Mei to'e'ohema: Loea Palu Taufaeatu, Kalafi Moala, Filo 'Aka'u'ola, 'Akilisi Pōhiva, Loea Barry Wilson.



Minisitā Polisi, Clive Edwards: "'I he 'eme mahalo kiate au 'i he taimi ni' 'e 'i ai' 'a e tangi' e fai ki he Fakamaau'anga Tangi' 'a e Pule'anga'." (Hoko atu 'i he Peesi 2)

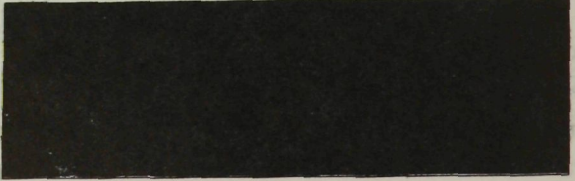
Tu'i Fakamaau Lahi': nā'e ta'efakakonisitutone

NA'E fakatefito 'a e tu'utu'uni' 'a e Tu'i Fakamaau Lahi' ke tukuaŋe 'a e toko tolu nā'e tu'utu'uni' 'a e Fale Alea' ke taahi pōpula 'aho 30' 'i he 'ene pehē nā'e 'i ai' 'a e ngaahi Kupu' 'o e Konisitutone' nā'e montuka 'i he founga ngāue 'a e Fale Alea' ke fakamaau' i kinautolu.

Nā'e toe pehē foki 'e he Fakamaau' nā'e

'ikai ke ngata pē 'i he 'ikai ke hōa' 'a e founga ngāue ko 'eni' mo e Konisitutone', kā nā'e toe fepaki ia mo e ngaahi tu'utu'uni nā'e fa'u 'e he Fale Alea' fekau'aki mo hano fakamaau' i ha taha 'oku anga ta'etau ki he Fale Alea'.

(Ko e tu'utu'uni' 'a e Tu'i Fakamaau Lahi' 'oku fakamatala' i kakato atu ia 'i he Peesi 3)



described the proposed Media Commission Bill and the National Information and Communication Bill — which seek to register journalists and radio/television presenters, and to license publishers and broadcasters respectively — as both being open to abuse by government authorities. The draft Freedom of Information Bill was a watered down version of what had been expected. In fact, some described it as a 'control of information' bill

Under the proposed Media Commission Bill, a nine-member Media Commission, to be appointed by the head of state, is given power to refuse or renew an application for a certificate of registration. It states that, before a journalist or presenter can be registered, he or she must have qualifications satisfactory to the commission and be 'a fit and proper person'. Fines of up to K2000 are provided for offending "unregistered" journalists.

Among the many critics who have condemned the draft legislation are PNG's Chief Ombudsman Simon Pentanu who dismissed the CRC, the drafters, as having no 'clear aims other than perhaps a number of thinly disguised political agendas'. A PNG Media Council analysis said the two media bills had approached the dilemma of truth with 'a heavy handed approach, imposing unacceptable risks on society.'

While Papua New Guinea, the country with the largest news media in the region, was preoccupied with the threats to its own press freedom, a number of remarkable events affecting media freedom were taking place around the rest of the South Pacific: a cartoon published in the *Cook Islands News* on 28 September 1995 was belatedly cited by the parliamentary privileges committee for contempt; a Tongan journalist, *Taimi 'o Tonga* acting editor Filo 'Akau'ola, was given an 18-month suspended prison sentence in February over the publication of a letter criticising Police Minister Clive Edwards; the Vanuatu government tried to suppress news about the post-electoral prime ministerial seesaw; and in Fiji the government ordered an urgent comprehensive review of laws regulating mass media. The Fiji review will include advice to the government on whether it should impose a limit on foreign ownership of news organisations — and if so, at what level of shareholding.

But the single most disturbing affair was the jailing in Tonga during September of 'Akau'ola, his editor, Kalafi Mo'ala, and outspoken commoner MP and publisher 'Akilisi Pohiva for alleged contempt of Parliament. After a wave of international condemnation, the Supreme Court finally ruled that their detention was unconstitutional and in violation of the Assembly's standing orders. They were set free after serving 26 days of their 30-day sentence.

In a letter to *Pacific Journalism Review* thanking this journal and the Australian Centre for Independent Journalism for our role in their support, Moala wrote:

DAVID ROBIE

We were not aware of what was going on until we were released. In jail we were not allowed radio or any other reading material other than a Bible, so we were out of touch for 26 days. The prison wardens would now and then pass on bits and pieces of information, but they were mostly local news.

The three of us were very moved when we came out of jail to find that your organisation as well as others from around the world were protesting our jailing. The signed petition you put together was something else!

In November, *Taimi 'on Tonga's Akau'ola* was again harassed. He was detained for questioning along with Pohiva, and another pro-democracy MP, Teisina Fuko. But this time 'Akau'ola was released after half an hour while police prepared sedition charges against the MPs over an article calling for democracy in the kingdom.

Across the border from Papua New Guinea, the news media in Indonesia has faced a deteriorating press freedom situation since the closure in 1994 of three of the country's most influential titles, the news magazine *Tempo*, *DeTik* and *Editor*. However, the Alliance of Independent Journalists in Indonesia has been fighting back in a courageous fashion. In this edition of *PJR* we devote some attention to developments in the Indonesian-controlled Melanesian province of Irian Jaya (West Papua), an issue that frequently afflicts the PNG and Pacific news media with amnesia.

Most of the early essays and contributions in this edition are devoted to media freedom, particularly in Papua New Guinea: **David Robie**, of Pacific Media Watch, **Moala and Pohiva** trace developments in Tonga; **Peter Cronau**, editorial director of the Australian Centre of Independent Journalism offers a critique of the draft Australian journalists' code of ethics. He provides some insights into the dilemmas facing journalists, including over technology. This should be food for thought for journalists throughout the region where codes need to be revisited.

Sorariba Nash, broadcast journalism lecturer with the South Pacific Centre for Communication and Information in Development was engaged as a consultant by the CRC media subcommittee. He provides some background on the issues while an *Independent* editorial warns on the consequences of tampering with media freedom. **John Gawi**, a tough-minded lawyer, gives a message to politicians about the media that ought to be ignored at their peril. **Joseph Ka'au**, a former editor of *Wantok Niuspepa* and now a non-government organisation activist, gives a grassroots perspective on some of the shortcomings of the news media while a *Post-Courier* editorial pays tribute to the media views and legacy of the late Catholic Archbishop **Sir Peter Kurongku**. **Neville Togarewa** explores the notion of whose accountability to whom. One of the 'founding

fathers', **John Momis**, explains why Section 46 was included in the Constitution. **David Robie** examines ethics and the role of journalists in the context of the Constitution while a **Reporters sans Frontières** editorial gives an overview of world media freedoms.

Kevin Pamba, a *National* journalist, sums up Communications Minister Joseph Egilio's views and some media developments. **David Robie** discusses the journalism education progress at the University of Papua New Guinea while Divine Word Institute journalism head **Fr Trevor Cullen** outlines the overthrow of media repression in Malawi and the lessons for the Pacific.

On other media issues, **Ian Stuart**, coordinator of journalism at the Maori Studies faculty of Aotearoa/New Zealand's Eastern Polytechnic, examines some of the dilemmas confronting Tauwiwi, or the mainstream, news media covering Maori affairs; **Raphael Semel**, a *Uni Tavar* journalist, and **Sorariba Nash** report on PNG's radio wars; **Eyal Press**, a freelance journalist of *The Progressive* in the US reports on the Freeport saga in Irian Jaya; **Alex Choong** of the *New Straits Times* reflects on Malaysian exasperation with Melanesia; and former TVNZ investigative journalist **Ian Wishart** airs the media skeletons in the Cook Islands tax haven scandal — the 'winebox' affair.

Following the special edition on *Solomons Voice* cartoonist **Campion Ohasio's** work earlier this year, there is an additional section of his cartoons, mainly devoted to Bougainville. (Ohasio now has his own newspaper, *Solomon Grsruts*.) We also feature some of the best articles in the inaugural Pacific Investigative Journalism Award. And our editorial profile department includes **Dominic Kakas and Nancy Hillary** — and an obituary on well-known Fiji-based journalist **John Richardson**, who died suddenly in June.

Once again, we invite contributions. Although our geographic location means that we focus a lot on Melanesia and interaction with our near Asian neighbours, we would like to see greater content contributed from Polynesia and Micronesia. Developments in the indigenous media in Australia and New Zealand are also of interest, especially when they are directly relevant to the Pacific news media.

David Robie