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SUBHEADLINE: A free press is the bastion of any democratic society and today, International Press Freedom Day, 'Outlook' investigates Thailand's position \_ how far we have come and how far there is to go

BYLINE: WANPHEN SRESHTHAPUTRA

It's been almost four years since Thailand's bubble economy burst. On less shaky ground these days, most have learned to appreciate the much-discussed ``boon behind the bane" and have come to see this monumental slap in the face of Southeast Asia's so-called ``tigers" as a blessing in disguise.

The financial crisis, which gained momentum in Thailand in July 1997, set off alarm bells regarding the burning need for reform and restructuring. The economic maelstrom also paved the way for reformation of the financial system and the systematic hunt for lacks of transparency, cronyism and corruption.

It also ignited a helpful transformation of the media scene, though this was unexpected, painful, and attracted little attention.

``One of Asia's highest-flying economies was laid low and with it the livelihood of many journalists," reads the recently-released Freedom Forum report on the Thai media, penned by human rights advocate and journalist Lin Neumann.

``As many as 3,000 reporters and other media employees lost their jobs when the Thai economy entered its devastating tailspin in 1997. A dozen newspapers and magazines folded and massive layoffs hit the rest of the industry. Newsprint prices soared and advertising revenues shrank by 60 percent, while many of the remaining reporters dealt with a two-year salary freeze.

``Though the crisis carried painful consequences, those hard times also produced growth and maturity in the Thai press. Spurred by political reforms and newfound muscle, the press deepened its commitment to ethical changes and to stronger investigative reporting," the report says.

``So many changes have occurred in the past three years as a result of the Asian crisis. Competitiveness among journalists \_ who were forced to improve their standards \_ has increased also because readers, for financial reasons, had to make a choice when buying a newspaper \_ not any more able to afford buying several papers," said Kavi Chongkittavorn, managing editor of The Nation, president of the Thai Journalists Association and chairman of the Southeast Asian Press Alliance (Seapa).

Thailand's new constitution, approved in 1997, helped a great deal thanks to its numerous sections on rights and freedoms, which led to the establishment of the Constitutional Court, the National Commission to Counter Corruption, the National Electoral Commission and the National Human Rights Commission.

As far as media freedom is concerned, Thailand's 16th constitution made some tantalising promises:

\* Article 39 stipulates that ``Every person has freedom of expression, speech, writing, printing, advertising and any other method of communication."

\* Article 40 states that ``Radio, television and telecommunications waves (frequencies) are public resources and are allocated by an independent body."

\* Article 41 states that ``Employees of both public and private media organisations have the freedom to present news reports. They cannot be manipulated by the state or media owners, state agencies and state enterprises."

\* Article 58 states that ``Individuals have the right to seek information and explanations from the state before projects that may affect them or their communities are approved."

In addition, and introduced in December 1997 as a result of the lack of transparency concerning the Black May events \_ and first used by a brave mother challenging the non-transparent entry mechanism of a prestigious university demonstration school \_ the Official Information Act embodies the principle of the public's right to information.

``Combined with the National Commission to Counter Corruption and other independent investigative bodies established at roughly the same time, the Act gradually was to become a powerful tool in the hands of an invigorated press," Neumann says.

For journalists, these new tools have been a challenge to do better work, to be more vigilant and better informed. Journalists are under increasing pressure to be more professional.

Pivotal stories displayed the strength of the new tools \_ the very ones, for example, which earned Prasong Lertratanawisute, investigative reporter and editor of the twice-weekly business publication Prachachart, an award from the Thai Journalists Association.

It was Prasong who broke the story, in early 2000, of the then-Deputy Prime Minister Sanan Kachornprasart's suspicious financial doings, which led the National Commission to Counter Corruption to take up the case and finally indict him.

Prasong and his colleagues were also the first to report that Prime Minister Thaksin Shinawatra had transferred millions of baht in shares in his telecommunications company to maids, drivers and security guards in an alleged attempt to skirt asset-declaration regulations.

``Over the past three years, the media have been trying to adjust themselves to the changes. Those changes reflect the needs of the people, of the public. Democracy is being voiced louder," said Pichai Chuensuksawadi, editor of the Bangkok Post, during a recent conference staged by Freedom Forum, a Virginia-based international foundation dedicated to free press, free speech and free spirit.

Thailand's resurgent media and reform climate has led to increasing credibility and influence in the Southeast Asian region.

``With the economic crisis spawning a new appreciation of the media's role in monitoring corruption and promoting greater economic transparency, Thailand has become an example to its neighbours," states Neumann in his report.

Journalists created new outlets, such as the Southeast Asian Press Alliance (Seapa), founded in 1998 in Bangkok, as a coalition of independent press advocacy groups from the ``free press" countries of Southeast Asia (the Philippines, Thailand and Indonesia), in which the Thai Journalists Association played a key role.

``Over the past three years, more links have been created at regional and international levels. Awareness is growing that press freedom is a global issue to be defended in the same way as the eradication of poverty, for example," explains Kavi, a guiding force behind the Seapa, whose personal experience \_ kicked out of Cambodia years ago following a story on corruption \_ was the inspiration for the project.

``The creation of the Seapa was one of the most positive developments for the region. It was very significant that Southeast Asian journalists started taking the issue in hand," said Philippe Latour, the Thailand representative of the international organisation, Reporters Without Borders (RSF).

``Freedom is indivisible. It's all or nothing. It is therefore the duty of each member of society not only to safeguard the freedom of the press but also to ensure the safety of its practitioners," said Surin Pitsuwan, former Foreign Affairs minister during an address to the founding conference of the Seapa in 1998.

Indeed, although Thai journalists have won regional recognition, their cause must still be safeguarded on a daily basis.

As reported in the ``Reporters Without Borders 2001 Report" (see sidebar), and noted in other international reports on human rights practices, the past year saw its share of attacks on journalists, and media pressure and obstruction in Thailand.

``Amnat Khunyosying, editor-in-chief and publisher of the Phak Nua Raiwan newspaper in Chiang Rai in northern Thailand, was assaulted and shot at by three unidentified assailants on April 18 while driving his car. He was hospitalised for about two weeks.

``Amnat is the author of many articles on corruption among local political leaders. Shortly after this attack, police arrested four soldiers. The murder attempt seems to have been carefully premeditated, but the attackers had still not been identified by January 1, 2001.

``In the months following the attack, Amnat and his family continued to receive threats by phone. They are under continuous police protection," the report says. It then goes on to discuss the case of Khao Sod's Suriwong Uapatiphan, whose home and cars were damaged by a bomb, and an assault on iTV

journalist Malika Boonmeetrakul in November. In that same month, the Bangkok offices of Manager Dailynewspaper were attacked, by ``men in military uniform".

Other stories have also made the headlines recently, painting press freedom in Thailand in a less flattering light, although, as Kavi points out, the ``killing of journalists has been reduced markedly in the past 10 years" \_ between 1979 and 1984, at least 47 Thai journalists were killed, mostly in the provinces, as Kavi wrote in his book, Losing Control.

The iTV episode, which saw staff members of the supposedly independent television station (controlled since May 2000 by the Shin Corp, the telecommunications giant owned by Prime Minister Thaksin Shinawatra) fired after they aired charges that Shin Corp management was interfering with the station's editorial integrity and that the station had become a tool for Thaksin, who was then in the midst of his election campaign for the premiership.

More recently, on April 10, 2001, was the murder of Wirayudh Saengsopit, the host of a political news radio programme in Surat Thani province, who had been receiving threats for many months following reports on corruption in local government. He was under police protection until a few days before he was shot and killed.

In a letter addressed to Prime Minister Thaksin, condemning this latest incident in the strongest possible terms and asking for an immediate investigation, the Seapa took offence: ``In recent years, Thailand's free press has become a model for the region but actions such as this murder should have no place in a democratic society ..."

``These types of incidents will certainly tarnish the image of our country. They should absolutely not be tolerated and we have to make sure that justice will be brought about very quickly \_ something more easily said than done," Kavi said.

``We have to remain very vigilant and never take press freedom for granted. One should never lower one's guard and be complaisant about it."

Latour added, ``These current events show that press freedom is still not fully established and has still to be fought for, day after day. Making sure a free and independent press become the standard will take time, especially when it comes to broadcast media."

Latour thus puts his finger on one of the remaining challenges on Thailand's media scene: loosening the broadcasting services' historical link with the state, knowing that with the sole exception of one broadcast channel, all radio and television frequencies at present are in the hands of the military or government agencies.

That is the revolutionary step the National Broadcast Commission is preparing to take, although some fear that the selection process for the commissions (both the NBC and the National Telecommunication Commission) is being secretly controlled by the military.

According to the section on Thailand in the ``Country Reports on Human Rights Practices \_ 2000" by the US-based Bureau of Democracy, Human Rights and Labor, ``The constitution provides for, and citizens generally enjoy, a large measure of freedom of speech and of the press ... While newspapers and periodicals practise some self-censorship, especially with regard to the monarchy and national security problems, media criticism of political parties, public figures and the government is common."

``The contrasting images of press freedom in Thailand demonstrate that there is still much room for improvement, both from journalists and from the government. So far, unfortunately, Thaksin's government has not yet mentioned the issue of media freedom," Kavi said.

Journalists note that some outdated laws, which are still in effect, such as the Publishing Act B.E. 2484, promulgated in 1941, or the 1952 Anti-Communist Activities Act, which is scheduled to be amended soon \_ should be abolished.

In the early 19th century, James Madison, ``father" of the American constitution wrote, ``A popular government without popular information, or the means of acquiring it, is a prologue to a farce or a tragedy, or perhaps both."

Fighting for freedom of the press

Reporters Sans Frontieres (Reporters Without Borders, or RSF) is celebrating today's ``International Press Freedom Day" by reminding people that ``democracy is on the retreat in any country where a journalist is attacked, imprisoned or murdered".

On this occasion, the international organisation for defending freedom of the press, along with its various partners, is inviting the public to mobilise for the freedom of expression.

Its annual report outlining the situation in 146 countries is being released today \_ along with a list of 30 predators of press freedom and a photo album by Willy Ronis. The full report can be found at [www.rsf.fr](http://www.rsf.fr).

Here are some excerpts:

\* ``Thirty-two journalists were killed [worldwide] in 2000 while exercising their profession or for their opinions; 329 were arrested and more than 500 attacked or threatened. Nearly a third of the world's population live in countries where there is no freedom of the press."

\* ``Two countries in the Asia-Pacific region hold a shameful record: They are keeping more journalists in jail than anywhere else in the world. In Burma, at least 13 journalists are held in prison where conditions put their lives in danger. China has 12 journalists in jail. Wu Shishen was sentenced to life imprisonment in 1993, at the specific request of President Jiang Zemin. The Burmese prison authorities have refused to allow medical treatment to several journalists, notably Soe Thein and Sein Hla Oo, both of whom suffered heart attacks recently in their filthy cells. San San Nweh, winner of the Reporters Without Borders Foundation de France award in 1999, has started her seventh year in jail, in a cell measuring only 10 square metres in the women's wing of Insein prison, Rangoon. She is serving a 10-year sentence for ``publishing information harmful to the state". The prison guards have on numerous occasions refused to allow her the medical treatment she needs."

\* ``On January 1, 2001, journalists were also imprisoned in Pakistan (two), Nepal (two) and Vietnam (one)."

\* ``The murder of a journalist is the most serious violation of press freedom and nine were killed in Asia this year, gunned down by armed groups or criminal gangs. In Sri Lanka, one of the few remaining foreign press correspondents in the besieged northern city of Jaffna was killed in October."

\* ``Impunity for those who kill journalists is still the norm. In Cambodia the police have not identified anyone involved in the murder of six journalists between 1994 and 1997."

\* ``One significant trend in the Asia-Pacific region is the privatisation of violence against the media. Except in communist and military dictatorships, journalists now have more to fear from criminal gangs and armed or fundamentalist groups than from representatives of the state. Even in parliamentary democracies, journalists were killed or threatened when they tried to go about their work independently."

\* ``In Southeast Asia, the gulf between democratic countries on the one hand and military and communist dictatorships on the other has grown wider. People in Thailand, Indonesia, Cambodia and the Philippines have access to increasingly independent and serious news, while their neighbours in Burma, Laos and Vietnam are still largely deprived of information that is not subject to government control."