Digging Deeper

A Guide for Investigative Journalists in the Balkans

By Sheila S. Coronel

Sarajevo, 2009
Balkan Investigative Reporting Network

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Preface

These are not easy times for investigative journalists in the Balkans. This year and last saw assassinations and physical assaults on journalists in Croatia, Bulgaria, Serbia and Bosnia-Herzegovina. In Albania, Croatia and Serbia the police were forced to mount 24-hour guard over the most endangered reporters.

Those not physically attacked, found themselves squeezed between the business and political interests that control the editorial policies of their media outlets. Many editors fear the loss of advertising money if they expose 'dirty' businesses that are often close to political circles.

Journalists are forced to constantly fight off threats of legal action and to overcome censorship and self-censorship. A lack of money, time, and skills, has reduced the opportunities for investigative journalism.

As the situation deteriorates with the impact of economic crisis, the need to investigate is becoming more important.

As the countries of Croatia, Serbia, Macedonia, Bosnia-Herzegovina, and Albania, strive to join the European Union, only an informed public can keep up the pressure on governments to continue with reforms.

We live in transitional democracies, where war crimes left lasting scars and the transition from communism to capitalism in the nineties was badly managed. For the most part, privatisation processes went awry, and war profiteers and tobacco, drugs and weapons smugglers turned the Balkans into the home of a new breed of criminal barons.

Over time, they have 'legalised' their businesses, often establishing monopolistic positions in their market, and are busy 'cleaning away' the traces of a problematic past. With governments seemingly powerless to act, only fearless investigative journalism can engage the public and force business to work transparently.

Transition has also seen one-party systems transformed into pluralism but how those parties are financed, how their MPs vote in Parliament and whether they act in accordance with the wishes of party benefactors is an open question.

Investigative journalism offers the possibility of an answer, highlighting murky connections and forcing parties to uphold the values of democratic society.

Across the Balkans, we still suffer under an overbearing and corrupt bureaucratic apparatus, a weak judiciary which bends to political influence, nepotism and election frauds. All these issues, when put in the spotlight by the media, in an unbiased and professional manner, can provoke much needed public debate.

Although powerful stories rarely lead to the immediate ousting of Balkan political figures, they can build public support and in the long run see them removed through the electoral process.

Media outlets also desperately need the credibility and public confidence engendered by effective and professional investigative journalism, to cast off the reputation earned from irresponsible tabloid reporting.

Finally, to serve the public interest, an investigative journalist must also serve their own - by building their skills and knowledge, expanding their list of sources and enriching their reporting style and techniques. With each new investigation new lessons are learned and both the journalist and investigative reporting in the region are maturing.

We hope that this guide might help investigative journalists with the process of learning and also contribute to still fragile Balkan democracies.

Gordana Igric
BIRN Regional Network Director

Introduction

The idea for this handbook came from our desire to systematise the valuable experience of BIRN's regional network of journalists and trainers, and other colleagues from the region in their pursuit of investigative stories.

The result is in your hands - Digging Deeper. This handbook offers an insight into a set of investigative practices that will make your first steps into this exciting and demanding discipline, easier.

You will find the elements that we consider to be the most important aspects of investigative journalistic work, along with numerous examples and case studies, additional reading material, data and exercises.

Although the emphasis is placed on the experiences of journalists from the region, our collaboration with Sheila Coronel, director of the Stabile Center for Investigative Journalism at Columbia University, ensures a wider perspective, tackling all of the basic principles of good investigative work.

The book will take you through the very substance of investigative journalism, from the definition of what investigative journalism really is, and what it is not, through the investigative process itself and the set of techniques for following paper and people trails, interviewing and checking the legal implications of your work, and putting the article together.

Although the best approach to this handbook is to read these chapters one by one in the order in which they are presented, you can also go directly to the parts that are of particular interest to you - this may be particularly relevant for the chapters that deal with investigative techniques and specific regional practices related to them.

The tables dealing with the availability of public records are amongst the most valuable things that this book has to offer, and although more information is becoming public every day and the data presented in the tables will change over time, they demonstrate that even now there is a significant pool of data at a national, regional and international level.

We are hope that the combination of advice, skills, interesting investigative stories, individual journalistic successes, databases and tips and techniques featured in Digging Deeper, will inspire our readers to make a move into investigative journalism.

Dragana Zarkovic Obradovic
Production coordinator

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CHAPTER ONE

Defining Investigative Reporting

What makes it different from other types of journalism?

Investigative reporting has many, sometimes widely divergent, meanings. To understand what investigative reporting is, it may be best to start by explaining what it is not.

It is said that all reporting is investigative. After all, journalists routinely dig for facts. They ask questions. They get information. They 'investigate'.

But is this really the case? In the day-to-day practice of journalism, how deep do reporters really dig? How probing are their questions? And how complete or original is the information that they present?

Investigative journalism IS NOT:

- Daily reporting
- Leak journalism
- Single source reporting
- Misuse of information
- Paparazzi journalism

Investigative journalism IS:

- Watch-dog journalism
- Exposing how laws and regulations are violated
- Holding the powerful accountable

The reality is that daily news coverage is usually not probing or investigative. It reports mainly what officials or institutions say, as well as other people's responses to what has been previously said. Much of what we consider 'news' is reporting on official statements or reactions to official statements. Daily journalism is also mainly about events that reporters have witnessed or interviewed witnesses about - such as a train collision, a demonstration, a criminal being arrested. There is no digging beyond what has been said or what has been seen.

Daily news reporting is seldom investigative, it is mostly reactive.

Most of the time, journalists react to what is happening or what has been publicly announced. Reporters seldom decide on their own, what or who they cover. They often do not initiate story ideas. Unfolding events and the daily schedule of news briefings and press conferences determine what makes it to the newspaper, the newscast or the Web.

For the most part, journalists do not set the news agenda. Instead, they take the information they have been given, weigh its significance (does the prime minister's statement, for example, deserve to be on the front page of a newspaper or in the first five minutes of a newscast?), check its accuracy and put it in context. The news reporter's job is to confirm the facts of the story, make sense of them and to put them together in a coherent report.

Investigative reporting, however, does not just report the information that has been given out by others - whether government, political parties, companies or advocacy groups. It is reporting that relies on the journalist's own enterprise and initiative. Investigative reporting requires journalists to go beyond what they have seen and what has been said, to unearth more facts and to provide something new and previously unknown.

Most of the time, investigative reporters uncover wrongdoing by individuals and institutions. The good that public officials or private companies do is often publicised; a whole army of public relations people makes sure this is so. It is the wrong that powerful groups and individuals do, that is kept secret and hidden from the public.

In the Balkans and other parts of the world, the term investigative reporting is sometimes associated with leaks. Public officials, police, intelligence agents or politicians selectively 'leak' or release secret information or investigative files in order to promote their own interests. Journalists report on the leaked information, often without checking or digging for additional facts on their own.

Leak journalism is not investigative reporting. An investigation can begin from a leak, but journalists must do their own digging, verify information and provide context.

Unless they do so, their reports will be distorted and incomplete. They will also be allowing themselves to be used to manipulate public opinion and to advance the agenda of individuals, rather than the public interest.

Investigative reporting entails the use of multiple sources – both human and documentary – that together paint a picture of wrongdoing or abuse. It requires the verification and corroboration of every piece of information, even if these come from sources that are considered reliable or authoritative. ***Reporting based on a single source cannot be considered investigative.***

Paul Radu, founder of the Romanian Centre for Investigative Journalism (or CRJI, its Romanian acronym), says that some reporters have used the information they have uncovered in their investigations to extort money from individuals or companies. That is true not just in Romania but in other Balkan countries and indeed, elsewhere as well. These reporters taint the name of investigative journalism and do damage to its tradition and reputation. ***Using information for extortion is not investigative journalism.***

Investigative journalism is also sometimes confused with stalking powerful or well-known people and writing intimate details about their private lives, uncovering such things as love affairs or other dark secrets. It is true that investigative reporters sometimes uncover details on the private lives of individuals – for example, the investigation by a US newspaper of Catholic priests accused of abusing boys. But such investigations are done only when there is a clear public interest in exposure – in this case, the priests conducted the abuse over many years and the Catholic Church hierarchy knew the abuses were taking place but did not take action.

In corruption investigations in the Philippines and China, journalists have reported on the mistresses of high public officials who were accused of bribery. The mistresses were either conduits for the bribes or beneficiaries. A Philippine president, for example, was found guilty of building fabulous mansions for four mistresses. In China, an investigative journalist exposed a mayor who used public funds to buy apartments for 29 mistresses. In both these cases, there was a clear public interest in reporting on the private lives of officials.

Investigative reporting is not paparazzi journalism. Its focus is not private lives; it is the public good.

Investigative reporting is watchdog journalism: it aims to check the abuses of those who have wealth and power. It exposes wrongdoing so it can be corrected, not because journalists and their patrons benefit from exposure.

Various metaphors have been used to describe the work that investigative journalists do. They 'lift the veil of secrecy' by uncovering previously unknown facts, such as the surveillance and wiretapping of citizens by government security forces, which New York Times journalists uncovered in 2005. Another example is the reporting by journalists in North America, Europe, South Asia and the Middle East on secret renditions – the abduction and detention in secret prisons of suspected terrorists after the 9/11 attacks in the United States.

Investigative journalists 'strike through the mask' - they go beyond what is publicly proclaimed and expose the lies and hypocrisy of those who wield power. They have reported on such issues as corruption in government, crime, corporate misdeeds, environmental destruction, the exploitation of women, children, or minority groups, and abuses committed by such entities as churches, criminal gangs, private armed groups, and even non-profit organisations or charities.

In Thailand, journalists have written about scams and illegal money-making by Buddhist monks, exposing the dark underside of a venerable institution. In 2007, a Croatian journalist exposed false claims of business success made by a former minister. The journalist wrote that the politician, then a candidate for prime minister, promoting himself as a successful entrepreneur, actually had a string of business failures and that his company had racked up huge debts.

Most of the time, investigative journalists report on how laws and regulations are violated. They compare how organisations work, with how they are supposed to work. They expose how and why individuals and institutions fail. They report when things go wrong, who is responsible, how the wrongdoing was done and its consequences.

The best investigative reports expose not just individual, but systemic, failures. They show how individual wrongs are part of a larger pattern of negligence or abuse and the systems that make these possible. They examine where the system went wrong and show who suffers from the mistakes.

The Power Brokers

The award-winning 2006 investigative series, The Power Brokers[1], examined the Balkan energy market and the energy traders who had made enormous profits from it. Reporters from Albania, Bosnia-Herzegovina, Bulgaria and Romania traced the energy crisis in the Balkans to "a murky, closed system that is not open to fair trade and where state companies are giving away their advantage to well-connected energy traders".

The series showed complicity between state power companies, local businessmen and public officials in the energy market. The system, they said, meant profits for a few, while ordinary households had to pay high prices for electricity and suffer from shoddy service as plants fell into disrepair.

1 The Power Brokers - www.reportingproject.net/powerbrokers

The Dutch-Flemish organisation of investigative journalists, known by the acronym VVOJ, lists three kinds of investigative reporting:

- Revealing scandals or the violation of laws, regulations and ethical/moral standards by individuals or institutions.
- Examining the policies or functions of governments, companies and other organisations.
- Describing social, economic, political and cultural trends.

Unlike Investigative Reporters and Editors, (IRE), in the United States, which defines investigative journalism more narrowly as 'reporting that reveals new facts, especially what is hidden or deliberately kept secret,' the VVOJ is more inclusive. Reporting that interprets or connects already known facts in a new way is also investigative, according to VVOJ. The Power Brokers series falls into this category of investigative journalism: it pulls together information, much of it already known facts, from various sources and across different countries so that readers are able to look at the Balkan energy crisis in a new way and figure out who is responsible for it.

Holding the powerful accountable - Investigative reporters have always seen themselves as guardians of the public interest. By exposing wrongdoing and failure, they aim to hold the powerful accountable for their actions. In the United States in the early 1900s, crusading journalists were called 'muckrakers', because they dug out the muck - or the dirt - of society. The muckrakers exposed such issues as the abuses of corporations, unsafe working conditions, the state of mental institutions and poverty in the slums of the growing cities of the US.

The Watergate Case

In the 1970s, when Bob Woodward and Carl Bernstein, two young reporters from *The Washington Post*, wrote the Watergate reports, they exposed the involvement of President Richard Nixon and his staff in the bugging of their rival party headquarters and the cover-up of the crime. Since then, investigative reporting has been associated with exposing wrongdoing in high places. Nixon's resignation because of Watergate and the Post's exposes demonstrated the power of investigative reporting: two rookie reporters caused the downfall of the most powerful man in the world.

In the 1960s and 1970s, investigative reporters in the UK wrote on corruption in parliament, bribes paid by businessmen to politicians, and horrific scandals such as the marketing of the drug thalidomide, a sedative prescribed for pregnant women which caused severe birth defects.

Since the late 1980s, investigative reporting has taken root in new democracies in Asia, Latin America, Eastern Europe and Africa. In these places, journalists have exposed corruption, environmental damage, organised crime and the suffering of women, children and marginalised groups. For example, between 2001 and 2004, reporters in Costa Rica uncovered malfeasance involving millions of dollars in bribes paid by local and foreign companies to three respected former presidents.

Watchdog reporting in the Balkans

Investigative reporting is relatively new in the Balkans. In Romania, Bulgaria and Albania, this kind of reporting began only after the fall of communism and the rise of a free press. Communist regimes in Romania and Bulgaria collapsed in 1989; in Albania, in 1991.

Things were different in the former Yugoslavia, where there were some openings in the press after 1980, with the death of Josip Broz Tito, the country's president since the end of the Second World War.

In the decade that followed, magazines across Yugoslavia published articles that exposed wrongdoing and corruption by state companies and socialist officials. Most of these investigations, however, were based largely on documents leaked by various political groups intent on using the exposes to remove their competitors from power.

Some of these investigations appeared to serve the interests of one ethnic group and its leadership, while putting down the others. These may have helped create an atmosphere of animosity that eventually led to war.

War first broke out in Croatia in 1991, then in Bosnia-Herzegovina in 1992 and Kosovo in 1998. In all these places, jingoistic, war-oriented parties took control of the

state and of mainstream media. Nonetheless, some investigative reporters took great risks to uncover and publicise war crimes and other human rights abuses.

Despite the lack of a watchdog reporting tradition and the inaccessibility of documents and sources, a growing community of Balkan investigative journalists has emerged since the 1990s. These reporters have exposed corruption, especially in relation to the privatisation of state companies, war crimes, organised crime, social problems such as human trafficking, and environmental destruction.

There was much to investigate. Massive economic problems and social dislocation accompanied the transition from socialism. The fall of strong, centralised states resulted in a breakdown of the rule of law, paving the way for the entry of organised crime.

In many countries, organised crime developed in collaboration with state security forces. In Serbia, in the 1990s, the government of the late Slobodan Milosevic used organised crime as a tool to further its political and economic goals. In Albania, the post-communist state was so weak that local mafias took over entire sections of the economy. While state security forces were already involved in criminal activity during the communist era, the slow pace of the reforms and other transition problems strengthened the links between the criminals and the state security apparatus.

The transition also saw a decline in living standards, with many from the Balkan middle class sliding into the category of the 'new poor.' Inequality grew, as the collapse of welfare infrastructure meant that vulnerable groups could not rely on the safety net of healthcare, insurance and pension systems. At the same time, the legacies of the past had to be dealt with, whether these involved the crimes of the communist era or the atrocities that were committed during the conflicts of the early 1990s.

The Balkan media, meanwhile, were newly free but financially weak. New constitutions and new laws guaranteed press freedom. Licensing requirements were eased, allowing new newspapers and broadcasters to be set up. Donor support funded new media initiatives. But the Balkan media could barely cope with the day-to-day coverage of news events, much less delve into the urgent issues of transition. To this day, there is little time or effort put into in-depth or investigative reporting.

[1] See Pavlina Trifonova, *Partners in Crime: The Risks of Symbiosis between the Security Sector and Organised Crime in Southeastern Europe*, Sofia: Center for the Study of Democracy, 2004, in unpan1.un.org/intradoc/groups/public/documents/UNTC/UNPAN017117.pdf

In recent years, independent investigative reporting centres have emerged throughout the Balkans, providing alternative means with which to tackle serious issues.

Today, such centres exist in Bosnia-Herzegovina, Bulgaria, Romania, Croatia and Serbia, funding journalists and providing them with editorial support to produce investigations, many of which are published in the mainstream media. In addition, the Balkan Investigative Reporting Network (BIRN), a media development and publishing group which emerged in 2005 through the localisation of an international programme run since the early 1990s by the London-based Institute for War and Peace Reporting (IWPR), has branches throughout the region and an online publication, Balkan Insight: www.balkaninsight.com. The latter provides an outlet for publishing investigative reports produced by its reporting teams and other co-operating journalists with the support and mentoring of BIRN editors. These reports are often available for republication free of charge by the region's media.

In addition, non-profit media organisations like BIRN and SCOOP, the latter a network for investigative journalists in East and Southeastern Europe founded and managed by the Danish Association of Investigative Journalists, hold training seminars for would-be investigative journalists. These interventions have helped build a corps of journalists committed to investigative reporting.

This corps of investigative journalists has also been helped by new laws that guarantee freedom of information and provide more protection for the press than existed in the past. But the rule of law is weak in the Balkans, and the existence of these laws does not mean that they are actually followed.

Thus, journalists often take risks - some have been questioned, threatened or sued. There is little tolerance for critical reporting among public officials. At the same time, corruption and bribery of the press is common. In some countries, the media are controlled by individuals who hold public office or run big businesses. Real conflicts of interest arise and the investigative zeal of journalists is blunted in order to please press proprietors.

For the most part, despite occasional investigative reports, journalism in the Balkans consists of daily news reporting. Reporters are given several assignments per day, offered little financial support or editorial supervision, and poorly paid, while, as a profession, journalism does not have high prestige.

Training is vital to build a corps of journalists committed to investigative reporting.

The good news is that, despite these difficulties, Balkan investigative journalists have succeeded in exposing wrongdoing and making change possible. Their reports have initiated official investigations. Overall, investigative reports have raised public awareness about urgent social issues.

The characteristics of investigative reporting

In 2003, Bosnian journalist and founder of BIRN Bosnia-Herzegovina, Nerma Jelacic, set out to investigate the network of organised crime that surrounded the former Bosnian Serb leader Radovan Karadzic, for many years a fugitive from international justice, who was arrested only in 2008, and sent to The Hague, accused of ordering the killing of thousands of Bosnian Muslims and Croats in the 1990s.

After being indicted by the International War Crimes Tribunal for the former Yugoslavia (ICTY) for, among other things, genocide and crimes against humanity, Karadzic had gone into hiding and the search for his whereabouts was an ongoing news story.

While researching Karadzic's support network, Jelacic frequently heard the name of one of his alleged aides, Milan Lukic. Lukic, too, had been charged with crimes against humanity for 1992 atrocities in the city of Visegrad, a picturesque eastern Bosnian town on the banks of the Drina river. He was alleged to have set fire to two houses in which he had detained 130 Muslim women, children and elderly men, and to have shot those who tried to escape the blaze. He was also accused of having ordered the round-up of Muslim men and their transportation to the river where, as reported by the UK's *Guardian* newspaper, he and his men shot them and then threw them into the water, "dead or in various states of half-death, turning the turquoise of the Drina red with blood".

An investigative story...

- Is the product of a reporter's and his news organisation's initiative and enterprise
- Is not leaked information or the findings of someone else's investigation
- Reveals information previously unknown or kept hidden from the public
- Puts together and connects already-known facts in a new way
- Requires an investment of time and effort
- Addresses a matter of public interest

Jelacic and her family were living in Visegrad at that time. They fled to Britain when the atrocities began. Nerma was only 15 years old. When she returned to Bosnia-Herzegovina 11 years later, as a journalist and editor running IWPR's Bosnian project, Milan Lukic's name still sent chills down the spines of the local folk. During that period, Lukic had made the transition from mass-murderer to well-connected criminal gangster. Despite being charged with racketeering and involvement in organised crime, he had eluded the law. He was arrested on three occasions but released each time. The Hague tribunal was trying to find him in 2004. And so were Jelacic and her colleagues.

"I spent many weekends in Visegrad bars and pubs while my colleagues did the same in Obrenovac," a town not far from Belgrade, recalls Jelacic. "We spoke to various people: ex-soldiers, Milan's ex-roommates, his former friends and former policemen. Someone, we thought, must know how we could get in touch with him. Three months later, I had his phone number."

This research, conducted by the IWPR's Balkan programme, involved getting sources within the police, the security and intelligence agencies, and the Hague tribunal, to talk. These sources provided clues as to Lukic's whereabouts and the vast network that surrounded the illicit dealings he was involved in, together with wartime accomplices, smugglers and even active public servants. When Lukic's brother Novica was killed in a police raid on the family home, Tanja Matic, a member of the investigative team from IWPR's Kosovo office, persuaded Lukic's parents to agree to an interview. Later the journalists found that the police had ordered the raid after learning of Lukic's plan to meet with investigators from the Hague tribunal and provide them with information on Karadzic's support network.

This investigation led to the publication on May 4, 2004 in IWPR's Balkan Crisis Report, of a report detailing Lukic's involvement in drug deals, his ties with Karadzic, and his efforts to strike a deal with the Hague, which was subsequently reprinted by 140 local, regional and foreign newspapers[1].

Milan Lukic was finally apprehended and transferred to the ICTY in August 2005, and on July 20, 2009, was sentenced to life in prison for the crimes he committed in Visegrad.

1 The full text of *'Serb police target Karadzic informer'* by Nerma Jelacic, Tanja Matic and Hugh Griffiths can be read on page 205

Jelacic's reporting on Lukic can be described as 'investigative' for the following reasons:

Firstly, it provided previously unknown information. While there had been some reporting on Lukic and his involvement in ethnic cleansing, no one had, until then, been able to put together information on both his war crimes and organised crime activities. Lukic's network of crime would not have been revealed to the public at large without the efforts and enterprise of IWPR's editorial and reporting team.

Secondly, the report was the product of the journalists' own initiative. They were not merely reporting others' findings. While they tapped into the work of other agencies investigating Lukic, they also launched their own investigative effort. Nor was information deliberately leaked to them – they had to find it on their own. They were not simply reacting to, or reporting an unfolding event, such as the killing of Novica Lukic. In fact, the journalists questioned the police version of that event and alleged that they had raided the Lukic family home to prevent Milan from cooperating with the Hague tribunal.

Thirdly, the report required an investment of time and effort. Investigative reporting requires painstaking work. It is not something that can be done overnight. It implies talking to a range of sources, obtaining documents, when they are available, and spending weeks, even months, piecing a story together.

Fourthly, there was clear public interest in the investigation. Lukic was a notorious war criminal who had long eluded prosecution for his crimes. In addition, the conduct of the police - a public institution - deserved to be exposed so that it could be held accountable for its actions in this case.

This last element - the public interest - is key to investigative reporting. Like private detectives, investigative reporters uncover hidden or secret information. But investigative reporting is more than just private detective work. Investigative journalists uncover information because they know that it is crucial to the public, and because the public has a right to know of it.

Investigative reporters do not reveal secret facts merely for the thrill of doing so, or the prospect of winning an award. They do not dig for dirt just to sell newspapers or to make profits for television networks. Their work is motivated by a desire to expose wrongdoing, so the public may know about it. They also hope that once the wrongdoing is publicised, it will eventually be corrected.

Investigative reporting as a set of techniques

There are various ways of looking at investigative reporting. At the most basic level, investigative journalism can be considered as a set of research and reporting techniques that are used to uncover information that is secret, kept hidden, or is otherwise difficult to access. Other reporters use these techniques, but investigative journalists employ them in a more systematic and intensive way.

These techniques include:

Getting documents or following the paper trail: Documents are at the heart of investigative reporting. Often, they provide proof or clues as to the wrongdoing that journalists wish to expose. Documents can corroborate - or disprove - the information that is given by human sources.

Investigative techniques...

- Getting documents or following the paper trail
- Interviewing the sources or following the people trail
- Using computers and the Internet or following the electronic trail
- Doing fieldwork

Investigative reporters analyse the documents they obtain and use the information they find there to piece their stories together. It is difficult, although not impossible, to conduct investigations without some sort of paper trail. Many journalists begin by unearthing documents even before they conduct interviews. This is because documents provide them with the background, context and detailed information they need in order to pose more probing questions to their sources.

Often, documents give leads on how the investigation should go forward. They give clues as to how the journalist should proceed. A signature on a government contract, for example, points to the person who is responsible for it and therefore who the journalist ought to interview. Sometimes documents cite other documents, thereby providing clues as to what else journalists might obtain.

Interviewing sources or following the people trail: People are as important as paper in a journalistic investigation. They can talk and answer questions – things that documents cannot do. They can provide history, background, colour and anecdotes that spice up a story and give it depth. They can also lead the journalist to other documents and people who may be vital to the investigation.

Journalists talk to a range of sources in the course of their investigations. These could be official sources, such as government or corporate officials or representatives. They could be private individuals involved in the case the journalist is probing. They could be victims of crime or disaster, human traffickers, drug dealers or arms sellers. Sometimes they are eyewitnesses to a crime, an accident or a calamity. They could be classmates, neighbours, relatives or friends of a politician who has amassed wealth that cannot be explained by what he earns. Journalistic sources are often also experts - scientists, lawyers, accountants - who can explain the technical issues under consideration and make an impartial or disinterested appraisal of available facts. In short, journalists interview just about anyone who can provide information on the subject they are investigating.

Using computers and the Internet or following the electronic trail: Increasingly, investigative journalists are using the Internet to do research on just about any topic they are investigating. The Internet, with its vast resources, is a mine of information. Familiarity with online research techniques is now a pre-requisite for investigations.

In addition, journalists have used e-mail to correspond with sources in government or the private sector. They have also used electronic or digital communications (including SMS, Skype, Google Talk etc.) to receive information from sources who wish to remain anonymous or who find it dangerous to meet with journalists face to face.

Computer databases that contain a lot of information are also now part of the investigative journalist's toolkit. Reporters have analysed trends and patterns using databases available from companies or government, and used these as building blocks for their stories. Sometimes journalists construct databases themselves, based on information obtained from documents.

Doing fieldwork: Often there is no substitute for the journalist getting his or her hands dirty and going to the field to do research. Investigative journalists have gone to the scenes of disaster, whether it is to examine an area destroyed by a fire or devastated by toxic waste spilled by a mining company. They have visited, or even lived for a time, in communities to report on victims of various forms of exploitation, such as poor villages where women are forced to find jobs in cities and end up as sex workers, factories where poorly paid immigrant workers are forced to labour, or mines where workers risk their lives.

Fieldwork is essential for the journalist to get a feel for - and also the sounds and smells of - the subject they are working on. Investigative reporting, like all journal-

ism, is about real life. Conveying a sense of other people's lives as actually lived, is as important as obtaining documents or getting informants to talk. For example, a story on corruption in a government hospital is made more compelling if the reporter spent time in the facility, observing the poor delivery of healthcare and the inadequacy of drugs and equipment. By recording or filming what takes place in the hospital, the journalist can provide graphic examples of how corruption causes unnecessary suffering and even death.

In addition, fieldwork can be used to compare government reports of project accomplishments with the reality on the ground. For example, investigations on corruption in public works projects have been done by getting documents on roads, bridges and ports supposedly built, and then going to their intended locations to see if they have indeed been completed. The same technique can be used when investigating government purchases of textbooks and desks for public schools, or medicines and equipment for government clinics.

Sometimes, fieldwork involves the use of undercover reporting, to gather information more freely. This is a controversial method with ethical and legal implications. Going undercover makes it easier for journalists to get into places where they are not welcome or to interview people who would otherwise not talk to reporters. But it risks violating the privacy of individuals and can be physically risky for the journalists themselves. In addition, the reliability of information gathered through deception can be questioned. Moreover, unorthodox techniques make journalists vulnerable to criticism about their motives and methods.

Exercise 1

Dissecting an investigative report

Read the BIRN investigative report, 'World Bank Demolished Albania Village' by Besar Likmeta and Gjergj Erebara, on page 212 and answer the following questions:

1. What is the new and previously unknown information in this report?

2. List the documents that the journalists obtained to prove their story.

3. List the people they interviewed.

Additional reading & references

Investigative Reporting Institutions in the Balkans

Balkan Investigative Reporting Regional Network, BIRN
Bosnia-Herzegovina, *www.birn.eu.com*

The Center for Investigative Reporting, CIN
Bosnia-Herzegovina, *www.cin.ba*

Bulgarian Investigative Journalism Center
Bulgaria, *www.bijc.eu*

Romanian Centre for Investigative Journalism, CRJI
Romania, *www.crji.org*

The Center for Investigative Reporting in Serbia, CINS
Serbia, *www.cins.org.rs*

Investigative Journalism Centre (Croatia), *www.cin.hr*

CHAPTER TWO

The Investigative Process

How do journalists uncover what is hidden?

The province of Vojvodina in northern Serbia is famous for its wild birds. The country's agricultural heartland, it is the winter hideaway of thousands of wild geese and ducks. Its woodlands are home to quails, nightingales, starlings, larks and doves. Its marshes and ponds are breeding places for water birds.

Vojvodina is a hunter's paradise. Local tour groups organise hunting expeditions, mostly for Italians, who go there in droves to shoot and trap birds. The catch is much in demand in Italian restaurants, where dishes made from wild fowl are sold at a premium. There is also a thriving black market in songbirds, which can sell for as much as €150 per kilo.

The demand has fuelled a secret and illegal trade, with birds being smuggled out of Serbia and sold in Italy and as far away as Germany. Occasional police raids revealed the scale of the trade. In 2001, Italian customs seized a Serbian truck filled with birds worth about €1.5 million. In 2004, the police found 1,000 kilos of smuggled birds in a refrigerated truck with Italian licence plates. Concerned by the scale of bird hunting, an environmental group, the Society for the Protection of Wild Birds, was leading a vigorous public campaign, saying that hunting and smuggling were getting out of hand and endangering vital species.

The investigative process involves:

- Getting the lead
- Assessing the possibilities of the story
- Formulating the investigative hypothesis
- Setting the minimum and maximum story
- Researching and reporting
- Organising and analysing the information
- Writing the story
- Fact and legal checks
- Airing or publishing the story
- Follow up

The discovery of smuggled wild birds was widely reported in the media. But news reports barely scratched the surface. Many questions remained unanswered: Who was responsible for the smuggling? How much of it was going on? How could it go on? What were the smugglers' links to the police? Local officials? Local communities? Who benefitted and who gained from this illegal activity?

Djorde Padejski, a journalist from Zrenjanin, who now runs the Serbian Centre for Investigative Journalism (CINS), wrote a series of articles on this issue during September and October 2005. A popular place for bird hunters, Padejski had always known that his Vojvodinian home town played host to hunters, especially in August and September,

when they came in big groups[1]. As a young reporter years earlier, he had encountered a farmer who lived near a hunting ground, who told him that hunting was a cover for the smuggling of wild birds across the border to Italy and other places.

Padejski did not follow up on the lead then but he remembered the farmer's story when he read about the 2004 seizure by Italian police, of birds smuggled from Serbia. He went back to the village near the hunting ground and found that the birds caught in the raid came from there. He also heard that a company managing a nature reserve and several hunting grounds in the area was somewhat involved.

Padejski called the company director, who confirmed that they delivered the dead birds to hunters abroad through another firm, which was implicated in the Italian raid. Padejski wrote several news reports, saying that the company managing the nature reserve was actually organising illegal hunting there and facilitating bird smuggling.

Peeling the onion

The process of investigative reporting is sometimes compared to peeling an onion - going through layer upon layer of information from a variety of sources and using different research techniques in order to get at the truth.

> ***News reports usually cover just the surface of events - the investigative reporter's task is to go deeper and discover how, why and who is responsible.***

When Padejski wrote about the company's role in bird smuggling, he had already uncovered new information that had previously not been published. But he had not yet got deeply enough into the story. Years later, he pursued the investigation by doing more background research, talking to more sources, obtaining documents, even booking a hunting trip.

By digging deeper, Padejski found an organised crime network that reaped at least €5 million every year from the illegal trade in wild birds. Environmentalists estimated that about a million birds were smuggled out of Serbia every year and that the bird population in the country had decreased by 80 per cent as a result. Without doubt, the illegal bird trade was

1The account of Padejski's investigation on bird smuggling is from his article, My Way to a Good Story and the Award for Investigative Reporting, published in www.netnovinar.org. Padejski's reports, for which he won the Independent Association of Serbian Journalists' (NUNS) prize for investigative journalism, are also published on that site.

an issue that had important implications for both the environment and law enforcement. Padejski's series of reports on the Serbian 'bird mafia', published in the weekly *Zrenjanin*, daily *Blic* and regional Web site *Netnovinar*, is a good illustration of 'peeling the onion', the process that investigative journalists follow when they research and report on their stories.

> ***The important thing to remember is that investigative reporting is a process: the journalists go from one step to another as they investigate wrongdoing.***

Typically the investigative process involves:

1. Getting a lead

The ideas for investigative reports can come from anywhere. Sometimes, a source provides a lead or a tip, even documents that start off an investigation. Sometimes, a journalists' curiosity is piqued by something they observe, such as poor people lining up to sell their blood. Why do people sell blood? Is the blood properly tested? Who buys the peddled blood? Who profits from the blood trade?

Some stories, like the illegal trade in wild birds, have been there for years, but have not been written because no journalist has bothered to dig them up. Other stories, say a corruption charge against a high official, might have been in the headlines for some time, but the media might have mainly reported accusations, without looking deeper for proof. An enterprising reporter can get to the bottom of the accusations and find out whether the allegations have a factual basis.

Leads can also come from gossip or rumour, or idle talk in bars or coffee shops. Some journalists get story ideas by checking regularly with well-informed sources, who can be government regulators or law-enforcers, politicians, fellow journalists or non-governmental campaigners. Keenly observing trends, whether in politics, business or lifestyles can likewise provide leads. Journalists should keep their eyes and ears open everywhere they go, even when they are not at work. Story possibilities lurk everywhere, even in the least likely places.

Breaking news stories, such as the reports on police raids on trucks smuggling illegally hunted birds, can be leads for investigative reports, which is why regularly reading newspapers always yields ideas for possible investigations.

This was what happened in Padejski's case: the investigation was set off by a reporter's hunch that there was something behind the police raid that needed to be investigated and so he went back to a source he had met years before.

Padejski did what other reporters did not: he did not just rely on police accounts of the raid, he went to find out where the birds came from and how they ended up hidden beneath logs in a Renault freezer truck bound for Italy. Years after he had found out who was responsible, he wanted to dig even deeper, to uncover the criminal, business and political connections of those who were trafficking birds.

2. Assessing the possibilities of the story

Because he had written about bird smuggling, Padejski was already familiar with the issue and knew that there was still much more new information that could be uncovered. Journalists who are not as well versed with the subject they are investigating, however, need to do much more initial work. They need to check whether the angle they want to pursue has previously been written about, whether it is really new, and whether it can be realistically investigated.

In this phase, which some journalists refer to as the 'investigative sniff', reporters do Internet searches, read old news stories or make a few phone calls to assess the novelty and feasibility of their planned investigation.

> ***The primary purpose of the 'sniff' is to answer one question: Is there a story here that is new and can be investigated in depth?***

The involvement of organised crime in the illegal bird trade in Serbia had not been written about in depth. But Padejski also had to see whether this was something that could realistically be investigated. He had to ask himself whether it would be possible to get documents relevant to the investigation. He had to see whether people were willing to talk. He also needed to estimate how much time and effort the investigation would entail, and how much it would cost.

These are some of the questions reporters ask themselves before they begin an investigation:

- What kinds of information are needed for this investigation and can these be obtained?
- Are documents available? Where?
- Are sources willing to go on the record? If not, can the story legitimately and convincingly be told with un-named sources?
- Do I have the background and expertise for this kind of story?

Reporters also consider the timetable and the budget for the report:

- How much time, money and how many people are needed for the story?
- Should a team of reporters be formed to conduct the investigation? Or can one journalist do it alone?
- Can it realistically be done given time and resource limitations?

Then, there is the important set of questions that have to do with the public interest value of the story:

- What is the public interest in this report?
- Does it hold powerful institutions or individuals to account?
- Does it have consequences for the lives of a substantial number of people?
- Will airing or publishing the story change things for the better?
- Is this something that people have to know, or is it something to just tease or titillate them?

Finally, journalists also assess the political fallout and any legal action which might arise from the story:

- What are the risks for individual journalists?
- What are the risks for the news organisation?
- Are the risks legal? Financial? Physical?
- Can the reporters and the news organisation handle the risks? What needs to be done to minimise them?

This last set of questions was particularly relevant in Padejski's case, as he had already been warned that he was treading on dangerous ground and that he could get into trouble if he was not careful. But Padejski was certain that he had enough sources to take the investigation further. He had already developed access to these sources while working on his earlier reports. Trawling the Internet, he found more information and more leads. Then there was the Society for the Protection of Wild Birds, which had been conducting its own investigation into bird smuggling. Padejski was also convinced the risks could be managed. In addition he had support for the investigation from the Netnovinar Training Centre.

3. Formulating the investigative hypothesis:

A hypothesis is a theory or premise that guides the investigation. Professions that conduct investigations – like the police on the trail of a murderer, scientists searching for a new cure, sociologists figuring out the link between, say, poverty and drug abuse, always begin by making a hypothesis. The hypothesis is a statement of what they want to investigate, of what they want to prove or disprove.

Investigative journalists, too, formulate a hypothesis before they set out to do their work. They look over the initial information they have and compose a theory, an explanation that provides the answer to questions like: How did the wrongdoing happen? Who was responsible? What are the consequences?

> ***A hypothesis guides the investigation: it is a constant reminder of what the journalist is looking for.***

It is easy to get sidetracked when conducting investigations. Journalists compile a mass of information. Without a hypothesis to guide them, they could get lost in the avalanche of data they have gathered. Formulating a hypothesis is like drawing a line around the area that a journalist wants to examine. As Dutch investigative reporter Luuk Sengers says, it is "mark[ing] out your field of investigation".[1]

1 Luuk Sengers' account of formulating an investigative hypothesis is in Project Management for Journalists, a handout prepared for the Centre for Investigative Journalism Summer School. It is also in www.luuksengers.nl.

Dangerous Chemicals

In 2005, Sengers embarked on an investigation with a Belgian and Danish colleague on the hazards posed by plastic pipes used to transport water to homes. A Danish study had just found that the pipes contained harmful chemicals that seeped into the drinking water. Sengers and his colleagues wanted to find out why those pipes were being used and what their effects were, on the people who drank water from them.

It was a complicated story, not least because the effect of the chemicals on humans had not been well established. According to Sengers, he and his team drew up a four-part hypothesis that was also a description of a step-by-step process by which chemical contamination of the water supply was causing harm to people. They set out to prove each point:

- Pipe manufacturers put chemicals in their products; they choose dangerous chemicals over safer alternatives because they are cheaper
- The plastic water pipes leech the chemicals into the drinking water
- The chemicals get into the drinking water undetected: the government uses a detection technique that cannot spot the dangerous chemicals
- The chemicals disrupt the human hormone system. Some humans with a disrupted hormone system become infertile and/or develop cancer

Scientists make hypotheses so they can test them. They do not formulate hypotheses that cannot be tested. Similarly, the hypotheses drawn up by journalists are based on what they can show through human and documentary sources or through other methods like observation or by conducting tests. For example, Sengers and his team got a laboratory to test water samples to show that drinking water was indeed contaminated by harmful chemicals.

To test the efficiency of the postal system, journalists have mailed packages from different locations and check how long they take to reach their destination.

Journalists should limit their hypothesis to what they can prove.

Estrada's grand houses

In 2000, when reporters from the Philippine Centre for Investigative Journalism set out to investigate then-President Joseph Estrada, a popular former movie actor who was rumoured to have accepted bribes from businessmen in exchange for government contracts, they knew they could not prove the bribery because there were no human or documentary sources to back up the allegations. Instead, they could prove that the president was amassing wealth, including building grand houses for his four mistresses. They did not investigate where the money came from. They looked instead at how the money was spent, and whether the president could explain the magnitude of his spending. [1]

Their hypothesis was: Since his election to the presidency in 1998, Estrada has accumulated wealth and built fancy mansions that cannot be explained by his financial disclosure statements and what he earns as president.

Similarly, Padejski's hypothesis was based on what he could prove: Bird smuggling was taking place under the noses of law-enforcers, and a mafia, in cahoots with public officials, was responsible for it.

1 The investigation of Estrada is described in L Moller and J Jackson, Journalistic Legwork that Tumbled a President: A Case Study and Guide for Investigative Journalists, published by the World Bank Institute. www.worldbank.org

ЗРЕЊАНИН 23. СЕПТЕМБАР 2005. 14 Хроника

КАКО СЕ КРИЈУМЧАРЕ ПТИЦЕ ИЗ ВОЈВОДИНЕ (1)

ГДЕ СУ КРАЦИ „ПТИЧЈЕ МАФИЈЕ"

ПИШЕ: ЂОРЂЕ С. ПАДЕЈСКИ

Шестомесечни истраживачки пројекат Ђорђа Падејског, новинара Листа "Зрењанин", о криволову и илегалној трговини дивљим птичјим врстама у Војводини, настао као део ширег пројекта Медија центра Сарајево

КРЕНУЛО ОД ПРЕСУДЕ СУДА У ВИЋЕНЦИ

ЈОШ је акција италијанске полиције "Балканске птице" из 2001. године откривањем шверца десетина хиљада мртвих птица великим делом из реда угрожених или заштићених врста, показала да у Србији и Црној Гори постоји добро организована "птичја мафија". У Србији где су птице убијане, међу одговорнима се тада нико није јавно "потресао", а до првих оптужница по овој акцији чекало се друге четири године, све до маја 2005. године, када је сомборско општинско тужилаштво покренуло кривичне поступке против Ивана

два милона птица убијених у Србији. А акција италијанске полиције на граничном прелазу Горица са Словенијом у новембру 2001. године представљала је до тада највећу појединачну заплену товара птица са 120.702 комада и уједно највећи забележени масакр дивљих птичјих врста у ближој историји Европе.

MEDIACENTAR SARAJEVO

ПРОЈЕКАТ МЕДИЈА ЦЕНТРА САРАЈЕВО

Текст новинара Листа "Зрењанин", Ђорђа Падејског, "Где су краци птичје мафије" настао је током вишемесечног едукативног пројекта "Истраживачко новинарство - приче на тему организованог криминала". Организатори пројекта били су Медија центар

НОВАЦ И СТРУКТУРА КРИМИНАЛА

Без обзира на одјек те стварно познате афере, птице су у Србији у међувремену поново пале у забо-

долазиле оцене да се ради о изузетном претеривању када је реч о размерама криминала. Док су неки политичари (рецимо бивши покрајински секретар за пољопривреду, Игор Курјачки) сасвим отворено говорили да нема угрожености птица и чак заговарали "покољ" одређених врста. Али неке ствари су ипак остале непобитне, а то су из-

налази одмах иза трговине дрогом и оружјем. Србија и Црна Гора убрајају се у прих пет земља у Европи по овој врсти криминала. А многи крајумчари животиња тргују примерцима који по килограму "вреде" више од килограма кокаина или

Заплена товара птица: акција италијанске полиције на граничном прелазу Горица са Словенијом у новембру 2001. године.

Djordje Padejski's newspaper article on the bird smuggling racket.

4. Setting the minimum and maximum story

When journalists begin an investigation, they are seldom certain as to what exactly they will find. It therefore helps to set goals.

The minimum story is the lowest goal: what, at the very least, can be proven that will reveal something new and previously unpublished? For example, Padejski's minimum story was that bird smuggling was taking place and law-enforcers were looking the other way, allowing the illegal trade to go on unhindered. Journalists can then adjust their goals as the investigation progresses.

His maximum story was that bird smuggling flourished in Serbia because organised crime had the co-operation of government officials. The maximum story required a higher level of proof and far more information than the minimum story. The maximum story set a higher goal; the minimum story, a more realistic one, given that the journalist was not sure that he could document both the organised crime network and official involvement in it.

Journalists, especially new journalists, are often overambitious in their goals. Setting a minimum and maximum forces them to be more realistic about what they can uncover, while at the same time allowing for the possibility that they can unravel something bigger.

5. Reporting and researching the story

Often, journalists begin researching the story by looking at secondary, or previously published, sources. They scour books and newspaper archives. They search for information on the Internet.

Padejski first did his research on the bird mafia by checking the Internet and finding information on hunting tours in Serbia and the companies that run them. The Net was useful as it yielded Web sites of tourist agencies that organise hunting expeditions.

He then planned his investigation. Using his own name, he called an agent and spoke about hunting trips, getting first-hand information about exporting hunted game. Later, he went on a hunting trip, to observe for himself, what went on.

> ***Padejski knew that this would not suffice to prove his hypothesis. The most important sources for journalists are people and documents.***

He listed the documents he needed to get and the people he needed to interview. Since there were already court cases against bird smugglers, it was important to get court records in both Italy and Croatia where the cases were being heard. Court records are always a mine of information and a must for many journalistic investigations. The documents showed that two Serbian tour companies conspired to smuggle two million birds between 1995 and 2001. The Italian court also found that the two companies were behind the slaughter of the 120,000 birds found in a truck en route to Italy in 2001. It was believed to be the biggest single incident of its type in recent European history.

An important source for Padejski were activists working for the Society for the Protection of Birds. The environmental group had been working on the illegal bird trade for some time and had amassed a wealth of information. Posing as buyers, the activists taped conversations with bird dealers, who described how the birds would be delivered and at what cost.

But the best source for the investigation was a former hunting guide who revealed first-hand experiences with the 'organisation' and told Padejski what really went on during the hunting trips.

The guide described well-organised smuggling operations composed of local residents, government officials, customs and police officials. He also said that the hunting trips served as a cover for the smuggling operations and allowed local hunters to kill large numbers of birds. The birds were then processed in secret factories where they were cleaned before being trucked across the border to restaurants in Italy and even as far as Germany.

Padejski followed the leads provided by the guide. He examined the operations of travel agencies organising hunting expeditions and of hunting associations that leased hunting grounds to travel agencies. He found an organised crime structure. At the bottom were local hunters who shot or caught the birds, the workers in the hunting grounds who assisted the foreign hunters and the farmers who cleaned the birds in mobile factories. In the middle were travel agencies, hunting associations and bird dealers. At the very top were well-connected businessmen who ran these operations and who were associated with high-ranking government officials.

The process of researching and reporting an investigative story has been described as 'working from the outside in'.

Working from the outside in, means that journalists start with secondary sources - from the outside - and slowly move closer to the target of their investigation.

In Padejski's case, he started with secondary or previously published sources, such as those he found on the Internet and then moved to primary documents, such as court records. It was the same thing with human sources – he started with activists who were on the 'outside', and then proceeded to sources who were on the inside, such as the former guide.

6. Organising and analysing the information

After gathering data, journalists have to organise it in some form. Some prefer to organise the files in boxes, alphabetically or chronologically. Some reporters organise by subject matter or by the personality involved. Sometimes a spreadsheet programme is used to summarise the information that is available and find out whether there are gaps that need to be filled. In other cases, a chronology or a narration of events in the order in which they happened, is a good way to organise the information.

Before journalists sit down to write their story, they first have to analyse what they have found.

What does the data mean? What does it prove? What does it not prove? What other information needs to be obtained? Is there a convincing case of wrongdoing? Could such a convincing case be made if more information were obtained?

If the hypothesis has not been proven, can another story be done, a story with less impact but which would still be important and significant? Are there gaps in the research that need to be filled?

Are there patterns in the data? Investigating wrongdoing often entails looking for a pattern in the actions of individuals or institutions. A single suspicious act can be explained as being due to something plausible, say, carelessness, inefficiency, or ignorance. But a pattern of suspicious actions is harder to account for. When gathering evidence of wrongdoing, journalists often have to establish that a pattern of wrongful acts has been committed and to find out who is responsible for them. Padejski, for example, found a pattern of officials looking the other way when they were confronted with evidence of bird smuggling.

Filipino journalists reporting on President Estrada, focused on the pattern of the president's acquisitions. They found a pattern of building fancy houses in deluxe areas and the acquisition of real estate through dummy firms. Because most of the real estate and the houses were not in Estrada's or his mistresses' names, the reporters had to find patterns in their acquisition as part of the effort to establish ownership. The patterns emerged only after the records of several of the houses were examined: the same contractors and designers were used; the same cronies or friends fronted for the properties; and the same law firm incorporated several of the shell companies in whose names these properties were bought[1].

When investigating wrongdoing by companies or state agencies, it may help to look at that institution's pattern of decision-making and behaviour. In the series, The Power Brokers, journalists from Albania, Bosnia-Herzegovina, Bulgaria and Romania found a pattern in the emergence of energy traders who acted as middlemen between state power generators and power distribution companies. A clique of energy traders, the report found, monopolised the electricity market in those countries and reaped huge profits from their control of the market.

1 The full report can be read in www.pcij.org

At regular intervals in the course of their investigations, journalists must ensure that they cover all the bases. Who needs to respond to the findings of the investigation? Are the various sides of the story well represented? If not, who else should be interviewed? Whose opinion, view or side of the story still needs to be sought?

7. Writing the story

Journalists are often challenged by the difficulty of writing all the information they have found in an interesting and engaging way. They want to put in everything they have discovered. For this reason, many investigative reports end up being overly long and difficult to read or watch. The audience tunes out.

> ***Even the best-researched story falls flat if it is not well told.***

The other difficulty that investigative journalists face is that, having invested weeks or months in an investigation, they become too close to it and lose their emotional and professional distance. Some have the tendency to use emotional or loaded language, so that the report reads like the statement of a prosecutor in a criminal trial rather than a journalistic report. Telling the facts as they are often suffices; strong language should be used sparingly.

> ***Often, it is also important to have a human-interest story that will serve as a hook to attract readers and viewers.***

It is difficult for the audience to grasp abstract concepts and ideas. A story needs to be humanised. It can be told through the lives and words of real people that play a role in the story, or who suffer from the wrongdoing that is being exposed. Journalists should also put in colour and detail that will make the story come to life. This means they should observe people and places closely. They should take notes not just of what was said, but of how it was said. They should note how subjects are dressed, how they behave, how they interact with others. They should develop an eye for what is interesting to readers. In addition, the importance of the story to the audience must be made clear.

Why should someone watching television in the capital city care about endangered birds being hunted in the forests and sold abroad, or about energy traders making money from selling electricity?

At the same time, the big picture should not be lost. A story that deals with a small village or a family should be linked to the bigger story of what is happening in the country or the

world. If the human story being presented is part of a larger trend or pattern, then the journalist should make it clear that this is so.

8. Fact and legal check

When a report or script is prepared, it should be checked for accuracy. The journalists should go back to their original documents and interview transcripts, to make sure that the facts are correct and that sound bites are used in proper context. Images should be checked to see if they correspond to captions on screen or to the voiced narration.

If the story is controversial, it is best to consult a lawyer.

Can journalists be sued for libel, invasion of privacy, or other charges if they air the report? If they are sued, can they defend themselves? Are there sufficient legal grounds to back them up in court?

9. Airing or publishing the report

Only when a fact and legal check has been done should journalists publish or air. Some newspapers and television networks promote an investigative report by airing teasers, days before the report comes out or issuing a press release for newspapers. Generating audience interest prior to the report ensures more readers or viewers.

10. Follow up:

Investigative reports often generate a lot of audience reaction. Exposed officials want to air their side and demand equal time. At the same time, other stories and angles emerge, as viewers or readers provide more tips and information. Journalists should decide whether there is sufficient information and interest in the story to necessitate follow-up reports. Sometimes, there is an attempt to correct the wrongdoing that has been exposed. Sometimes, Governments take action by firing abusive officials or personnel, or by changing laws and policies. Certainly, these actions should be reported. Inaction should be reported and further investigated too.

Tips for Digging Deeper

Wrongdoing arises from the abuse of powers that are given to individuals and institutions. To investigate wrongdoing, therefore, journalists must first be familiar with what those powers are. This requires knowledge of how an institution is structured and the laws and the procedures that govern its operations.

- Dig Deeper... know the rules
- Be aware of the procedures
- Be familiar with institutional structures
- Build a timeline

Know the rules: Many times, investigative journalists find themselves probing violations of the law, or of rules and regulations that govern an institution. They cannot do their work well if they are not familiar with those rules and what constitute violations.

For example, parliamentarians have the power to make laws, but they sometimes abuse that power by legislating in favour of their friends or allies to the disadvantage of other sectors of society. To investigate such abuse, the journalist should first find out the powers of legislators, the rules on conflict of interest in the legislature, and the sanctions, if any, for misbehaviour.

If there is no law or rule that prohibits parliamentarians from issuing laws that favour their friends, then they cannot be accused of having done something illegal. But at the same time, their behaviour can be questioned on ethical grounds and on the standards of parliamentary behaviour that exist elsewhere. The journalist can also ask why no guidelines on conflict of interest have been formulated.

> ***Familiarity with the laws that govern an agency is crucial especially when investigating crime and corruption.***

The power that a government official or agency wields is mandated by law, and power is always prone to abuse despite the best-crafted law.

The law defines the scope of power that state agencies wield: for example, the power to audit tax payments, to issue licences and permits, to arrest criminals, to award contracts, to deport aliens, to inspect goods coming into a country, etc. All these powers have been abused to some extent in most countries. They have been a lucrative source of illicit rev-

enue for corrupt officials. Part of the answer to why agencies and officials are corrupt can be found in the kind and scope of power they exercise, and the cost, or 'market value', of using that power to look the other way (i.e. not enforce the rules) or to unfairly favour certain firms or individuals (i.e. enforce the rules selectively).

In the case of the bird smuggling story, customs and agriculture officials did not enforce the Serbian law that banned the hunting of protected species. The law existed. The problem was that it was not being followed. To investigate bird smuggling, it was necessary to check which laws governed the killing and transport of wild birds, in order to see how these laws were being violated.

Reading the law also educates journalists about a government agency, the subdivisions within that agency, and the officials at its various levels. But apart from knowing the law that governs an agency, journalists must also be familiar with anti-corruption and laws in general, as well as other laws that pertain to the specific wrongdoing they are investigating.

Be aware of the procedures: For the most part, the key operations of government are defined by well-established procedures. For example, there are procedures for bidding for government contracts, applying for licences or tax exemptions, applying for citizenship, etc. Investigators should therefore be suspicious if procedures are not followed or shortcuts are taken.

> ***Deviations from established procedures are red flags, clues that wrongdoing has taken or is taking place.***

This is especially true in the awarding of government contracts. Journalists should start probing if a contract does not undergo public bidding, as is normally required, if qualified firms are taken out of the list of bidders, or if bid announcements are not published. These are indications that something fishy is going on. The same is true for other routine government transactions and court procedures too.

Sometimes, if evidence of pay-offs cannot be obtained, a report on how procedures have been violated or set aside can strongly indicate anomalies.

Be familiar with institutional structures: The structures within an agency or company provide a map of who holds power, the hierarchies of power, and the checks and balances that exist within the institution. Sometimes, sudden changes in structures are an indication that further investigation is warranted. For example, if the head of an agency suddenly centralises the decisions on awarding contracts in his office, then that is an indication that something suspicious may be taking place.

Having an organisational chart of an agency can help a journalist find out where the power lies and where corruption or abuse may be taking place.

Build a timeline: A chronology or timeline, which lists events in the order in which they happened, is a useful analytical and visual tool for investigative reporters. With a timeline, a journalist is able to see how one event leads to another, to find patterns in the occurrences, or to find the gaps in his research.

> ***Timelines may help journalists understand why things happened the way they did.***

Timelines may yield clues that need to be researched further. At the very least, they clarify in the journalist's mind, the order in which things occurred. They are useful as an interviewing tool (to help keep fresh in the reporter's memory the interviewee's place in the timeline). A chronology is also useful as a writing tool - it provides a summary of events, which the journalist can use while they are writing, to check on dates, people, places and occurrences, without always going back to the original documents.

Exercise 2
Planning an investigation

Read BIRN's article: Tirana - Choking on Growth, on page 218. The feature describes increased levels of air pollution in Albania.

You think this may be a good idea for an investigative report. What do you do next?

Answer the following:

1. Frame an investigative hypothesis. What exactly do you want to find out?

2. What is the public interest in this investigation?

3. What will be your minimum story? Your maximum story?

4. List the most important questions that need to be answered for this investigation.

5. List the people you would need to interview (positions or organisations will suffice). Also think about your 'characters' - the people whose stories you will feature in your report.

6. List the documents you will need.

7. List other methods you will use to prove or test your hypothesis. For example, will you need to do field visits? Where?

8. List your stakeholders: Who profits from pollution? Who suffers? Who are your allies? Who are your enemies?

9. Which obstacles do you foresee in this investigation? How will you overcome these obstacles?

10. How will you present your story? As a newspaper series? A report for a Web site? A television report?

Additional reading & references

Lars Moller's Checklist for the investigative Synopsis

There is a checklist of questions that investigative journalists should run through early as possible in the course of their investigation.

The list was drawn up by Lars Moller, a Danish investigative journalist.

The full list of 70 questions are given in the Excercises, Resources and Additional Reading section on page 221.

The questions are intended to help journalists think about the focus of their investigation, the investigative process, and the sources and methods they will use in the course of their research and reporting.

CHAPTER THREE

Following the Paper Trail

Why do reporters need documents?

Documents are the investigative journalist's best friend. They are sources of crucial information. They provide proof of the wrongdoing or abuse that a journalist is investigating. They can also be used to verify or bolster information obtained from interviews. The difference, of course, is that one can't interview a document. On the other hand, unlike a human source, a document does not change its mind; it cannot deny or alter what it states.

The US investigative journalist, Bill Gaines, talked about approaching an investigation with a 'documents state of mind'. This means that journalists should immediately think of documents they can obtain – not just the people they can interview – from the moment they begin planning an investigation.

Gold mining in Romania

Without documents, Paul Radu, founder of the Romanian Centre for Investigative Journalism (CRJI), would never have been able to investigate the life and times of Vasile Frank Timis.

Radu stumbled upon Timis's name while investigating gold mining and natural gas in Romania. Digging deeper, he found that the shady businessman had managed, through a series of clever manoeuvres, to take control of Romania's biggest gold mine, the state-owned oil company and a state chemical company.

From 2002 to 2005, CRJI published 15 investigative reports that relied heavily on public records – including corporate registration and financial documents, criminal records and court documents from several countries - to unravel the elaborate network of offshore and foreign companies that Timis used to acquire the biggest and potentially most profitable companies in Romania.

Many Balkan journalists complain that they cannot pursue investigations because public records are not available. That is partly true: access to public records in the Balkans pales in comparison to that in Western Europe or North America. But as can be seen in Table 1 overleaf, government documents are much more available in the Balkans now than ever before and journalists really have no excuse not to use them in their work.

Table 1. Comparative access to public records in the Balkans

Are these records available to the public?

Government Record	Albania	Bosnia-Herzegovina	Bulgaria	Croatia	Kosovo	Macedonia	Montenegro	Romania	Serbia
Land titles	YES	YES	YES	YES	YES	YES	YES	YES	YES
Motor vehicle registration	YES	YES	NO	NO	NO	NO	NO	NO	NO
Court records	YES	YES	YES	YES	YES	YES	YES	YES	YES
Asset disclosures of officials	YES	YES	YES	YES	NO	YES	YES	YES	YES
Campaign contributions	YES	YES	YES	YES	YES	YES	YES	YES	YES
Election expenses	YES	YES	YES	YES	YES	YES	YES	YES	YES
Corporate registration	YES	YES	YES	YES	YES	YES	YES	YES	YES
Business permits	YES	YES	YES	YES	YES	YES	YES	YES	YES
National/federal budget records	YES	YES	YES	YES	YES	YES	YES	YES	YES
Local government budget records	YES	YES	YES	YES	YES	YES	YES	YES	YES
State audit reports	YES	YES	YES	YES	YES	YES	YES	YES	YES
Financial statements of publicly listed companies	YES	YES	YES	YES	NO	YES	YES	YES	YES
Records of parliamentary proceedings	YES	YES	YES	YES	YES	YES	YES	YES	YES
Information on NGOs	YES	YES	YES	YES	YES	YES	YES	YES	YES

Source: BIRN Research

Accurate as of 4/12/09

Radu's investigation of Timis showed how a hard working journalist can obtain public records without too much difficulty. Radu searched not only in Romania but also in other countries where documents are much more readily available. Most of those searches were conducted on the Internet[1].

Radu found plenty of paper documents in Romania as well, and used the country's freedom of information law to ask government agencies for the records that he needed. The strategies that he used to obtain public records show that it is possible to do investigations in the Balkans that are on a par with those that have been done elsewhere.

In the 1990s, Romania, like other countries in the Balkans, began to privatise state assets, a process that paved the way for the entry of unscrupulous businesspeople like Timis who used their connections to government and to foreign companies to monopolise the most prized companies in the state's inventory. Throughout the Balkans, the privatisation of state-owned firms has been dogged by controversy, as it enriched politicians and private companies while depriving citizens of much-needed services.

CRJI's initial investigation of Timis examined how he became so big, having started as a car mechanic and pearl diver shortly after migrating to Australia in 1981. Examining court and criminal records in Australia, which were disclosed in investigation reports in the Toronto stock exchange where Timis had incorporated some of his companies, Radu found that while in Australia, Timis had been charged twice with heroin possession and found guilty.

Doing corporate searches through Lexis-Nexis, an online database, as well as the online business registries in various countries, CRJI traced how Timis acquired Romania's biggest gold mine, in Transylvania, one of the country's poorest regions and the site of the richest gold deposits in Europe. The Centre unravelled the complicated network of offshore companies which Timis and his associates created.

By examining concession agreements and government contracts, some of them obtained using Romania's freedom of information law, the Centre documented how Timis built his business empire through sweetheart deals with government officials and state entities.

Radu also examined disclosure data from the Web sites of the Toronto Stock Exchange, the Alternative Investment Market in London and the Australian stock exchange. The records showed that Timis used the agreement his company had with the Romanian government to raise money overseas, claiming he had the right to ex-

1 The list of the Web sites of corporate registers that Radu put together while doing the Timis investigation is given in Chapter 5.

ploit one of Europe's biggest gold mines. CRJI found corporate records that showed that he had managed to enter into an agreement with a Canadian company, Yukon-Canada, which was then listed on the Vancouver stock exchange, to form Gabriel Resources Ltd. The company still exists but has different owners.

At the same time, corporate records showed that Timis set up more offshore companies to buy shares in Gabriel Resources in an effort to boost Gabriel Resources' share price in Canada.

When Romania passed a new law that transferred state-owned mineral leases to private owners, Timis became the owner of one of the richest gold deposits in Europe.

The importance of documents

The story of Frank Timis could not have been told without documents. Without papers that showed the companies Timis formed, the agreements he signed with the Romanian government and the businessman's criminal past, CRJI would not have been able to put together compelling stories about this 'Romanian adventurer' who controlled the country's gold deposits.

Documents can provide...

- Proof of the wrongdoing
- Confirmation of what human sources said
- Leads to other people and documents

Documents are crucial to most investigations. Without them, journalists will find it difficult to find proof of wrongdoing. Without the concession agreement, for example, Radu would not have been able to report just how good a deal Timis wangled from the Romanian government. Without examining corporate documents, CRJI would not have been able to untangle the web of offshore, foreign and Romanian companies that Timis formed in his effort to control the rich Rosia Montana mine.

With the help of corporate records, the Centre also showed that government officials, including the former head of the government agency for mineral resources,

ended up working for Timis. So did former diplomats, including the former Canadian ambassador to Romania, who became a director of one of Timis's companies.

Using Canada's freedom of information law, CRJI obtained an email sent by the ex-ambassador to Canadian embassy representatives in Romania. The e-mail showed the ambassador's lobbying efforts on behalf of Timis's company.

Documents also corroborated what human sources said. There had been talk of Timis's shady past and this was confirmed by the examination of Australian court and criminal records.

In addition, documents led to other documents and to people who would be crucial interviewees. Following the leads from documents, CRJI's subsequent investigations examined the questionable record of Timis's business partners and his links to government officials and the Romanian Securitate. Radu obtained court documents, including testimonies made to Romanian prosecutors, that showed how a former head of the Romanian Foreign Intelligence Service had facilitated the meeting between Timis's business partner and a former NATO general who wanted to invest in Romania. That general was subsequently charged in a Dutch court with laundering $200 million in drug money.

This is what following the paper trail means: one document leads to another and another and another. Documents point to possible human sources as well. The journalist's task is to obtain these documents, read and analyse them, and then piece together the information contained in them. What do they mean? What do they prove? What other information is needed to convincingly prove wrongdoing?

Public and non-public records

Documents can be public, such as corporate registration records, which are published online in some Balkan countries or available in paper form in others. These records are usually available to those who ask for them. Other government records, however, are secret or confidential. All over the world, for example, income tax returns are kept by the government, but these are almost never disclosed. Neither are military intelligence reports and reports on ongoing police investigations (these, however, are sometimes leaked to journalists).

Many records kept by government agencies on private bodies such as corporations or individuals are also public. Land ownership records and the financial statements of companies listed on the stock exchange, for example, are almost always public. But many other types of documents are private records and are not usually available. Some examples are bank records or medical and employment files. Many Balkan countries have privacy laws that protect private information on individuals and impose penalties on those who violate their privacy.

Across the Balkans, access to government records is uneven. In nearly all the Balkan countries, officials are required to disclose what they own and how much they are worth, and these disclosures are supposed to be made public. But this is not always the case. Many officials refuse to file disclosures, or if they do, they do not file accurate ones. In Macedonia, the State Anti-Corruption Commission charged 54 officials in 2007 for failure to submit their forms or for late submissions.

There are varied protocols for requesting public records. In some Balkan countries, journalists are able to access records by simply going to the government agency or official concerned and making a verbal request. Sometimes, a written request either delivered in person or sent by fax or e-mail is needed. Those who use channels provided for under the law, such as freedom of information (FOI) laws, have to make a written or electronic request and wait eight or more days to get a reply. In some cases, there are no fees charged for the documents, although journalists may in other cases be required to pay a minimal fee for photocopying (see section in this chapter, Using FOI laws, as well as FOI Laws in the Balkans on page 225 in the Excercises, Resources and Additional Reading section).

FOI laws have been used successfully by Balkan journalists, especially in Bulgaria and Romania, to get access to government records. Familiarity with FOI laws and procedures is therefore a must for investigative journalists in the region. Journalists like Alexenia Dimitrova of the *24 Chassa* daily newspaper and Hristo Hristov of the *Dvenik* daily newspaper, both in Sofia have written book-length investigations based on documents they got using FOI laws. (See Using access laws to investigate the 'umbrella murder' at the end of this chapter).

Other sources of documents

Journalists should not be deterred by the fact that many government records are not made available to the public, even though they invoke freedom of information laws. Sometimes non-public records can be obtained from co-operative sources in the bureaucracy who have an interest in the disclosure of certain kinds of information.

Politicians, parliamentarians and political parties also often make documents available to journalists because it is in their interest to do so. In addition, journalists can cultivate other sources in government who would be willing to provide them with access to records that are normally not available.

Remember that often, more than one copy of a document is kept - if one state agency refuses to release a record, journalists should try other agencies that have copies of the same document.

Other sources of documents...

- Cooperative individuals in administration
- Politicians, parties, parliamentarians
- Investigative and regulatory bodies
- Court case files

Investigative and regulatory bodies often have access to a range of public records that are difficult to obtain. They can sometimes be convinced to release these records. Sometimes, if a case is brought to court, non-public records can be obtained in the case files. If not, lawyers for parties in a lawsuit may be willing to make these records accessible to journalists.

For the most part, journalists do not have to be very specific about the purpose of the request for access. As a rule, however, journalists should not lie when they request documents, although to ensure that authorities will not block their investigation they can opt to be more general, rather than specific, about the reason for their request. If a direct request for a document would likely be refused anyway, and it would be useless to tip off a government agency about the investigation, journalists should try to find other sources of the same document as suggested above. They can also try to access documents through third parties.

Journalists should not steal documents. Stealing documents is a crime than can get them into serious trouble, especially in restrictive regimes.

The only time theft may be justified is in cases where the document is of such vital public interest that obtaining it and making its contents known could save lives or prevent a crime or disaster from taking place.

Journalists who believe they have to resort to document theft must not only be sure that it is the only avenue left to them; they should also first discuss with their editors or news managers the risks the action would entail, along with its ethical and legal implications. They should consider who else, apart from themselves, would be punished or be affected by the theft. And they should remember that stealing documents could taint their credibility and cast doubts on the methods they use in their investigation.

Sometimes journalists get documents in exchange for providing other information to their sources. Such exchanges can be mutually beneficial but can also create ethical dilemmas.

For example, what will the sources do with the information journalists provide? Will the information be harmful to other people? Will it put other sources in trouble? Is the information something that has been given in confidence to the journalist and should therefore not be shared?

There are no simple answers to ethical questions. It is best that journalists discuss with their editors the methods they use for their research and reporting, and that they be aware that they are treading on ethical minefields when using unorthodox or unusual methods to obtain documents.

Journalists, however, should remember that documents are not always 100 per cent reliable. It is always best to check the information found in one document with other documents or with human sources. Documents are prone to human error: they are only as good as the people who put them together. A clerk may get a name or number wrong. A document may be intentionally falsified. A document could have been forged. It could also be incomplete. It is risky to build a story based on an incomplete record. A document could be old and already made obsolete by another, more recent document.

Can you trust documents?

Some questions to ask when examining a public record:

Who is the author? Whether it is an individual or an institution that wrote a document, authorship is a major criterion for evaluating whether that document is of any value.

Authorship can in turn be evaluated in terms of:

- Credibility: Does the author have a reputation for accuracy, honesty and integrity?
- Reliability: Does the author have a track record of providing credible and accurate information?
- Accountability: Is the author an authority on the subject matter (for example, can a wildlife expert credibly comment on forensic medicine?)

Can the document be authenticated? Will a human source vouch that the document is real, not a fake or an altered copy?

Can it be verified? Can another document or a human source corroborate the information that is in the document?

Is the document accurate? Do the numbers, dates, facts and statistics in the document check out? Are there discrepancies that cannot be explained? Does the document contain contradictory information?

How current is the document? Has the information in the document been superseded or made irrelevant by newer information? Does the document hold valid for only a certain period of time?

Does it have a point of view or bias? Does the document come from an individual or an institution that has an agenda or point of view? If so, will these affect the credibility or authenticity of the document's contents?

Secondary sources

Published materials, whether online or in paper form, are considered secondary records. Materials that have not been previously published are considered primary documents.

Given the amount of information that has been published, there is never a shortage of secondary records available to enterprising journalists on just about any subject they choose to investigate. The key is finding out which secondary sources are relevant to the reporter's probe and which are likely to yield the information that is key to unlocking the investigation.

Among the most commonly used secondary documents are:

- Books
- Newspapers, specialised journals and other periodicals
- Annual reports of state agencies, private organisations and companies
- Theses and dissertations
- Directories, phonebooks, membership listings
- Biographies
- Industry publications
- School yearbooks

Journalists normally start off their research by looking for previously published material, as this is more easily accessible (often nowadays from a computer) and less costly to obtain. It is also usually more efficient to read through published data first, before finding people who could give the background and contextual information that journalists need to get going on their investigation.

Secondary sources can provide a wealth of information on a subject - say, mine waste, endangered wild birds or the business connections of a politician - which a reporter needs in order to understand the topic they are investigating. Radu, for example, began his investigation of gold mining in Romania by reading news reports on the gold industry and studies done on mining in the country.

Apart from being a source of important background information that gives journalists more solid grounding on the subject they are investigating, secondary sources can also provide detailed information that is needed to complete a story.

For example, a school yearbook can confirm the information that the mayor and a favoured public-works contractor doing business with city hall, were once classmates. A biography of a well-known politician could mention his childhood friends, some of whom, a journalist could discover, are acting as dummies or nominees for companies that the politician actually controls, but wants his ownership concealed.

Directories provide phone numbers, addresses and other important information that can help journalists track down those they want to interview. Industry publications can list the leaders and other players in the field - useful information for a journalist who may want to interview them for a background check on a controversial businessman in the same industry.

Increasingly now, secondary records - everything from newspaper archives to scholarly journals and company annual reports - are online, and a journalist with good Internet research skills can access a great deal of information by simply logging on to the Web and doing a Google or Yahoo search.

Searching for records online

The Internet has emerged as a prime research and reporting tool and is now often the first stop in a journalistic investigation. The Web is a vast and accessible resource for facts, statistics, background information, academic studies, NGO reports and other documents.

It is almost inexcusable for a journalist with Net access not to have basic online research skills. Just about any investigation can benefit from Internet research.

A simple Google or Yahoo search - typing into a search engine the name of the person, state agency or private firm being investigated - will yield a wealth of background information and secondary sources that a journalist can use to pursue their research.

Journalists who wish to learn more about doing research on the Internet would benefit from downloading a copy of The Net for Journalists: A practical guide to the Internet for journalists in developing countries written by Martin Huckerby and developed jointly by UNESCO and the Thomson Foundation[1].

A shorter easy guide is Top 10 Web Search Tricks[2] and a more complete guide, with links, and one that is especially useful for investigative journalists, is the Net Tour at the site of the Investigative Reporters and Editors in the US[3].

1 Available in www.pressclub.ch/doc/The_net_for_journalists.pdf
2 Available in http://websearch.about.com/od/enginesanddirectories/tp/toptentp.htm
3 Available in www.ire.org/training/nettour/

In addition, US journalist Julian Sher has created JournalismNet[1], which provides useful links to sites that reporters can use to find people and paper, as well as simple instructions on how to do Web searches.

The Poynter Institute[2] in the United States provides tips for Internet searching for journalists. Particularly useful are Sreenath Sreenivasan's tips on 'smarter surfing'[3], which include a list of sites ranging from search engines to online fact finders and reference materials to journalist-run Web sites providing reporting tips.

UK Internet guru Phil Bradley makes it easier by providing a list of search engines and their relative strengths[4], as well as hundreds of other useful tips on Internet searching.

Now the leading source of secondary information, the Net without doubt will become even more important as more books, video and audio, photographs, maps, etc. are put online.

Journalists must remember though, that the Internet is also a rich source of misinformation, propaganda, rumour and gossip. Pranks and hoaxes also abound on the Web. Those who surf the Net should check the accuracy of online information and the relative credibility of various Internet sources.

The Poynter Institute has a 10-point Web site evaluation checklist that includes authority, affiliation, accuracy, comprehensibility, links, page rank, objectivity, etc.

The University of California at Berkeley has more detailed instructions on checking Web sites[5] and The Johns Hopkins Sheridan Libraries also have a good checklist for evaluating online information.[6]

In general, it can be said that government sites may not be correct all the time, but that they provide official information. University sites are generally dependable, but these too are not infallible. Advocacy groups, campaign organisations and NGOs all have an agenda or an objective to promote.

Companies and corporate sites are similarly situated. Personal sites are generally the least trustworthy, with the exception of those run by recognised experts and specialists, although journalists should check the biases and reliability of these as well. The rule with online information, as with any kind of information, is to corroborate and to check the credibility of the source.

1 http://journalismnet.com
2 www.poynter.org
3 Available in www.sree/net/stories/web.htm
4 Available in www.philb.com/whichengine.htm
5 Available in www.lib.berkeley.edu/TeachingLib/Guides/Internet/Evaluate.html.
6 Available in www.library.jhu.edu/researchhelp/general/evaluating/

Primary sources

Although more difficult to obtain, primary or previously unpublished documents, usually from the original source or keeper of the documents, are more likely to contain more detailed and specific information on the subject being investigated. Primary documents can be found for just about any topic that is being scrutinised.

> ***Primary sources are a must for corruption investigations, for profiling individuals or companies, and for finding proof of just about any wrongdoing.***

CRJI's investigation of Timis would not have been possible without access to primary records, such as corporate financial statements, court documents and criminal records. All these are considered primary documents: they have not been published before and they come from the government agency that keeps them.

Using FOI laws

Access to primary records is not always easy in the Balkans, but new freedom of information (FOI) laws enacted since 1999, have made it possible for journalists, civil society groups and citizens to assert their right to information from government entities. Many Balkan reporters have used the law, but many more are reluctant to go through the process of filing an official FOI request. They say the process takes too long, involves too much paperwork and follow-up, and bureaucrats are not very helpful. That is all true: in some Balkan countries, those working in government agencies are not even aware that FOI laws exist. In other countries, officials violate the law mandating a response within a specified number of days. In countries like Albania, requests for sensitive information are routinely denied.

This is why, for the most part, Balkan reporters prefer to get their information from interviews. Or, if they use documents at all, these are usually leaked by their sources.

Journalists prefer to use their connections to government officials and agencies to obtain the documents they need rather than availing themselves of their privileges under the law.

FOI laws have proved useful, however, in getting information that journalists cannot obtain from interviews. They have also been used to access documents that officials will otherwise not release informally.

Sale of Yambol

For example, in 2001, the regional Bulgarian daily, *Tundja*, wanted to investigate the controversial sale of Yambol, a state-owned power company, to a private firm. But the paper's reporters had been refused interviews by both the buyers of the company and the officials in charge of the privatisation deal.

In January 2001, *Tundja's* chief editor decided to file a written request for documents related to the transaction. He addressed the request to the Ministry of Economics, invoking Bulgaria's access to information law, which was passed in 2000. The editor was referred to the Privatisation Agency, which decided in February 2001 to grant partial access to the documents. A month later, a reporter wrote a story based on those records, saying that the plans for reselling the company were in breach of the privatisation contract. The article led to a review of the contract's implementation. The sale was halted because of it.[1]

Tundja was assisted by the Access to Information Programme (AIP), a non-profit organisation based in Sofia, which runs one of the most active and aggressive freedom-of-information programmes in the world. The AIP helps journalists, NGOs and ordinary citizens with their information requests. It also provides tips on how to request state records and monitors the implementation of the FOI law by government agencies.

[1]This account is based on information from the Web site of the Access to Information Programme. See www.aip-bg.org.

1. Getting the help of NGOs

2005 Bulgarian Precedent

In 2005, the AIP helped Kalina Grancharova, a journalist from a small newspaper in the Bulgarian town of Tutrakan, whose mayor refused to give her a copy of the municipality's financial audit. The journalist appealed against the decision in the regional court and won. This set a precedent: financial audits of municipalities have now been established as a public record, available to citizens upon request.

Throughout the Balkans, there are NGOs willing to assist journalists in using FOI laws to access public documents (a list of those groups is given at the end of this chapter). The most successful among these groups is the AIP. Its advocacy work and the frequent use of the law by journalists and other groups have led to better implementation and awareness, both by the government and its citizens. The more journalists use FOI laws, the more pressure there will be on governments to improve the mechanisms for providing information. In most Balkan countries, FOI laws require publication of catalogues of available information. These catalogues are helpful to journalists who want to see what records are available in a government agency.

There are no blanket guarantees of access. FOI laws generally exempt information that risks public health and safety, privacy, national security, commercial secrets, economic and monetary policy, and crime detection and prevention (see the box at the end of this chapter for a comparison of FOI laws in the Balkans). In addition there are privacy laws that guarantee the confidentiality of information.

Several Balkan countries make the disclosure of official secrets a criminal offence, punishable by up to 15 years in prison.

Despite this, there is a whole world of information that FOI laws make publicly available. A wealth of information on state transactions, public agencies, government policy and government officials is now guaranteed for disclosure. Investigative journalists should therefore be familiar with FOI laws and procedures in their countries (these are all available online) and seek the help of organisations which provide assistance in using them.

2. Procedures for accessing records

The procedures for requesting information are usually simple – so journalists should not be intimidated by the amount of paperwork they need to complete. In Kosovo, Macedonia and Montenegro, requests can be filed by e-mail; in other countries, a written request is needed, although the law in Croatia, Bulgaria and Macedonia allows state agencies to accept even oral requests for information.

National security and commercial records are the most contentious kinds of information, with governments often resisting their disclosure. But there have been successes.

The Right of Rosen Bosev upheld

In November 2007, the Sofia City Court upheld the right of Rosen Bosev, a journalist from the *Kapital* weekly, to obtain a copy of the contract signed between the former minister of state administration and Microsoft for the purchase of software licenses for state agencies. The contract was controversial, as it had been revealed that the company was awarded it without a public tender. Bosev also requested information on the circumstances under which the contract was signed.

Earlier, the director of the Government Information Service had refused access to the documents but Bosev appealed against the decision in court. The Sofia court's reversal of the government decision was a victory for information advocates because in 2003, two parliamentary deputies had requested a copy of another government contract with Microsoft and were refused. They appealed in court but their appeal was dismissed.

Similarly, in Croatia, the administrative court said that the contract between the government and Deutsche Telecom was a business secret and could not therefore be released.

Unsurprisingly, defence or intelligence related information is even more difficult to access. Yet Bulgarian journalist Hristo Hristov was able to use the FOI law, in the process filing several appeals in courts, to access a mine of information from archives of the Ministry of Interior, the State Security Services, the Ministry of Foreign Affairs and the Communist Party of Bulgaria.

While he was barred from seeing some of the more sensitive documents, Hristov got to read thousands of pages of archive material that he used to show that the Romanian government was behind the killing of dissident writer and broadcaster, Georgi Markov, in London in 1978. Hristov published several investigative articles on the killing, wrote a documentary, and in 2005, published a book called, Kill the Wanderer, the pseudonym by which Markov was referred to in state archives.

3. Using access laws to investigate the 'umbrella murder'

In 1997, the Bulgarian government passed a law making public the archives of the State Security Services or SSS, the feared secret police during the communist regime in Bulgaria. The law was intended to 'out' members of the political elite who had collaborated with the SSS during the communist era. But it also opened the door for journalists and other researchers, who were allowed to read once-secret documents kept in the SSS files.

When the well-known Bulgarian journalist Hristo Hristov first requested access to the SSS archive in 1998, all he wanted was detailed information about the operational structure of the secret police. At the same time, he asked the Interior Ministry, which had authority over the archives, for the files on dissident Bulgarian emigre Boris Arsov, who had disappeared in Denmark in 1974 then surfaced in Sofia the following year and died in a Bulgarian prison shortly afterwards.

Hristov's request was approved and he was allowed to examine 45 volumes, each about 300 pages long, that contained police files on the case. These documents showed that the SSS murdered Arsov and that it had a plan to liquidate Bulgarian emigres who were seen as enemies of the state.

Not in his wildest dreams did Hristov think there would be anything in the archives about the acclaimed Bulgarian novelist and playwright Georgi Markov. The writer had defected in 1969 to the UK where he became a prominent critic of communist rule. His Bulgarian-language broadcasts for the BBC and Radio Free Europe were widely listened to for their satirical commentary on the foibles of communism.

In 1978, while he was waiting for a bus on London's Waterloo Bridge, the 49-year old Markov was jabbed in the thigh by a man holding an umbrella. Three days later he was dead - a pellet with the poison ricin had been embedded in his leg. It was the third attempt by the Bulgarian secret police and the KGB to assassinate him. Since the fall of the communist regime in Bulgaria in 1989, there has been widespread public demand for the government to investigate the killing.

By the time Hristov began looking at the archives, most Bulgarians assumed that the Markov dossiers had vanished during the 'panic sanitation' in 1990, when intelligence officials ordered the destruction of secret police records. But as it turned out, not all the Markov files had disappeared. Hristov was surprised by what he found: 25 secret documents in the archive of just one SSS department where Markov's alias, 'The Wanderer' appeared, evidently the target of police surveillance and named as a prime dissident undermining Bulgaria. He was cited as the best example of 'ideological sabotage'.

All these documents proved that what SSS officials had told the courts earlier – that Markov was a minor dissident and was therefore not subjected to intelligence surveillance – was a lie. Hristov published a newspaper report saying exactly that.

4. Getting to other archives

Seeing how much there was in the SSS archive, Hristov trawled the archives of other agencies that were likely to have kept track of Markov's activities. He asked the Ministry of Foreign affairs for materials on Markov, as well as reports of the Bulgarian embassy in London during the time Markov was there and during 1990-91, when the UK government asked the new government in Bulgaria to reopen the investigation on the dissident's murder. He received thick folders labelled, 'State-traitor Markov'.

In the archive of the Bulgarian Telegraph Agency (BTA), Hristov found meticulously bound compilations containing reports of foreign news broadcasts on Bulgaria. The reports helped him draw up a timeline of events. Among other things, he found that the British ambassador in Sofia was called to the foreign ministry soon after Markov's stinging Radio Free Europe broadcast on his meeting with Bulgarian Premier Todor Zhivkov. The writer was killed not long after that broadcast aired.

But despite his pleas - including a letter sent to President Petar Stoyanov - officials refused access to Markov-related documents kept by the former national intelligence service. This adamant refusal, despite the post-communist government's vow to get to the bottom of the Markov murder, led Hristov to believe that the new regime was not interested in investigating the case. This meant he was not going to get any co-operation from officials, especially in his search for the so-called Piccadilly files, the documents relating to Markov's killer.

Instead, Hristov dug into the Central State Archives, which contained documents from the Communist Party Bureau. The records there included a 1973 directive from the Politbiro that authorised a department of the SSS to execute 'acute operations', meaning killings, of dissidents abroad. He also examined the archives of the Bulgarian Writers Union and the Communist Party organisation within it.

In 2000, Bulgaria passed its landmark freedom of information law, which Hristov used to get more documents. Then in 2002, it passed a new law that provided for classification of government records. Citing that law, the then interior minister issued new instructions that severely restricted access to the SSS archives. Hristov was banned from seeing any more documents on Markov.

To lift the ban, Hristov filed a complaint with the Supreme Administrative Court. The first-level commission of the court turned down his complaint. Hristov appealed, and in 2004, he won, with the court ordering the interior ministry to grant him immediate access. The court case, fought with the help of the Access to Information Programme, set a precedent for FOI practice in Bulgaria. Only later did Hristov discover that he had been given incomplete files.

5. Lessons from the investigation

Hristov knew that he could make real headway in his investigation only if he was allowed access to the intelligence archives. Political changes, including the election of a president with connections to the security services, made this even more difficult. In 2005, the Council of Ministers went so far as to draft a law that would have allowed the destruction of archival documents at the discretion of department directors. The law was not passed, but it demonstrated that the debate over the secret files continued to rage within political circles. The security services remain powerful in Bulgaria and a culture of secrecy still prevails in government.

In the end, Hristov decided he had only one option left: to sue for access to documents in the secret intelligence archives. He was particularly interested in the 'Piccadilly' dossier, which contained the files on Francesco Gullino, a Dane of Italian origin who worked as a spy for the Bulgarian secret police.

Gullino was codenamed 'Agent Piccadilly', and was in London in the guise of an antique salesman at the time of Markov's murder. He left the city the day after the killing.

Hristov believed that Gullino was Markov's assassin. He had confirmation from interior ministry documents that the Dane was the only Bulgarian agent in the UK on the day Markov was killed. Other secret service files named Gullino as having been recruited to the Bulgarian secret police after being arrested for drug and currency smuggling in Bulgaria. The records show him as having been in London three times between 1978 and 1979.

Additional evidence came from documents from the UK and Danish governments, which showed that in 1993, Gullino was held for questioning by Danish and UK agents in Copenhagen on a tip that he was involved in the Markov murder. Both governments asked Sofia for help in investigating Gullino, but their request was ignored, so he was released. During questioning, he admitted to being a spy but not an assassin.

Because the most sensitive secret police files remain classified, Hristov could get no further information on Gullino by the time he published his book, *Kill the Wanderer*, in 2005.

Then in 2006, the courts sanctioned the director of the National Intelligence Services (NIS) for the refusal to open the archives related to the Markov murder, including the Piccadilly files. The NIS appealed but lost. The same year, the Bulgarian Parliament passed a new law that sought the transfer of secret police and intelligence files to an independent commission.

It took Hristov six years to investigate Markov's murder. In the end, he got closer than anyone ever did to proving the motives for the murder, the possible identity of the killer, and the involvement of the secret police and the Communist Party in one of the most infamous assassinations of the Soviet era. He also won a long and arduous battle against state secrecy.

Some tips from Hristov's investigation[1]:

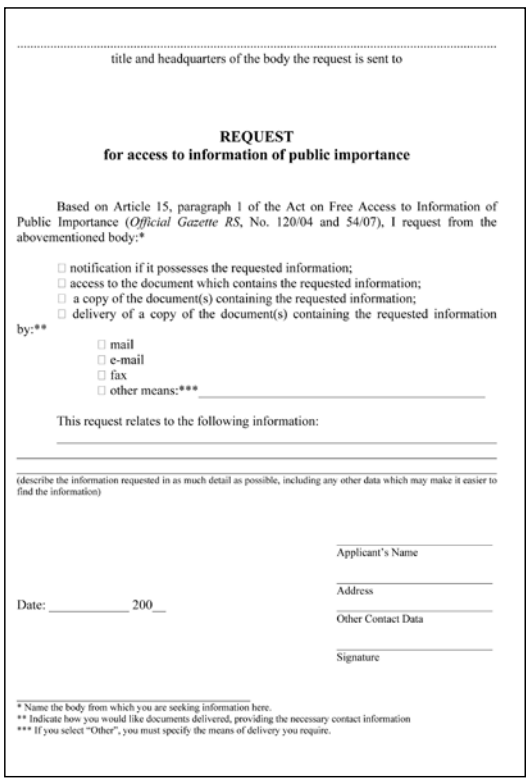
- Don't rely on leaks and interviews. Look for the documents instead.
- Use the freedom of information and other laws to your advantage. If access is denied, file an appeal. Sue in court if you have to.
- If one agency refuses access, try others.
- Get others on your side, including advocacy groups, influential public officials, opposition parties.
- Read documents carefully, trying to understand what they mean and how they fit your hypothesis.
- Even seemingly innocent documents can be helpful for establishing facts, getting names and for making a timeline.

1 This account is based oan Hristov's account of his investigation, published as an epilogue to his book, Kill the Wanderer.

Exercise 3
Using freedom of information laws

Look up the access to information law in your country, if such legislation exists. If not, choose a Balkan country that has such a law.

Draft a letter requesting a specific document that you can use to do an in-depth report. List which agency or agencies you will send the letter to. Describe how that document can be used in your story.



.....
title and headquarters of the body the request is sent to

REQUEST
for access to information of public importance

Based on Article 15, paragraph 1 of the Act on Free Access to Information of Public Importance (*Official Gazette RS*, No. 120/04 and 54/07), I request from the abovementioned body:*

- ☐ notification if it possesses the requested information;
- ☐ access to the document which contains the requested information;
- ☐ a copy of the document(s) containing the requested information;
- ☐ delivery of a copy of the document(s) containing the requested information by:**
  - ☐ mail
  - ☐ e-mail
  - ☐ fax
  - ☐ other means:***_____

This request relates to the following information:

_____

_____

_____

(describe the information requested in as much detail as possible, including any other data which may make it easier to find the information)

_____
Applicant's Name

_____
Address

_____
Other Contact Data

_____
Signature

Date: _____ 200__

_____
* Name the body from which you are seeking information here.
** Indicate how you would like documents delivered, providing the necessary contact information
*** If you select "Other", you must specify the means of delivery you require.

Serbian Government access request form.

CHAPTER FOUR

Using Documents to Investigate Individuals

How far can journalists go when they dig into private lives?

In 2007, the Centre for Investigative Reporting (CIN) in Bosnia caught a 'big fish'. The big fish was Federation of Bosnia-Herzegovina (FBiH) Prime Minister Nedzad Brankovic, and he was caught with documents showing how he had secured a special - and improper - deal with the government. Journalists used records, contracts, payment records and government decisions to expose the deal allowing him to buy a smart apartment in Sarajevo in 2000 at a bargain-basement price. At the time, Brankovic was a prominent parliamentary deputy in the FBiH, the Bosniak and Croat part of the country.

The story, 'A Lucky Real Estate Deal', (www.cin.ba) was published in *Start* magazine in September 2007. After it came out, many other media outlets, including *Dani*, *Vecernji list*, *Oslobodjenje* and numerous Web sites, picked up the story, leading to an investigation by the Special Office for Organised Crime and the Sarajevo canton prosecutor. They wanted to know how the prime minister, one of three in the country, managed to acquire an apartment almost free of charge from the government. The cantonal prosecutor used the CIN story as a basis for an indictment in April 2009. Brankovic resigned from the office of Prime Minister a month later, after losing the support of his political party. The trial is ongoing at the time of writing.

CIN stumbled upon the story of Brankovic's apartment while working on an investigation into the FBiH railroad company, which had been partially privatised six years before but was suffering from bad management and dilapidated infrastructure. Among other things, CIN wanted to find out how railroad managers and businessmen enriched themselves from the rushed privatisation.

In the course of working on that investigation, CIN did an asset check of all former directors of the railroad company. Brankovic was one of them. Finding assets is difficult in Bosnia. Current owners often leave the property they acquire in the name of former owners or builders to avoid taxes. Despite the law stipulating that officials should declare what they own, asset disclosure forms are almost always incomplete, so CIN had to use news sources, individuals and word of mouth, to build up a list of possible assets. Then they looked into how these had been acquired. When CIN reporters found that Brankovic had been given an apartment - not an unusual practice in Bosnia - they decided to go back to the documents.

When an apartment changes ownership, a set of documents that attests to the change is filed in court, so this was the CIN reporters' first stop. Invoking the freedom of information law, they asked for the documents. The most important document in such circumstances is a statement by the government of its decision to sell or gift the property. The problem was that this and other documents were not filed with

the court, where they were supposed to have been - and that made the journalists suspicious.

"In Bosnia, the bureaucracy is extensive and we knew there were about seven copies of every land record filed somewhere, including an archive at the utility companies and other places," recounted Drew Sullivan of CIN. "We were able to get the paperwork from these other sources."

Researching in news archives, CIN reporters also found a five-year-old story that mentioned Brankovic' s apartment as among those that were included in the criminal investigation of a former prime minister, who had been accused of giving away government-owned apartments to his cronies.

During that investigation, Brankovic had insisted that he got his apartment from the state company he directed. Until CIN began asking questions, no one had bothered to check whether this was really the case. CIN suspected it was not, and that Brankovic had lied.

Documents from the Brankovic case.

Reconstructing through documents

So in the course of one month, CIN reporters discovered the missing court files to show step-by-step exactly how the prime minister managed to acquire his apartment. Citing the FOI law and getting the co-operation of their sources in government, CIN journalists got documents, each of which provided important information that proved something was wrong with the way Brankovic 'bought' his apartment. A close reading of the documents - noting their dates and their contents - clearly showed how the improper transaction was made. The documents were all primary records and included:

- An agreement, dated May 22 2000, between Energoinvest, a giant engineering and construction company, partly owned by the state, and the government of FBiH to buy the apartment. Brankovic was then general manager of Energoinvest. The agreement lists the price of the apartment as 'around 150,000 KM' (€76,925) for each of the two buyers (the government and Energoinvest). The agreement said that the apartment was to be listed in the register of Sarajevostan, a public housing company, and that the FBiH government would decide who was to occupy it. The agreement was signed by Brankovic himself, as the Energoinvest representative. There was no signatory for the FBiH.

- The actual contract of sale, dated the same day, between Nada Ludvig Pecar, the apartment owner, and the buyers, the FBiH government and Energoinvest. The contract showed that the apartment cost 264,000 KM (€135,000) plus taxes, at least 30 percent more than the going rate in the area, CIN later found.

- A document, dated May 26 2000, and signed by then Prime Minister, Edhem Bicakcic, that awarded the use of the apartment to Brankovic. Bicakcic was later indicted for his involvement in this case, and the trial is ongoing.

- A July 4 2000 letter written by the FBiH government, asking the court to register the property in the name of the state.

- A July 6 2000 agreement between Brankovic and Sarajevostan that allowed him to use the apartment.

- A July 13 2000 court document that showed that Brankovic had bought the apartment for 46,017 KM in 'certificates'. These are vouchers, not cash, which were issued to Bosnian residents after the war. The value of those vouchers in 2000 was about 900 KM, according to CIN.

What made the case unusual was how the transfer was made. The government did not give Brankovic one of the many surplus apartments it owned and wanted to sell. Instead, it bought a very nice and expensive apartment for him to use and then classfied it as excess. Brankovic could then instantly claime it under privatisation rules. The Bosnian government and Energoinvest ended up paying 300,000 KM for an apartment, only to sell it for 900 KM. The act was unprecedented.

Remember that investigative reporters should have a 'documents state of mind'. CIN's investigation of Brankovic is a good example. The journalists realised early in their reporting that they needed to document how the minister obtained his apartment. It does not take much imagination to figure out that to do this, they needed to get, among other things, a contract of sale and a document that the sale had been registered in court, as is the normal practice.

An understanding of key procedures and the paperwork that is required at each step of the process - in this case, how an apartment is sold, registered and its ownership transferred - helped the reporters figure out what documents they needed for their story.

Using documents to investigate individuals

There is a range of primary and secondary sources available to journalists who wish to do a background check or an investigative profile on an individual, whether that person is in politics, government, business, the arts or any other field, or involved in criminal or illicit activities. It is impossible to list all the documents that can provide information on a person. What this section attempts is a shortlist of the most obvious public records that exist in most countries and that provide data on private individuals.

Better-known people are easier to investigate, as it is likely that there is published material on them - such as newspaper or magazine articles and books. It is possible they are mentioned in 'Who's Who' type publications or in journals on specialised topics.

But there is also a paper trail on lesser-known or even obscure individuals. After all, just about anyone has a birth certificate and school records. If a person has bought land or purchased a car, then there is likely to be a record of that as well. Those involved in business also register their businesses, get licences and permits, issue receipts, etc. A journalist should be assured that there is a paper, and increasingly, also an electronic trail, on anyone and that it is possible to document an individual's life in many different ways.

Some possible documents for profiling individuals:

- Resumés
- Civil-registry records
- School records
- Property records
- Travel records
- Court records
- Asset disclosures
- Records of investigations by anti-corruption bodies and disciplinary tribunals
- Records of campaign contributions
- Industry, professional and social-club publications and directories

The Internet is a good place to start researching an individual's background. A simple search done by typing an individual's name into any of the widely used search engines will yield links to articles, directories, resumés and other references to the person being investigated. More focused searches in the archives housed in the sites of newspapers, magazines and journals are also bound to generate more information. If an individual is part of a government or private institution, then a search in institutional Web sites could yield results.

But the Internet is seldom the be-all and end-all of a journalist's research. It is just the beginning. The Web can provide clues and tips on which documents a journalist needs to obtain. Because most Balkan public records are not yet digitised, journalists eventually have to go out there and get the paper.

The following are some useful documents for gathering background information and profiling individuals, whether they are in the private or public sector:

Resumés: A good place to begin knowing about an individual is a professional or official resumé, CV, or biodata. These resumés are often available from the office of that person and list basic information such as date and place of birth, educational and professional qualifications, and work experience. Many resumés are now online

in government, corporate and academic Web sites. From these basic data, a journalist can get leads on where to probe further, including, for example, the school the person went to, the business he founded, the professional and other associations he belongs to.

A resumé can have many uses for a journalist. It can provide good background when preparing to interview an individual. It can help in the construction of a chronology of events, useful when one is figuring out the order in which things happened. A resumé can also provide clues on other sources that can provide information on that person - for example, former employers, schools attended, professional organisations which that the person is a member of, etc.

Civil-registry records: Documents recording births, deaths, marriages, and divorces are usually filed in civil-registry offices in municipal or city halls. Usually these are also filed in a central office in the capital. Different countries have different rules regarding access to these kinds of documents. Some allow public access; others don't. But often journalists are able to use their contacts in government agencies to get copies of these records.

Official records on births, deaths and other important events in a person's life are useful, particularly for corroborating information provided by other sources or by other documents. People may lie in their resumés but it is harder to lie in documents submitted to government agencies.

School records: Almost everyone went to school, so a quick way to conduct research on an individual is to trace the school they went to and to check degrees or qualifications. In many countries, school records are available in the academic institutions themselves and sometimes, also in a centralised government database.

Academic records, however, are confidential in many countries, but have sometimes been obtained by enterprising journalists. If school transcripts and other records are not made public, journalists can check school yearbooks and other in-school publications, available in most school libraries. These list the students for a certain year and provide other information, including classmates, photographs and school activities. If a school does not publish a yearbook, there could be a school newspaper that can provide clues. There could also be a public listing of school alumni. Through these listings, a journalist can track down and interview classmates and schoolmates of the person they are investigating. They may also be able to find, for example, that the classmate of a politician is now a business tycoon and a major contributor to the politician's campaign.

Universities sometimes make public their list of alumni. There will usually also be pamphlets listing the members of a graduating class as well as staff employed by a school. Increasingly, a lot of information on schools and universities, including alumni listings, is online.

Property records: Journalists investigating crime, corruption and other forms of wrongdoing routinely deal with documents that attest to the ownership of property, whether such property is land, vehicles, guns, companies or shares. These documents are useful when one is checking the assets of those suspected of corruption, whether in government or private business. The suspicious accumulation of property, whether in these persons' own names, or those of their relatives and cronies, or of front companies, is one of the indicators of ill-gotten or unexplained wealth.

The following are some examples of property records[1]:

- Land registration
- Vehicle registration
- Gun registration
- Corporate registration

Land registration records are theoretically public in all Balkan countries. However, the courts or land registry offices may not allow access to them. The good news though is that some Balkan countries have posted land records online, including documents that allow searches by the name of the property owner and property location. Some sites also provide maps and descriptions of the property.

1 See also Chapter 5, 'Documents for investigating corporations'.

Table 2. Where to find land records

	Available to the public?	Agency that keeps the record	Available online?
Albania	Yes	Title offices	No
Bosnia-Herzegovina	Yes	Courts, Ministry of Justice	No
Bulgaria	Yes	Property Register, Ministry of Justice	http://www.registryagency.bg/bg/Services/property/f216.html
Croatia	Yes	State Land Registry, Ministry of Law	www.katastar.hr www.pravosudje.hr
Kosovo	Yes	Land Registry in each municipality	No
Macedonia	Yes	State Land Registry	www.katastar.gov.mk
Montenegro	Yes	Property Administration	www.nekretnine.co.me
Romania	Yes	Land Registry, Land Book Office, Local Tax Departments have records of taxes paid on property	No
Serbia	Yes	Republic Land Registry	Not yet, but information may be available in the future at www.rgz.gov.rs

Source: BIRN Research

Accurate as of 4/12/09

Other property records are less accessible. For example, information on vehicle registration is not public in most Balkan countries. Only Albania and Bosnia-Herzegovina allow public access to motor vehicle registration data. In some cases, such information is provided only to those who are party to a legal case or if the vehicle is suspected of involvement in an accident or a robbery.

Table 3. Where to get vehicle registration records

	Available to the public?	Agency that keeps the record	Available online?
Albania	Yes	Centre for the Registration of Motor Vehicles, Ministry of Interior	No
Bosnia-Herzegovina	Yes	Ministry of Internal Affairs	No
Bulgaria	No	Traffic Police, Ministry of Interior	No
Croatia	No	Ministry of Internal Affairs	No
Kosovo	No	Ministry of Transport and Telecommunication	No
Macedonia	No	Ministry of Internal Affairs	No
Montenegro	No	Ministry of Internal Affairs	No
Romania	No	Police	No
Serbia	No	Ministry of Interior	No

Source: BIRN Research Accurate as of 4/12/09

Travel records: People arriving in or leaving a country often have to fill out a form. In most countries, these arrival and departure records are also centralised in a computer database. In some countries, journalists have used their sources in immigration agencies to get access to arrival and departure records, and have found these useful in tracking the unexplained wealth of bureaucrats. For the most part, however, these records are not public.

Sometimes, however, other investigative agencies obtain travel records and share these with journalists.

Holidaying in New Zealand

For example, in Malaysia, the independent website www.malaysikini.com obtained travel records from investigators that showed the Malaysian chief justice on holiday in New Zealand with a leading lawyer.

This was a scandal: The codes of judicial conduct in most countries require that judges should not meet with the parties in a lawsuit, much less go on holiday with them. The website also printed photographs showing the lawyer and the chief justice, with their families, posing in front of tourist sites during their holiday.

In 2000, the Philippine Centre for Investigative Journalism obtained travel records from co-operative sources in the immigration bureau, that showed tax officials, some of whom earned less than €7,000 a year, taking weeks-long European tours with their families. In an earlier investigation, the Centre obtained travel records confirming that the Supreme Court chief justice had made several golfing trips to Hong Kong in the company of a lawyer who had cases pending in the high court.

Court records: If the individual being investigated has previously been charged in court, the first stop for the investigator should be the courthouse. Court records are public in many countries, but if getting copies of them from the courts where they are filed is a problem, the various parties to a case (or their lawyers) might be willing to provide copies.

Court records are valuable because they are likely to include original documents that have been obtained through legal research or subpoenaed by a judge.

These may include non-public records, such as bank statements or income tax returns, which are otherwise hard to obtain. They would also include other evidence substantiating charges, as well as transcripts of testimonies of witnesses in open court.

Most courts in the Balkans allow a certain level of access to records as well as to actual proceedings. Formal requests are usually required. In Bulgaria, courts have been required by law to post court desicions online, and a list of all the courts can be found in the table below.

Unfortunately, in Montenegro, Macedonia and Kosovo, access to court records is selective at best.

Table 4. Where and how to get court records

	Available to the public?	What is the procedure for getting access?	Available online?
Albania	Yes	A request for documents should be filed with the court secretary in the relevant district.	Tirana District Court : www.gjykatatirana.gov.al Supreme Court: www.gjykataelarte.gov.al Constitutional Court: www.gjk.gov.al Fier District Court: www.gjykatafier.gov.al Shkoder District Court: www.gjykatashkoder.gov.al
Bosnia-Herzegovina	Yes	Verdicts, indictments and, after judgment, all documents used during the proceedings can be obtained. State courts make video and audio records of trials available to journalists. Formal requests usually required.	The State Court has many documents online at www.sudbih.gov.ba; the Brcko district courts is at www.osbd.ba. Some courts have websites; but the rest are not yet online. (List of addresses of the administration of justice: www.mpr.gov.ba/bs/str.asp?id=227)
Bulgaria	Yes	If records are not online, journalists have to go to relevant court and obtain paper copies of documents. Not all documents are disclosed.	Since 2008, all the courts in Bulgaria are obligated to publish all the courts decisions on their websites. A list of the websites if Bulgarian courts can be found in www.vss.justice.bg

	Available to the public?	What is the procedure for getting access?	Available online?
Croatia	Yes	Verdicts available except for cases where trials are not open to the public such as divorce cases.	All court decisions can be found in the Supreme court website: http://sudskapraksa.vsrh.hr/supra Some court decisions are also posted on the site of the NGO Sudacka Mreza, www.sudacka-mreza.hr
Kosovo	Yes	Written requests needed, but monitoring organisations say that nearly all courts do not allow access to documents. Journalists are usually allowed to observe court proceedings.	No
Macedonia	Yes	The records are available in the courts and in the Justice Ministry. Journalists and others have a list of verdicts and decisions available on line. For further data requests they have to obtain certain administrative procedures. Journalists are usually allowed to observe court proceedings.	Supreme Court: www.vrhoven.sud.mk Constitutional Court: www.usud.gov.mk Primary Court Skopje 1: www.osskopje1.mk/Odluki.aspx Primary Court Skopje 2: www.osskopje2.mk/Odluki.aspx
Montenegro	Yes	A written request is usually required, but although records should be public they are usually available only to those who have a legal interest in the case Some records related to corruption, war crimes and under age deliquency can be closed.	Some court decisions are available in: http://sudovi.co.me/
Romania	Yes	Closed sessions, records referring to adoptions and authorisation to carry out searches and recording of phone conversations are not open. Information may be withheld if this would make a fair trial impossible. Requests must be made to courts of justice. In practice, access takes time.	Some decisions of the Constitutional Court, Supreme Court and Court of Appeals are in www.ccr.ro. Basic information on ongoing Supreme Court cases is in www.scj.ro.
Serbia	Yes	Verdicts, indictments and trial transcripts usually available on request, except for closed proceedings.	Some Supreme Court decisions available in www.vrh.sud.rs. Some can be found in court websites - list at: www.mpravde.gov.rs/cr/articles/vesti/linkovi.html

Source: BIRN Research Accurate as of 4/12/09

Asset disclosures: The declarations of assets made by public officials have been key to many high-profile investigations. In countries where asset disclosures are made public, these documents have proved invaluable when investigating government officials.

The good news is that in the Balkans, nearly all countries have mandatory asset disclosure and these disclosures are public. Even better news: In all countries apart from Albania and Kosovo these declarations are published online.

> ***Journalists should remember that even when the law requires elected officials to disclose fully what they own when they take up and leave office, many simply refuse to do so.***

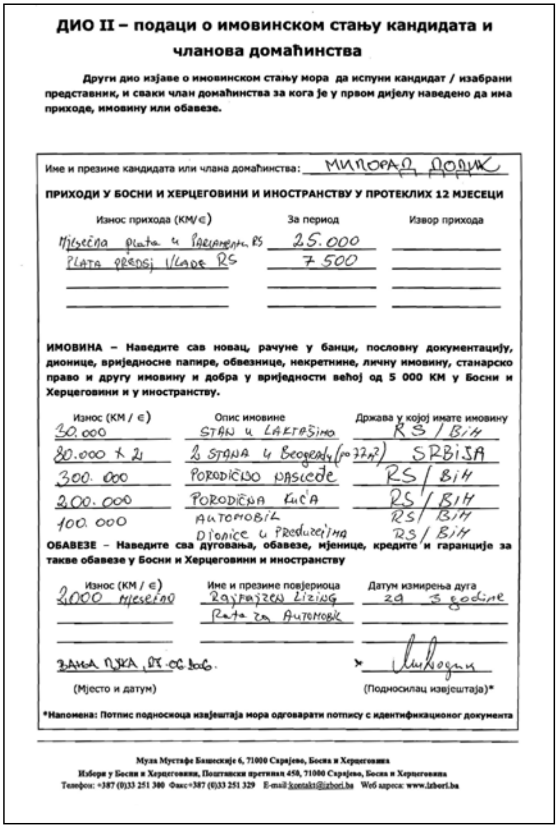
Even if they do file asset statements, officials tend to understate the value of what they own or they do not make a full disclosure, omitting assets that they cannot explain as having been legitimately acquired. In Thailand, an investigative journalist used corporate and other records to reveal in 2000 that then Prime Minister Thaksin Shinawatra concealed his assets in the names of, among others, his driver and maid.

Asset declarations are useful for tracking an official's wealth over time, as well as revealing actual or potential conflicts of interest. Asset declarations can also be mined for pieces of information (an official's home address, for example; the companies he has shares in; and the names of his spouse and children) that may be useful when pursuing the investigation further. That information could well be the missing piece in the jigsaw puzzle confronting a journalist. It is therefore important for journalists to seek out asset declarations when they are investigating government officials or agencies.

A familiarity with the laws on disclosure is important, as these laws say exactly what information officials are supposed to disclose, when the deadlines are for submitting their declarations and what sanctions, if any, exist for punishing those who fail to comply with the law.

The laws that mandate disclosure are listed below. The text of these laws is also easily available on the Web.

In Macedonia, for example, elected and appointed officials, including those in state enterprises, are required to provide a detailed inventory of their real estate, securities, claims and debts, as well as movable items of considerable value. They are also supposed to submit a notarised statement every time they make significant withdrawals from their bank accounts.



ДИО II – подаци о имовинском стању кандидата и чланова домаћинства

Други дио изјаве о имовинском стању мора да испуни кандидат / изабрани представник, и сваки члан домаћинства за кога је у првом дијелу наведено да има приходе, имовину или обавезе.

Име и презиме кандидата или члана домаћинства: МИЛОРАД ДОДИК

ПРИХОДИ У БОСНИ И ХЕРЦЕГОВИНИ И ИНОСТРАНСТВУ У ПРОТЕКЛИХ 12 МЈЕСЕЦИ

Износ прихода (КМ/€)	За период	Извор прихода
Mjesečna plata u Parlamentu RS	25.000	
Plata predsj vlade RS	7 500	

ИМОВИНА – Наведите сав новац, рачуне у банци, пословну документацију, дионице, вриједносне папире, обвезнице, некретнине, личну имовину, станарско право и другу имовину и добра у вриједности већој од 5 000 КМ у Босни и Херцеговини и у иностранству.

Износ (КМ / €)	Опис имовине	Држава у којој имате имовину
30.000	Stan u Laktašima	RS / BiH
80.000 x 2	2 stana u Beogradu (po 72m²)	SRBIJA
300.000	Porodično nasljeđe	RS / BiH
200.000	Porodična kuća	RS / BiH
100.000	Automobil	RS / BiH
	Dionice u preduzećima	RS / BiH

ОБАВЕЗЕ – Наведите сва дуговања, обавезе, мјенице, кредите и гаранције за такве обавезе у Босни и Херцеговини и иностранству

Износ (КМ / €)	Име и презиме повјериоца	Датум измирења дуга
2000 mjesečno	Rajfajzen Lizing Rata za automobil	za 3 godine

Бања Лука, [illegible] (Мјесто и датум)

(Подносилац извјештаја)*

*Напомена: Потпис подносиоца извјештаја мора одговарати потпису с идентификационог документа

Мула Мустафе Башескије 6, 71000 Сарајево, Босна и Херцеговина
Избори у Босни и Херцеговини, Поштански претинац 450, 71000 Сарајево, Босна и Херцеговина
Телефон: +387 (0)33 251 300 Факс +387 (0)33 251 329 E-mail: kontakt@izbori.ba Web адреса: www.izbori.ba

Milorad Dodik, Prime Minister of Republika Srpska, Bosnia - Herzegovina, part of Asset Disclosure.

Romanian law requires that assets be published in the Web sites of government agencies and must be kept online for at least five years. In addition, the National Integrity Agency is supposed to publish all the declarations in its own site. The agency also has the mandate to verify whether the disclosures are accurate.

The law in some countries requires officials to declare not only their own assets but also those 'of persons living with them in their domestic relationship'. Asset disclosures have to be filed within one month of assuming office. Salaries of those who fail to meet the deadlines can be withdrawn and officials who refuse to file asset declarations can be fired.

In these countries, finding out whether officials follow the law on asset disclosures - and whether they are properly sanctioned for their failure to obey the law - can form the core of an investigative report.

Table 5. Where to obtain asset disclosures of officials

	Agency that keeps the record	Available to the public?	Available online? (URL)	Officials covered	Law mandating access
Albania	High Inspectorate for the Declaration and Audit of Assets	Yes	No	President; assembly members and officials elected and appointed by the Assembly; prime minister and other ministers; prefects; chair of regional councils; mayors; prosecutors, judges and bailiffs; directors of independent public institutions; directors and commanders of armed forces; state information service and General Directorate of Taxation & Customs; directors of companies with at least 50 percent state capital; high- and middle-level civil servants.	Law No. 9376 (2005) & Law 9475 (2006)
Bosnia-Herzegovina	Central Election Commission	Yes	Yes. www.izbori.ba	Every candidate at the level of Bosnia and Herzegovina and entity level is required to declare income, properties, other assets and liabilities 15 days after filing candidacy.	Election Law of BIH (2002) and amend-ments
Bulgaria	National Audit Office	Yes	Yes www.bulnao.government.bg	More than 3,000 senior officials - MPs, ministers, constitutional court judges, senior magistrates, district governors & other senior officials. Since 2009, the officials have to file their declarations on conflict of interest	Law on Asset Disclosure by Persons Occupying Senior Positions in the State (2005). Law on prevention and disclosure of conflict of interest (2008)
Croatia	Commission for the Resolution of Conflicts of Interest	Yes	Yes www.sukobinteresa.hr	President, vice-president, MPs, senior officers of the armed forces, constitutional court judges, state auditor, state attorney & other senior officials.	Act on the Prevention of Conflict of Interest in Public Office (2003)

	Agency that keeps the record	Available to the public?	Available online? (URL)	Officials covered	Law mandating access
Kosovo	Kosovo Anti-Corruption Agency	No	No	President, prime minister, elected ministers, members of the assembly,secretaries of the government, permanent secretaries, directors of offices within ministries, judges and prosecutors and international senior officials.	Suppression of Corruption Law (2004)
Macedonia	State Anti-Corruption Commission	Yes	Yes, partial information only. www.dksk.org.mk.	All elected or appointed officials, officers of public enter-prises, public organizations or other legal entity that operates with public funds.	Anti-Corruption Law (2004)
Montenegro	Commission for Conflict of Interests	Yes	Yes, www.konfliktinteresa.me	MPs,members of government, civil servants, constitutional judges, managers of local authorities, members of county councils, etc.	Law on Conflict of Interest (2004)
Romania	Respective state agencies; National Integrity Agency	Yes	Yes, www.ani.gov.ro	President, MPs, ministers, magistrates, local officials, managers of state agencies and companies and candidates for president, parliament and local city halls.	Law No 115/1996 on Statement and Auditing of Property of Dignitaries, Magistrates, Civil Servants and Persons with Leading Positions (1996)
Serbia	Republic Committee for Resolving Conflicts of Interest and newly formed Agency Against Corruption	Yes	Yes, Presently: www.sukobinteresa.sr.gov.yu. Soon in: www.korupcija.gov.rs	Elected and appointed officials of the Republic of Serbia, autonomous provinces, municipalities, towns and the City of Belgrade, and organs of public enterprises founded by the Republic of Serbia, autonomous provinces, municipalities, towns and the City of Belgrade	Law on Prevention of Conflict of Interest in the Discharge of Public Office (2004), and Anti-Corruption Law

Source: BIRN Research

Accurate as of 4/12/09

Records of investigations by anti-corruption bodies and disciplinary tribunals: Those in government are bound not just by the law but also by rules of behaviour defined by internal codes of conduct. Any violation of the law or ethical standards is handled either by anti-corruption bodies dedicated to investigating and prosecuting offences committed by government personnel or by internal check-and-balance mechanisms, such as disciplinary tribunals. The military in most countries has its own internal justice system composed of military courts, which try armed forces personnel. In many countries, there are administrative mechanisms for sanctioning erring civil servants. The mechanisms vary from country to country and journalists should familiarise themselves with these, as they are especially useful for probing wrongdoing in government[1].

While many of the records of internal and anti-corruption investigations are kept confidential, they may often also be made available by interested parties. An enterprising journalist can get access to them by cultivating sources in these bodies and tribunals.

Records of campaign contributions and expenses: Although required by law in all Balkan countries, the actual level of disclosure of campaign contributions and expenses varies widely from country to country.

In nations where these are available, campaign records are a good place to start investigating elected officials. Journalists, however, should deal with these documents with healthy scepticism. After all, in many countries, politicians often do not make a complete and accurate disclosure of what they spent and who contributed to their campaign.

[1] See Chapter 5 for a listing of anti-corruption bodies in the Balkans

Enron Scandal, 2002

In the United States, investigators have had great success in using campaign records to match election contributions with how congressmen voted on bills and to discover conflicts of interest. These records have also been used to see which companies or sectors – e.g. telecommunications, information technology, energy – contributed the most to a candidate and to check whether they have acted in a preferential manner toward these firms or sectors. Such information becomes particularly useful when scandals erupt, like those that rocked the energy giant Enron in 2002, and the officials who received major contributions from scandal-linked firms are put in the spotlight.

Records of campaign contributions are also helpful for finding out who the friends and cronies of public officials are and to check whether contributors are eventually appointed to government posts or receive favourable treatment from the state. Campaign contributors are often rewarded with government contracts, franchises, state loans, tax cuts, or a reprieve from official investigation. Thus, documents on campaign contributors are also useful when investigating the political ties of businesspeople.

These documents can be used as well to check on how legislators voted on bills that affect the business interests of their declared contributors. They are useful, too, for checking whether the limits on campaign expenditure were violated. However, despite the legislation, accessing these documents is often fraught with dificulty and requests for information may go unanswered.

Table 6. Where to get records of campaign contributions and expenses

	Available to the public?	Agency that keeps the record	Available online? (URL)
Albania	Yes	Central Elections Commission	Some records online in www.cec.org.al but site is poorly maintained; paper records easily available at the CEC office in Tirana.
Bosnia-Herzegovina	Yes	Central Elections Commission	www.izbori.ba
Bulgaria	Yes, through state audits	Bulgarian National Audit Office	www.bulnao.government.bg/index.php?p=92, but sometimes only partial data is available.
Croatia	Yes	State Electoral Commission	No
Kosovo	Yes	OSCE Office for Registration of Political Parties	No
Macedonia	Yes	State Election Commission	www.sec.mk
Montenegro	Yes	Ministry of Finance; political parties concerned	www.vlada.me/minfin
Romania	Yes	The law requires the Official Gazette of Romania (Monitorul Oficial) to print a list of donors who give more than 10 times the annual minimum wage.	www.monitoruloficial.ro
Serbia	Yes	Republic Committee for Resolving Conflicts of Interest and the Anti - Corruption Agency	Not yet but will be in the future in www.sukobinteresa.gov.rs www.korupcija.gov.rs

Source: BIRN Research Accurate as of 4/12/09

Industry, professional and social-club publications and directories: More detailed information on an individual and their activities can sometimes be obtained from specialised publications put out by industry associations (mining, electronics, garments, etc.), chambers of commerce, and professional associations (such as those formed by lawyers, pathologists, heart specialists, geologists, etc.). These publications can provide clues on business and professional relationships, as well as the various work-related activities of the person being investigated. They may also publish lists and directories, helpful for information such as phone numbers and addresses.

Privacy vs. transparency

The availability of so much information, both online and on paper, has raised fears that the media, particularly television and the Internet, would be even more intrusive on individual privacy. Certainly, transparency and information availability have clear benefits: they help expose and even prevent crime and corruption and compel institutions and individuals to be accountable for their actions. The downside, however, is that transparency makes it easier to pry into the private lives of individuals, even if these have no direct bearing on the public interest. The public is well aware of the excesses of paparazzi journalism, where photographers, cameramen, and reporters stalk celebrities, even in their most private moments. Such excesses have diminished the media's credibility and led to accusations that the media have become more and more intrusive in the race to sell newspapers and news programmes.

The BBC guidelines on privacy provide the broad principles for weighing the conflicting interests of privacy and the public good. These say: 'The BBC must not infringe on privacy without good reason. In order to exercise our rights of freedom of expression and information, we must work within a framework that respects an individual's privacy and treats them fairly, while investigating and establishing matters that are in the public interest to reveal. Private behaviour, correspondence, and conversation should not be brought into the public domain unless there is a clear public interest.'

The tools for investigative reporting described in this manual, make it relatively easy for journalists to get information on private lives. Investigative journalism, however, is not paparazzi journalism. Investigative journalists should not air or print information or images just to titillate or scandalise the public. Disseminating information and

images on private lives, even of public officials, must be based on the principle that such information serves the public interest.

For example, showing the extravagant lifestyles of public officials – e.g. the parties they host, their lavish homes, their taste for expensive wine or caviar – is relevant to the public if these raise questions about the sources of these officials' wealth and provide proof that such lifestyles are financed from public funds. Even if officials can show that their legitimate earnings make it possible for them to have expensive tastes, journalists can legitimately question whether such flaunting of wealth is appropriate for public officials of a relatively poor country.

Other areas of private lives, such as extra-marital affairs, are even more problematic and vary from country to country.

Public Interest or Private Affair?

In the United States, adulterous relationships of officials - ranging from the affairs of former US President Bill Clinton to the prostitutes paid for by Elliot Spitzer, the short-lived New York governor - are considered legitimate news. The same is true in the UK, where private affairs of officials are considered matters of public interest, even if these do not impinge on the realm of public policy. The argument is that private behaviour provides insights into an official's character and helps people evaluate that official's suitability for public office.

Elsewhere, the norms are different. For years, the French press never wrote that President Francois Mitterand had a mistress and an illegitimate daughter. In many Asian countries, where many officials openly have second or 'minor wives', the press consensus is that these are private matters. The exception is when these extra-marital relations impinge on the public sphere. Thus former Philippine President Joseph Estrada's multiple mistresses became a matter of public interest when it became clear that he was dipping his fingers into the public coffers to build grand mansions and set up businesses for his many mistresses and their families. The Philippine media pulled out all the stops on the coverage of the 'other' presidential families when they established the link between presidential corruption and the president's extra-marital indiscretions.

The BBC's editorial guidelines say there is no single definition of public interest, it includes but is not confined to:

- Exposing or detecting crime
- Exposing significantly anti-social behaviour
- Exposing corruption or injustice
- Disclosing significant incompetence or negligence
- Protecting people's health and safety
- Preventing people from being misled by some statement or action of an individual or organisation
- Disclosing information that allows people to make a significantly more informed decision about matters of public importance

These general principles are roughly the same as those that are recognised in laws and ethical codes throughout the Balkans (see the listing in the box in this chapter) and should therefore serve as guidelines for journalists in the region as well.

How Balkan countries define the public interest

Throughout the Balkans, journalistic codes of ethics mention the public interest, and many of them even attempt to define it. The laws in these countries do not explicitly say what constitutes the public interest, so it is left to non-binding journalistic codes to set the standards. The following research conducted by the BIRN team, offers some clarification of the current position in each country.

ALBANIA

There is no clear definition of public interest in the Albanian legal framework. But the Albanian Journalism Ethics Code, signed by most of the news organisations in the country, defines the public interest as:

- Finding out and exposing a crime or scandal
- Protecting the public health and ensuring its security
- Protecting the public from lies or false claims propagated by individuals or groups

BOSNIA-HERZEGOVINA

Article 15 of the General Press Code for Bosnian Journalists defines public interest as 'action and information intended to assist members of the public in making their own judgements and decisions about issues and events, including efforts to detect or expose crime or serious misdemeanour, and to prevent the public from being misled by the statements or action of an individual or organisation.'

BULGARIA

The Code of Ethics of the Bulgarian media says something is in the public interest not because it is 'interesting to the public' but because:

- It protects health, safety and security
- It helps the prevention and disclosure of serious crimes and abuse of power
- It prevents the public from the danger of being seriously misled

CROATIA

There is no definition of the public interest in the Code of Ethics adopted by the Croatian Journalists Association. The concept is still evolving in Croatia.

KOSOVO

The regime of media regulation and ethics is still evolving in Kosovo. No provision on the public interest exists.

MACEDONIA

The Code of the Journalists of Macedonia says, 'The journalist shall respect the rule of law and will publish nothing that is contrary to the public interest.' But it does not define what the public interest is.

In 2006 and 2007, there was serious debate on the matter, with the Ministry of Justice and various NGOs taking part. The government planned to incorporate a definition of the public interest into existing laws governing associations and foundations. These laws mandate tax benefits for groups that conduct work that is in the public interest. Parliament has not so far decided on the issue.

The Penal Code, however, includes journalists as among those whose occupations are carried out in the public interest. This means that their right to publish information in the public interest is recognised and journalists cannot be penalised for invading privacy as long as they show there is a public interest in the information that has been made public.

MONTENEGRO

Public interest is defined by laws and good practice, where there exists a broad public consensus. Public interest is the preservation of the highest values of the community (public health, good governance, rule of law, fight against the corruption, criminal activities, terrorism, etc.).

ROMANIA

The Ethical Code of the Romanian Press Club does not define the public interest, although Article 4 of the Code says, 'When the private behaviour of public figures might have consequences for society as a whole, this principle of non-intrusion into private lives can be ignored.'

Several NGOs in Romania have attempted to define the public interest to include matters that affect the human rights, safety and liberties of individuals or groups, the expenditure of public funds, the functioning of public services and the state of the economic, political and social environment. The Convention of Media Organisations wants to broaden the definition to 'all the actions, omissions, gestures and words of statesmen, politicians and public employees related to exercising their powers.'

SERBIA

The Ethics Codex of the Independent Journalists' Association of Serbia does not define the public interest. Neither does the Ethical Code for Broadcasters, although the Code says, 'The media should respect the right to privacy, but this may be qualified by issues of public interest.'

Exercise 4.1
Dissecting a document

Study an asset declaration form. Download one from a government website, if it is available, or use the example included in the Excersises, Resources and Additional Reading section on page 240.

- What important information do you find there?
- What other documents can verify the information contained in asset declarations?
- Is this document useful for investigative stories?
- What kinds of investigative reports can be done based on asset declarations?
- What other documents can be obtained to pursue reporting on such kinds of stories?

Exercise 4.2
Documents for investigating individuals

The investigative report, IRA may be buying prime Bulgarian land, conducted by the BIJC as part of an Organised Crime and Corruption Reporting Project, OCCRP, and published by www.reportingproject.net, looks at how two relatives of Thomas 'Slab' Murphy, the alleged former chief-of-staff of the Provisional IRA, used profits from tobacco smuggling and other illicit activities to acquire land on the Black Sea coast. Read the report on page 243 and answer the following:

- List the documents that the reporters used to put this investigation together. Where do you think each of these documents came from?
- What did each document show?
- Could this story have been written without documents?

CHAPTER FIVE

The Paper Trail for Investigating Institutions

Can documents be used to prove wrongdoing by powerful bodies?

When a group of Balkan investigative journalists decided to work together on a series of stories to explain the energy crisis in the region, the most important question they had to answer was this: Why were private companies buying electricity from governments and then reselling it - with substantial profits - to state-owned power entities? Why didn't the government-run companies that produced electricity sell it themselves? Why did they need private firms to act as middlemen?

The answer, the journalists suspected, was this: The private companies making lots of money from these transactions were allowed to do so because of lax regulation and their political connections to powerful officials. Meanwhile, the poor were suffering from blackouts and high electricity bills.

To prove this hypothesis, however, required a lot of digging. Those political connections had to be proven. The ownership of the firms had to be unravelled. The laws and policies that regulated energy markets after these were liberalised in the 1990s needed to be studied and evaluated.

For months, reporters from Albania, Bosnia-Herzegovina, Bulgaria and Romania worked on these issues. What they found, as reported in the series, The Power Brokers, published online in www.reportingproject.net, 'was a murky, closed system that is not open to fair trade and where the state companies are giving away their advantage to well connected energy traders'.

To make that conclusion required talking to people and going through documents. For example, the Romanian Centre for Investigative Journalism (CRJI), one of the participants in the projects, examined Energy Holdings, the most important private company that was buying electricity from state-owned firms in Romania.

CRJI reporters got records from the Ministry of Finance, which showed Energy Holdings' revenues and the number of people it employed. They also examined corporate ownership records and found that a Swiss company owned 95 percent of Energy Holdings. The remaining five percent was in the name of an offshore company in Cyprus.

Energy Holdings' corporate structure appeared to have been designed to disguise its real ownership. So CRJI dug deeper. Using corporate filings in Switzerland, it found that a key executive of the Swiss company was also president of a firm whose specialty was helping businesspeople set up anonymous companies in Switzerland. That consulting firm, CRJI found, shared an office with another company that had pioneered energy trading in Romania and was linked to a former Moldovan government minister and a Russian oligarch.

In addition, the reporters checked with the National Anti-Corruption Directorate and obtained documents showing that Energy Holdings had been investigated for buying power from two state-owned plants at prices below production costs.

From documents alone, CRJI reporters saw a number of red flags that prompted them to dig deeper. They found other energy-trading companies in Romania with the same red flags: they were registered overseas, mostly in Switzerland and Cyprus; they or their officers had been investigated for corruption; and they employed executives who had connections to politicians in Romania and other countries.

Documents proved a pattern of wrongdoing. Without them, the investigation could not have uncovered the pattern that with some modifications held true not only in Romania but in several other Balkan countries as well.

Documents, therefore, are indispensable not just in piecing together the wrongdoing committed by individuals, but also by institutions, whether these are private companies or government agencies. Throughout the world, investigative journalists are now investigating non-profit groups as well, as these become richer and more powerful. Churches, political parties and foundations have also become the targets of journalistic investigation.

This chapter lists some of the important documents that can be used for investigating corporations and institutions. This is by no means a comprehensive list.

Documents for investigating corporations

Corporations are increasingly part of the everyday lives of Balkan citizens. Since the 1990s, privatisation and the liberalisation of markets have made corporations a much more pervasive presence in public life than they were in the past, when most of the economy was in the hands of governments. Today, companies are filling the gap created by the governments' withdrawal from business and social services. Thus, as The Power Brokers series showed, resources like electric power, or for that matter, health services and education, which were once the domain of governments, are now often run by private companies whose primary goal is maximising profits rather than providing public services.

At the same time, governments are also privatising assets, whether these consist of land, manufacturing plants or buildings. In addition, many governments are letting the private sector do such things as manage toll roads, operate airlines, provide telecommunications services, and run television and radio networks.

Essential documents:

- Companies registers and ownership
- Financial statements and annual reports of companies
- Business permits and licences
- Records of government regulators
- Court documents

Even areas of life once controlled by small, private businesses - such as the retail trade - are becoming more and more dominated by corporations. Supermarket chains are replacing local grocery stores; fast-food outlets are edging out family-run restaurants; and mass-produced garments are putting tailors and dressmakers out of business.

Corporations have to deal with governments in various ways, and corruption often occurs in the nexus where the firm meets the state. The wealth and power that are increasingly in the hands of private companies make them a natural magnet for investigations. Wherever power is, the tendency for abuse also lies. Journalists should therefore familiarise themselves with how corporations work and the documents that they generate.

The good news is that companies have been forced to be more open and transparent. There is much more information available on them now than ever before. The pressure for openness has come not only from governments, but also from the European Union, donor institutions and international business.

In fact, there is an amazing amount of information on Balkan companies available online (see table 7 on page 112) which journalists in the region have not fully tapped.

The following are some basic documents that can be obtained when investigating corporations:

1. Corporate registration and ownership

Every company that does business must register with a government body. In the Balkans, that is usually a court or a central registry. The company's registration document is like its birth certificate. It notifies the public that the firm exists as a juridical person; that is, it enjoys some of the rights of natural persons, such as the right to lease property, to lend and borrow money, and to sue and be sued.

In most countries, non-profit groups such as non-governmental or religious organisations are also required to register.

Corporate registration papers usually contain the following information: the date of registration, the names of incorporators, board members and shareholders, the address of the company, the initial investment, and the purposes for which the company was set up, including the firm's line of business and the other activities it intends to undertake in pursuit of that business. Sometimes the names, addresses and even passport numbers of responsible officers are also listed. This information is important as it may provide the missing link in an investigation.

Once a company is registered, however, that does not mean it can necessarily operate. The licence to operate and do business is often given by other bodies, including local governments.

In many countries, a secondary licence or registration is required for such entities as banks, securities dealers, brokerage houses, investment houses and financing companies. Companies that want to list on the stock exchange and sell shares to the public also require separate licences. Generally speaking, companies that sell shares, bonds and insurance to the public must go through more stringent registration procedures.

Corporate registration records are valuable for a whole range of investigations. They have been useful, as in the case of energy traders, for digging into the ownership of companies. They have also been used to check on the assets of officials, as well as conflicts of interest they face. Moreover, they can help in investigating the ownership of companies guilty of corruption, fraud, overpricing or other anomalies: If fronts or nominees are involved, then corporate documents will at least contain a list of the dummies or nominees. Such records may also provide clues as to the interlocking interests of officials and business people. The list of incorporators may show, for example, that an official's close relative is a shareholder in a company that is being regulated by that official.

Corporate registration records are available from company registers. They are also often available online, accessible through the Web sites of government bodies, chambers of commerce or private information providers.

Table 7 oveleaf, provides a list of places where information on companies can be found. In addition, the section, 'Investigating companies overseas' on page 114 provides tips on getting corporate information on foreign companies.

Table 7. Where to get information on Balkan companies

	Company register	Websites that provide company information	Information available online
Albania	The National Registration Center	www.qkr.gov.al	Comapny names, ownership structure, contact details, tax reports
Bosnia-Herzegovina	Companies are registered in canton courts.	Chamber of Economy of the Federation of Bosnia - Herzegovina: www.kfbih.com Chamber of Commerce, Republika Srpska: www.komorars.ba	Trade names, company registration numbers, business activities, legal forms, registered offices and telephone contacts
Bulgaria	Companies registered by the Registry Agency, Ministry of Justice	www.brra.bg	Searchable database, including financial statements
Croatia	Croatian Economic Chamber and Court Register	Croatian Economic Chamber: www1.biznet.hr/HgkWeb/do/extlogon?lang=en_GB Court Register: https://sudreg.pravosudje.hr/Sudreg/index.jsp	Company identification or registration numbers, trade names, registered offices and contact information, business activities, size, number of employees, year established, board members
Kosovo	Kosova Business Registration Agency; Ministry of Trade and Industry	www.arbk.org	Searchable database, by business number, business name, and personal ID.
Macedonia	Central Registry	Economic Chamber of Macedonia: www.mchamber.org.mk	Contacts, business activity, registration code, affiliated bank, number of employees
Montenegro	Central Registry of the Commercial Court of Podgorica	Central Registry: www.crps.co.me	Registration number, business activity, names and contacts of responsible officers, annual financial statements
Romania	National Trade Register, Ministry of Justice	National Trade Register: http://recom.onrc.ro/indexe.htm	Trade names, registered offices, registration numbers, tax codes and the dates of the latest changes within the company
Serbia	Commercial Register and Central Securities Depository and Clearing House of Serbia National Bank of Serbia	http://pretraga.apr.gov.rs/RepsisPublicSite/Search/GeneralEnterpriseSearch.aspx?lngrnd=1431025302 www.crhov.co.yu/index.cfm?jezik=en Search of the Single Register of Accounts www.nbs.rs/export/internet/english/67/rir.html Search of Debtors in Enforced Collection www.nbs.rs/export/internet/english/67/pn.html	Trade names, registration numbers, business activities, dates of registration, registered offices, names of persons authorised to act on behalf of the company and nominal capital

Source: Research by Paul Radu (CRJI), author and Company-registers.info (http://www.company-registers.info)

Updated by BIRN 4/12/09

2. Financial statements and annual reports of companies:

Registered companies are required to submit financial statements that show assets and liabilities, income and loss, dividends given to shareholders, and sometimes even allowances paid to officers. Financial statements also show who audits the firm's books and who its lawyer is, crucial information if one is investigating financial wrongdoing in a company.

Financial statements of companies are posted online in some Balkan countries. In other countries, only paper records are available. In many countries, other information on publicly listed companies - those whose shares are sold to the public - is available from the stock exchange. In addition, listed companies provide annual reports to their shareholders and to the public at large. Glossy annual reports are easily available from companies themselves, and electronic versions are often accessible through company or stock exchange Web sites. Annual reports give an overview of a company's performance (profit and loss) during the year and provide comparative financial statements. They also provide detailed information on the educational and professional background of corporate officials and board members, as well as information such as other shareholdings and directorships that they are required to make public.

Annual reports will typically disclose the performance of the company's shares; the company's acquisition of other companies or property, such as land; the company's activities during that year; and often also the compensation levels of key corporate personnel. The annual report will show affiliates and subsidiaries of the company, as well as the loans it has obtained and from which banks. It may even list key contracts it has won with, say, the government, and the value and other details of those contracts. The annual report also discloses the dividends paid to shareholders.

In addition to financial statements and annual reports, listed companies are also required to file more detailed disclosures on their finances and operations. These requirements vary from country to country, but journalists should know that government regulators in most countries normally require annual and quarterly reports from listed firms. These reports are sometimes also posted on stock exchange Web sites. Journalists should therefore familiarise themselves with the various types of documents and reports, and the information these are likely to contain. This will help them plan their information gathering.

3. Investigating companies overseas

The easiest way to do this is through the Internet. Many countries throughout the world have online company registers that have information on corporations. Some registers include financial statements and annual reports; others provide only basic information on companies. The best Web resource on worldwide company registers is www.company-registers.info. The site is free and links to corporate registers in Europe, North America, Hong Kong, Singapore and New Zealand.

The European Business Register[1] provides company information on 14 countries, but for a fee. Lexis-Nexis[2] a paid online service, provides worldwide company information. So does Bloomberg, a comprehensive global resource on companies, but this can be accessed only through a Bloomberg terminal and annual rates are steep.

In addition, stock exchanges throughout the world provide information on listed companies, mostly for free. Yahoo has a directory that links to stock exchanges[3].

Below is a list of sites that provide information on companies. The list is courtesy of Paul Radu of the CRJI, updated by BIRN, 4/12.09

AUSTRALIA
Australian Securities & Investments Commission:
www.asic.gov.au

BELGIUM
The Federal Public Service provides basic company information in Flemish and French:
www.mineco.fgov.be/redir_new.asp?loc=/enterprises/crossroads_bank/home_fr.htm

This private site provides financial information in Dutch, French and English on the 100,000 biggest companies in Belgium:
www.top100000.be

BRAZIL
Register of Companies:
Brasilia: www.facil.dnrc.gov.br/
Rio de Janeiro: www.jucerja.rj.gov.br/novo/index.asp
Sao Paolo: www.saopaulo.sp.gov.br/

1 www.ebr.org
2 www.lexisnexis.com
http://dir.yahoo.com/Business_and_Economy/Business_to_Business/Financial_Services/Exchanges/Stock_Exchanges/

CZECH REPUBLIC
Register of companies:
wwwinfo.mfcr.cz/ares/ares.html.en

DENMARK
The Danish Commerce and Company Agency provides a free but limited database; additional information is available for a fee:
www.publi-com.dk/index2.htm

BIQ is a private, Danish-language database with information on 550,000 companies; it can be accessed by paying subscribers only, although a one-week subscription is available free of charge:
www.biq.dk

FINLAND
Trade Registry:
www.ytj.fi/english/default.asp?path=605

TietoEnator's ePortti is a private database in Finnish only; payment is required to access it:
https://eportti.tietopalvelut.com/

FRANCE
A private database, providing some information free of charge, and the remainder for a fee:
www.euridile.fr

HUNGARY
Private database:
English: www.adatbazis.com/default.asp?lang=en
German: www.adatbazis.com/default.asp?lang=de

THE NETHERLANDS
The Dutch company register is available online with an English language interface; access to most information must be paid for:
www.handelsregister.nl/sectie/sectie.asp?sectieID=102

NEW ZEALAND
Register of Companies:
www.companies.govt.nz

NORWAY
Register of Companies:
www.brreg.no/english/

SOUTH AFRICA
Register of Companies:
www.cipro.gov.za

Private database, fees apply:
www.legalcity.co.za

SWITZERLAND
The Register of Companies provides data from the past two years free of charge; access to older information must be paid for:
www.shab.ch

Ministry of Police and Justice (available in English, French, German and Italian):
www.zefix.admin.ch

UNITED KINGDOM
Register of companies:
www.companieshouse.co.uk

UNITED STATES
Securities and Exchange Commission for publicly traded companies:
www.sec.gov/edgar.shtml
www.edgaronline.com

National Association of Secretaries of State provides links to corporate registers in 50 states:
www.nass.org

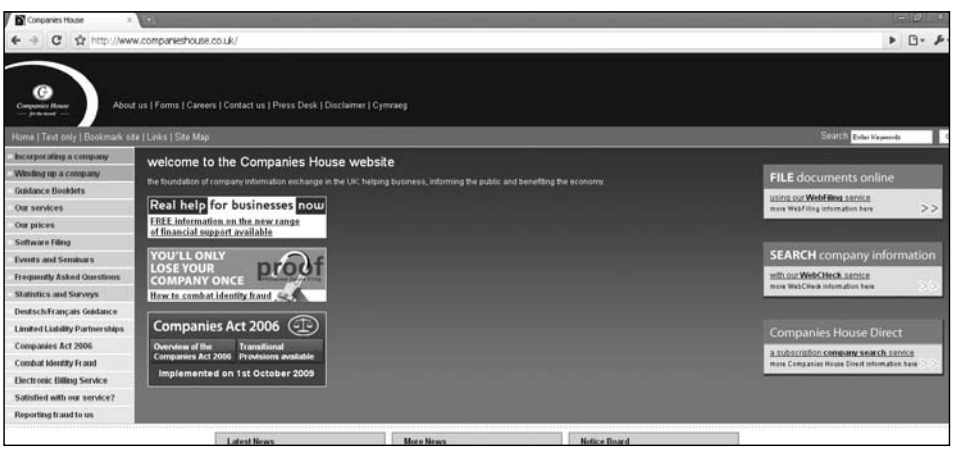
UKRAINE
Register of companies (in Ukrainian only):
www.smida.gov.ua

4. Business permits and licences

In all countries, anyone who wants to do business legally needs a permit to operate. And where a wide range of activities are concerned, additional licences may also be required, such as a sanitary licence for operating a hospital or a liquor licence to serve alcohol in a bar or restaurant. Other permits, depending usually on the local government where a business establishment is located, could include building safety clearances (approving the location of fire exits, among other things), a permit to dump certain types of waste in a public facility, and environmental clearances.

Business permits contain information that may be crucial to an investigation, such as the names of the proprietors, their addresses and telephone numbers, their line of business, the number of employees, the sector for which the business is licensed, and the terms and conditions of its operation.

Getting copies of permits and licences is essential for investigating whether businesses are following the law and complying with the government-imposed restrictions under which they should operate. In some Asian countries, business permits and licences were unearthed to show that establishments such as restaurants, disco clubs, hotels and theatres gutted by fire got clearances from city governments even though they were flouting fire safety standards. These provide an indication that either the city bureaucrats are not doing their jobs properly or that they are being paid to look the other way.



Companies House website (United Kingdom).

Table 8. Where to get business permits

	Available to the public?	Agency that keeps the record	Available online?
Albania	Yes	National Licensing Centre, National Registration Centre	www.qkl.gov.al www.qkr.gov.al
Bosnia-Herzegovina	Yes	Municipalities	No
Bulgaria	Yes	Trade Register, Ministry of Justice	www.brra.bg
Croatia	Yes	Ministry of Economy	www.mingorp.hr
Kosovo	Yes	Agency for Business Regulation, Ministry of Trade	www.arbk.org
Macedonia	Yes	Ministry of Commerce	www.economy.gov.mk
Montenegro	Yes	Commercial Courts, Ministries in charge of business concerned	Yes, ministry websites
Romania	Yes	National Registry of Commerce	www.onrc.ro
Serbia	Yes	Serbian Business Registers Agency	www.apr.gov.rs

Source: BIRN Research Accurate as of 4/12/09

5. Records of government regulators

There are other government agencies apart from the register of companies that keep records on corporations. These state agencies are tasked with regulating a whole range of activity, such as trade, transport, health, telecommunications, even gambling. Often, these state agencies have their own licensing, franchising or registration requirements.

It is safe to say that a journalist can find a government agency that regulates the activities of just about any company they are investigating. Usually, these agencies have guidelines for the operation of certain types of enterprises, and these guide-

lines can serve as a benchmark for a journalist's investigation. Privately run educational institutions that operate as corporations, for example, are regulated by the education ministry or a similar state agency. Mobile phone companies are regulated by the state agency in charge of telecommunications. Transport firms – from bus companies to shipping lines to airlines – are similarly regulated, often by different government entities.

When investigating a ferry disaster, for example, it might be productive for a journalist to get documents or sources from the government agency that regulates shipping.

Agencies that protect consumer welfare would be helpful when investigating, for example, harmful products sold by a food manufacturer. State entities that regulate agriculture would have information on the use of, say, cancer-causing pesticides in farms. Those that regulate the environment would keep track of the activities of mining companies or factories that pollute rivers or seas.

6. Court cases

As with investigating individuals, court cases are also a good source of documents on corporations. A lawsuit filed against a company would contain a lot of information, including original documents and sworn statements, which a journalist could mine. For example, cases filed against a drug company by users of a harmful prescription medicine would help a journalist in an investigation of the unethical practices of pharmaceutical firms. Lawsuits on illegal termination of employment would be helpful when investigating the unfair labour practices of, say, a giant multinational.

You might want to revisit Chapter 4 and Table 4 on pages 89-90, and the read tips on obtaining records of court cases.

Documents for investigating government institutions

The government touches nearly every aspect of a citizen's life. From birth to death, citizens deal with government, which, among other things, records births and deaths. In many countries, the state is the biggest employer. It collects taxes and spends money for its upkeep. Its duty is to provide a multitude of services to citizens and to ensure their safety and protection in various ways. And while it regulates business, it sometimes runs businesses, too.

The government's immense power is open to immense abuse. The investigative journalist's task is to monitor the use of that power. Here, Balkan journalists have a lot to do.

Governments in Balkan countries are suffering from the problems faced by transition and post-conflict societies elsewhere. Government institutions are weak and plagued by inefficiency and corruption. The collapse of socialist welfare states, privatisation and economic restructuring have led to joblessness and the displacement and impoverishment of entire social sectors. In some countries, the government - which is supposed to be a guarantor of the law and social services - is no longer that, but a prize to be captured by predatory elites. Criminality and corruption are everywhere, and the weak rule of law is unable to rein in abuses.

Government documets :

- Budgets
- Audit reports
- Contracts
- Records of investigations by anti-corruption bodies
- Records of parliamentary debates and enquiries

One major problem facing Balkan journalists, therefore, is that there is so much to investigate, making it often difficult to decide where one should start.

Whatever aspect of governance journalists decide to probe, they should remember that first of all, they cannot be effective watchdogs unless they first know how governments work. The constitution sets the basic framework of government and defines the division

of power among its various branches. Those who wish to look into government wrongdoing are therefore well advised to read the constitution, especially as in most Balkan countries these are relatively new documents drafted in the post-socialist era.

When investigating a specific government agency, a journalist should have a grasp of the laws and regulations that govern it. It is impossible to list all these laws. The Internet is a good resource for obtaining the text of laws. A simple Google or Yahoo search usually suffices to find links to Web sites containing the text of laws, and often their English translation as well.

The encouraging news is that Balkan governments are now more open. Documents that were previously difficult to access are now available to the public and to enterprising journalists. While many problems remain, especially with bureaucrats who refuse to release documents that laws say should be made public, the situation today is very different from what it was in the early 1990s.

The demands of EU accession and of international donors are forcing Balkan governments to make essential records, such as government budgets and audit reports, available to the public. Mostly, these records are also available online, making it easier for journalists to examine them.

Below are some documents that could be of use to those investigating government institutions:

1. Budgets

Among the most essential documents produced by governments are budgets, which list how they intend to spend taxpayers' money. The budget records of national governments are available to the public in all Balkan countries.

The national budget is an indicator of a government's priorities. The importance a government gives to a particular sector is reflected in how much is allotted to it in the budget, whether it is health care, defence, education or public works. A government may say it is prioritising the delivery of services to the poor, but in fact allocate more money for defence or debt repayment than public health and primary school education. A journalist can use budget records to expose the hollowness of government claims.

The budget is also a good indicator of whether a government is spending within or beyond its means. Can revenues be raised to fund the budget? Will the government

need to borrow? Where is the 'excess fat' in the budget? Is the government spending too much on, for example, constructing or refurbishing office buildings? Can these unnecessary expenditures be cut so that citizens will not have to shoulder the burden of additional taxes? Or can these funds be used in better and more productive ways?

The specific budget allocation for a particular government body is an indicator of how much money and power that body wields in relation to others. The breakdown of that allocation also shows the priorities of that particular state agency. For example, is the health ministry giving more priority to wiping out HIV/AIDS, while neglecting more common ailments like heart disease? A look at the health ministry budget would provide an answer.

Table 9. Where to get budget records (national government)

	Available to the public?	Agency that keeps the record	Available online?
Albania	Yes	Ministry of Finance	www.minfin.gov.al
Bosnia-Herzegovina	Yes	The Parliamentary Assembly of Bosnia-Herzegovina	www.parlament.ba
Bulgaria	Yes	Ministry of Finance	www.minfin.bg
Croatia	Yes	Ministry of Finance	www.mfin.hr
Kosovo	Yes	Ministry of Finance and Economy	www.mef-rks.org
Macedonia	Yes	Ministry of Finance	www.finance.gov.mk
Montenegro	Yes	Ministry of Finance, State Auditors Institution	www.vlada.me/minfin; www.dri.co.me
Romania	Yes	Various government websites	www.gov.ro
Serbia	Yes	Ministry of Finance	www.mfin.gov.rs

Source: BIRN Research Accurate as of 4/12/09

The same kinds of questions can be asked of local governments, which go through their own budget processes. Because few journalists bother to examine their budgets, local governments sometimes get away with scandalous wrongdoing. Local government budgets are accessible to the public in all Balkan countries. In most countries, local budgets are also available online, although data is patchy.

Table 10. Where to get budget records (local governments)

	Available to the public?	Agency that keeps the record	Available online?
Albania	Yes	Municipalities	No
Bosnia-Herzegovina	Yes	Government of Bosnia and Herzegovina, Government of Republika Srpska	www.fbihvlada.gov.ba; www.vladars.net
Bulgaria	Yes	National Audit Office	www.bulnao.government.bg/index.php?p=80
Croatia	Yes	Ministry of Finance	www.mfin.hr
Kosovo	Yes	Municipalities, Ministry of Local Governance	Each municipality is required to post its budget on its website.
Macedonia	Yes	Ministry of Finance	Each municipality is required to post its budget on its website.
Montenegro	Yes	Ministry of Finance, State Auditors Institution	www.vlada.me/minfin; www.dri.co.me
Romania	Yes	Local governments	Local government websites
Serbia	Yes	Standing Conference of Towns and Municipalities, Ministry of Public Administration and Local Self Government	www.skgo.org and some local municipalities in their web sites; www.drzavnauprava.gov.rs/pages/municipality.php

Source: BIRN Research Accurate as of 4/12/09

2. Audit reports

Among the most underused public records are audit reports made by official bodies that go through the expenditures and other financial records of government agencies. These reports determine whether such agencies have used their resources judiciously and in accordance with the law.

Audit reports are important because they show how budgets are spent, whether procedural and accounting lapses were found, and where money has been wasted. They will sometimes provide documents relating to questionable transactions. Audit reports also allow journalists to do year-to-year and agency-to-agency comparisons.

Audit reports are particularly useful for investigations of corruption, fraud and overpricing in government procurement. And the good news is that in all Balkan countries, audit reports are public, and in most of them, the reports, or at least the annual summaries submitted to parliament, are available online.

Audit reports, however, should not be taken as absolute truth. To begin with, audits are based on documents submitted by the government body being examined. It is possible that these documents are suspect or that auditors were paid to turn a blind eye to anomalies. Auditors base their reports on accounting principles and so may miss out on other forms of malfeasance, such as influence-peddling or collusion among bidders.

Audits will not say whether bureaucrats are getting bribes to facilitate certain transactions. But they may be able to uncover unusual expenditures like overpriced consultants. They will also say whether or not government purchases are overpriced, and whether or not there are receipts or vouchers to back-up such purchases.

Table 11. Where to get government audit reports

	Available to the public?	Agency that keeps the record	Available online?
Albania	Yes	Supreme State Audit (KLSH)	www.klsh.org.al
Bosnia-Herzegovina	Yes	Audit Office (various levels - state, FBiH and Republika Sprska)	www.revizija.gov.ba; www.saifbih.ba; www.gsr-rs.org
Bulgaria	Yes	Bulgarian National Audit Office	www.bulnao.government.bg
Croatia	Yes	State Office for Revision	www.revizija.hr
Kosovo	Yes	Office of the Auditor General	www.ks-gov.net/oag
Macedonia	Yes	State Audit Office	www.dzr.gov.mk www.dzr.gov.mk/DesktopDefault.aspx?tabindex=0&tabid=158
Montenegro	Yes	State Auditors' Institution	www.dri.co.me
Romania	Yes	Court of Audit submits annual reports of its audit of government agencies to Parliament and government agencies	Annual reports can be found in sites of the Court: www.courteadeconturi.ro the sites of the two Chambers of Parliament, www.cdep.ro; www.senat.ro
Serbia	Yes	State Audit Institution	www.parlament.gov.rs/content/cir/akta/izvestajiasp

Source: BIRN Research Accurate as of 4/12/09

3. Contracts

Government contracts to purchase goods or services or to award big-ticket infrastructure projects are documents that should be subjected to greater scrutiny. They show the amount of money the project is worth, the timetable for its execution, the conditions binding the parties to the contract, its signatories and other information. All this information may be useful to an investigation. The terms and conditions in particular may be compared to those of similar contracts to see whether they are unusually favourable to the firm involved. If so, or if the terms of the contract violate laws or government guidelines, then journalists should dig deeper.

Contracts are a good place from which to start sniffing out corruption in government projects. It is quite likely that bribes have been paid if a contract is unduly rushed or if it contains anomalous provisions and terms that are clearly not advantageous to the government. Large-scale infrastructure projects are particularly prone to grand corruption. The trail that leads to such corruption often begins with an examination of the contracts for these projects.

Even before a contract is signed, reams of documents related to the transaction would have already been produced. If a contract was awarded through a bid or tender, the papers related to the bid – including corporate financial records, detailed specifications of the project and projections of cost - would need to be submitted. These papers can be mined for a lot of important information that would otherwise be difficult to obtain.

In some countries, copies of government contracts can be obtained by using freedom of information laws. This remains a contentious area and the success of Balkan journalists in obtaining copies of contracts has been patchy.

4. Records of investigations by anti-corruption bodies

The inability of Balkan governments to control corruption has been a constant source of frustration for citizens. In response to public concern, nearly all Balkan countries have set up special anti-corruption agencies. These bodies are all fairly new and have had varied success. Some have few resources, others are not immune to political interference, still others do not have the powers to make them effective in the fight against corruption.

While other government agencies are also involved in anti-corruption work - state audit agencies, for example, are expected to sniff out corruption in public spending; civil service departments monitor the behaviour of public servants; and regular courts try corruption cases - the special anti-corruption bodies sometimes have special powers that other agencies do not wield.

Table 12. Anti-corruption agencies in the Balkans

	Anti-corruption body	Mandate
Albania	Anti-Corruption Monitoring Group and Anti-Corruption Unit	Management, preventive and education functions; monitors state agencies but has no investigative powers
Bosnia-Herzegovina	Special Anti-Corruption Body defined by the Law is expected to be formed. Police, Ministries and prosecutor's office tasked with investigating corruption	Mandate as yet undecided.
Bulgaria	General corruption: Ministry of Interior Corruption in executive power: Commission Prevention of Corruption, Parliament: Commission on Prevention and Countering of Corruption and Council of Ministers Corruption in the judical system - Supreme judicial council	The Commission is a coordinating body under the Ministry of Interior; it has no investigative powers like similar bodies. The criminal cases of corruption of officials are investigated by the Ministry of Interior. The state agency for national security (SANS or DANS) only has an intelligence mandate.
Croatia	Office for the Suppression of Corruption and Organised Crime (USKOK)	To investigate, prosecute and prevent corruption. State and police prosecutors conduct corruption investigations; cases forwarded to USKOK if corruption-related.
Kosovo	Kosovo Anti-Corruption Agency (KACA)	Independent body with a mandate of corruption investigation, education and administrative investigation
Macedonia	State Anti-Corruption Commission	Oversees asset disclosures by officials; investigates corruption cases; Office of the Public Prosecutor cases related to corruption and misappropriation of funds
Montenegro	Directorate for Anti-Corruption Initiative (DACI)	Largely promotional and preventive work; receives citizen complaints but only has recommendatory powers; prosecutors investigate corruption cases
Romania	The National Anti-corruption Directorate (DNA) works with the Prosecutors Office attached to the High Court of Cassation and Justice.	Investigates and prosecutes corruption cases; broad powers, has some independence from courts and prosecutor's office.
Serbia	Anti-Corruption Agency www.korupcija.gov.rs Anti-Corruption Council www.antikorupcija-savet.sr.gov.yu	Formed in 2009 and expected to work in full capacity from 1st of January 2010 - mandate to investigate conflicts of interest and oversee asset disclosures by officials.

Source: BIRN Research Accurate as of 4/12/09

Even if these bodies are ineffective, they hold a great deal of material on corruption, sometimes including reports on individual cases, and are a source of data for investigating corruption trends. For example, the number of corruption cases or investigations concerning state agencies is an indication of the extent of the problem within those bodies. Journalists can also examine trends on what kinds of corruption cases are filed (eg bribery, nepotism, collusion), and in which particular areas of government they occur (eg appointments, procurement, enforcement of regulations). By scrutinising such cases, it may also be possible to estimate the amounts allegedly lost to corruption. The good news is that many anti-corruption agencies make some of their records publicly available.

The behaviour of bureaucrats is usually subject to different laws, including specific codes that govern the civil service, as well as anti-corruption laws. When investigating people in government, familiarity with these laws and codes is essential. They serve as a guide for determining what government and employees have done wrong.

In addition to the laws that govern the civil service, it may be helpful to examine existing codes of conduct that set standards for the behaviour of public servants. When investigating state institutions, it is useful to know what these standards are in order to check whether they are complied with, and what sanctions, if any, should be imposed on violators.

Codes of conduct for the civil service are new in the Balkans and are the product of democratic reforms. They were enacted in response to the demands of both the EU and the public. Such codes were designed to address complaints about the bureaucracy and those who staff it – arrogance towards citizens, servility towards those in power, incompetence, inefficiency and corruption. The codes regulate such things as conflicts of interest, i.e. whether public servants can accept gifts or engage in business or political activity outside of their regular government jobs.

Certainly, these codes have not often had the desired effect, but they still set the standard for evaluating and sanctioning erring public servants. They are sometimes incorporated in the law, as in the case of Croatia; if not, they are enforced as part of the rules of agencies responsible for regulating the civil service.

Table 13. Provisions of codes of conduct for civil servants, in selected Balkan countries[1]

	Albania	Bulgaria	Macedonia	Romania
General principles of ethics	+	+	+	+
Conflicts of interest	+	*	+	+
Gifts and favours	+	+	+	+
Outside activities	+	-	-	+
Use of information	+	+	+	+
Political activity	-	-	+	+
Conduct in private life	-	+	+	*
Use of state property	+	-	+	+
Working time	+	-	+	+
Physical presentation of employee	+	-	+	-
Relations with media	-	-	+	+
Post employment limitations	+	+	-	+
Responsibility and sanctions	+	+	-	+
Enforcement mechanism	+	-	+	+

Legend: + (code has provision); - (code has no provision); * (code has indirect provision)

5. Records of parliamentary debates and enquiries

Parliaments in democratic countries routinely conduct investigations or enquiries into various aspects of governance. In the course of these enquiries, they often obtain a lot of public and non-public records that journalists can use in their investigations.

In addition, the enquiries themselves often unearth something new, especially when reluctant witnesses are called in to testify and compelled to reveal information. Sometimes, expert witnesses are summoned as well. Transcripts of parliamentary enquiries are therefore useful sources of information. If the topic a journalist is investigating has already been the subject of a parliamentary enquiry, it may help to get transcripts and other records of that enquiry.

1 Source: Jolanta Palidauskaite, Codes of Conduct for Public Servants in Eastern and Central European Countries: Comparative Perspective, in www.unpan.org/autoretrieve/regional_focus.asp?region=europe&focus=ethics

These records are available in hard copy, and usually upon request, unless they relate to confidential proceedings. Some of these transcripts may also be found in parliament Web sites. The depth of these sites varies across the Balkans - some sites contain a lot of information; others have very little. Nonetheless they are a good first stop when looking for information on members of parliament and parliamentary proceedings (including schedules), as well as laws recently enacted and pending legislation.

Journalists, however, must be especially wary of parliamentary enquiries and debates, as parliamentarians often have partisan political interests to promote when they investigate and deliberate. Care must be taken when using information revealed in parliamentary forums. Journalists should also examine the logic of the arguments put forth in these forums and check whether the conclusions and accusations the legislators made were amply supported by evidence.

Table 14. Where to get parliamentary records

	Agency that keeps the record	Available online?
Albania	Parliament	www.parlament.al
Bosnia-Herzegovina	The Parliamentary Assembly of Bosnia-Herzegovina	www.parlament.ba
Bulgaria	National Parliament	www.parliament.bg
Croatia	Parliament	www.sabor.hr
Kosovo	The Secretariat of the Assembly of Kosovo	www.assembly-kosova.org
Macedonia	Parliament	www.sobranie.mk
Montenegro	Parliament	www.skupstina.me
Romania	Parliament	www.senat.ro; www.cdep.ro
Serbia	Parliament	www.parlament.gov.rs

Source: BIRN Research Accurate as of 4/12/09

Investigating non-profit groups

Thousands of non-profit groups have been set up in the Balkans since the 1990s. These groups are involved in a range of activities - from monitoring human rights to helping disempowered groups like the Roma, from fighting corruption to monitoring pollution.

Donors have invested huge amounts to help non-governmental organisations or NGOs take root in the Balkans. No doubt, these NGOs have done good work, but some of them have also been accused of financial wrongdoing and other anomalies.

Throughout the Balkans, there are registries that list the NGOs operating in each country, along with their lines of activity, addresses and other information.

The laws governing non-profits vary from country to country. A good resource for researching country laws on the non-profit sector is legislationonline.org, a free database maintained by the OSCE Office for Democratic Institutions and Human Rights, ODIHR.[1]

NGOs are required to register with governments, and some Balkan states have registries of non-profits which are also available online. In some countries, the NGO registers are posted online by private or non-profit groups. These registries are a good first stop when investigating non-profits or stories that involve NGOs in some way.

The open-bg.net guide to Bulgarian NGOs.

1 The ODIHR database is at www.legislationline.org/?tid=220&jid=1&ijid=0&less=true

Table 15. NGO Registers in the Balkans

	Agency that keeps the record	Available online?
Albania	No National Register, but information can be found at district courts. Tirana district court has the majority of NGO registrations	No
Bosnia-Herzegovina	Government of FBiH and Republika Srpska	A private site, www.civilnodrustvo.ba has a list of NGOs
Bulgaria	Companies are registered by the Registry Agency, National Statistic Institute; Ministry of Justice	The Ministry of Justice has a searchable database (www.mjeli.government.bg/ngo/search.aspx?cc=en&) and a private site has a register and database of NGOs, www.open-bg.net
Croatia	National Foundation for Civil Society Development	http://zaklada.civilnodrustvo.hr
Kosovo	Department of NGO Liaison and Registration, Ministry of Public Services, Kosovo civil Society Foundation, KCSF	www.cso-ks.org
Macedonia	Central Registry	A registry is kept by a local NGO in www.graganskisvet.org.mk/adresar/nvoadresar/default_ok.asp; In English in www.civicworld.org.mk
Montenegro	Centre for NGO Development (government body)	http://crnvo.me
Romania	Courts of Justice	The Romania Development Gateway, NGO register at http://ro-gateway.ro/node/185810/ongsearch
Serbia	Serbian Business Registers Agency	New law on NGOs adopted in 2009 and register to be available in: http://pretraga.apr.gov.rs/udruzenja/AssociationSearch.aspx

Source: BIRN Research

Accurate as of 4/12/09

Exercise 5
Finding and understanding documents

Download the following from the Internet:

- An audit report of a government agency in your country.
- The registration record of a corporation in your country.
- National government budget in your country.

Study these documents carefully and answer the following questions:

1. What important information does each of these documents contain?
2. Is the information accurate and reliable?
3. What kinds of stories can you use these documents for?

CHAPTER SIX

The People Trail

How can journalists get the most from human sources?

Not all investigations have a paper trail. Some just do not yield documents in any form. For example, in 2006, Krenar Gashi and the BIRN team were investigating a passport scam[1] in Kosovo that enabled Kosovars to fast-track the processing of their passports by paying a fee to policemen. At that time, Kosovars preferred to use Yugoslav passports, which were still being issued in Serbia, as these allowed entry into other countries in the region without a visa.

The process for obtaining such a passport was not simple, as Kosovars needed to go to Serbia in person to apply for and collect the documents. To get to Serbia, however, they needed a passport, which they did not have.

Who to talk to:

- Official sources
- Eyewitnesses
- Insiders and whistle-blowers
- Formers
- Friends and enemies
- Victims
- Perpetrators
- Experts
- NGOs and campaigners

It was a 'Catch-22' situation, that gave rise to a thriving illicit trade. Middlemen filled in the applicants' forms, collected their applications from the offices in Serbia that function as parallel authorities for Kosovo municipalities, and delivered their passports once they were processed. These brokers were mostly policemen who acted as a bridge between Kosovars without documents and the Serbian authorities.

The BIRN journalists found that policemen facilitated not just the processing of passports but also the acquisition of birth certificates and citizenship documents, which were required in the application process.

There was no way to get information on this illegal activity using document searches or the freedom of information law. The authorities did not pay any heed to what was taking place on a fairly large scale and no official investigations had been carried out. The only way to investigate the story was by interviewing citizens who had paid bribes and the policemen who were making money from them. The BIRN journalists needed to follow the people trail.

1 The full story, Ex-Policemen Run Kosovo Passport Scam, is available in http://kosovo.birn.eu.com/en/1/70/1786/

Common sources

In their day-to-day news beats, journalists often end up talking to people in positions of authority, mainly government officials or their spokespersons. Whether they are reporting on crime or the environment or writing about trade or tourism, journalists for the most part, obtain official versions of events and points of view on issues from these sources.

But as can be seen from the passport scam report, if journalists relied on official sources alone, there would be no investigative stories at all. In all likelihood, the authorities would deny that this underground trade in processing passports even existed.

Some examples of official sources:

- Government officials or spokespersons of government offices and agencies
- Corporate executives or press relations officers
- Representatives of investigative agencies

It is obvious that official sources alone do not suffice. The full story cannot be told if journalists have talked only to those given the mandate to speak on a particular subject. Reporters need other points of view; they need to tell the story from different sides. They also need key informants, those who have first-hand experience of the wrongdoing or abuse they are writing about.

Governments all over the world have become very media-conscious. They have become clever and more sophisticated when it comes to misleading journalists and manipulating the news agenda. They are now masters of spin. The same is true for companies and for celebrities like film stars and rock musicians. It is a constant challenge for journalists to separate spin from hard fact and to elicit information from official sources.

If these persons were genuinely willing to release information to the public and to answer questions regardless of the consequences for their employers, then investigative journalists would not have to work so hard. Unfortunately, the reverse is often true: the job of these people is often to conceal rather than reveal, and to mislead journalists rather than to guide them towards the truth.

This is why journalists should seek out other sources of information.

> ***While they cannot avoid interviewing official sources at some point in their reporting, reliance on such sources is lethal for investigative journalists.***

The likelihood is that the journalist will be told by these sources that the issue they are investigating is not a serious one, or even if it were, that the agency or official the source is working for, is not involved.

Journalists should, of course, be wary of all sources they interview, not just official ones. The rule that should never be broken is: information should be verified, regardless of its source. Verification can come from documents or from other interviews. Just because a source – whether official or not - declares something as fact does not mean that it is really so.

Other persons commonly interviewed by journalists are eyewitnesses, whether to a crime, a disaster or an anomaly that has been committed, such as bribery of policemen or border security and customs personnel.

> ***Eyewitnesses, if they can be found, are great sources of information as they can describe events as they happened, including the persons involved, the scene of the event, what was said or heard, and other important details.***

For journalists, first-hand information, or that which the interview subject has actually seen, is the best information. For this reason, reporters should seek out sources who can provide first-hand information rather than hearsay. The account given by a person who was present during an important government meeting, for example, is more believable than that of another who relates what he was told or heard about the meeting.

> ***Journalists who receive second or third-hand information should therefore ask their sources if they could identify who was present at the event being described or if they could name others who could provide information based on their own experience.***

Second-hand information cannot be used as the basis of story. It is useful information, however, as an aid to further digging and as a clue to finding another source that can provide first-hand information.

Other, not-so-common sources

The truth is that there is a range of sources available to journalists, but that they often do not seek these out. Depending on the type of story a journalist is investigating, the sources that are available include:

Insiders and whistle-blowers: These are probably the most valuable sources of information because they have first-hand knowledge of a government agency, a corporation, or a public or private official that a journalist is investigating. They can also point to other sources as well as provide documents, background information and context. Insiders are valuable as sources of hard information as well as anecdotal accounts of how the system works.

> ***Whistle-blowers are well-placed insiders who, usually of their own volition, approach journalists or other investigators with information about a crime or other form of wrongdoing.***

Journalists see them as almost heaven-sent because they often come unbidden, bearing invaluable evidence and information. But their testimonies must be dealt with carefully and the veracity of their accounts checked.

It is wise to figure out the motives of insiders, as these provide clues as to their reliability and credibility. Some people blow the whistle because they are genuinely conscience-stricken. Others are driven by a sense of outrage or a crusader's zeal. Some whistle-blowers are driven by a mix of both patriotic and pecuniary considerations, hoping to profit from their exposés, either through monetary rewards or through fame and public attention.

One problem that faces those who deal with whistle-blowers is how to help ensure their safety. Whistle-blowers whose identities will be revealed should be warned of the risks, and journalists who convince them to go public must not expose them to unnecessary danger. Often, whistle-blowers are themselves involved or implicated in corrupt acts. It would be wise to consult a lawyer if this is the case, to check whether coming out in public has any legal implications. There are times when insiders are not willing to go public; their reluctance should be respected. They could, however, still provide documents that would help the investigation or point to other sources who

could be interviewed. They could also be cited anonymously in reports, but only if the information they provide is corroborated by other sources.

In many government bodies or companies, there are insiders willing to provide information. Many do so because they were disgusted by the wrongdoing in their company or their agency. Others are aggrieved because they were left outside the loop of power, while others have an axe to grind against their colleagues or bosses.

With insiders and whistle-blowers, the key is establishing trust. Journalists must keep their word with their sources.

> ***If sources demand anonymity, their identities must be kept secret, even from friends and colleagues.***

The identity of an insider should be revealed only to those who need to know, such as one or two editors who may demand the information for the purposes of verification and fact checking.

Care must also be taken in note-taking and record-keeping, so that even if a journalist's records are examined, there are no clues as to the identities of sources. The use of codes, encryption or computer passwords may be necessary in some investigations. Anonymity agreements should be respected even long after the investigations are finished.

'Formers': If a journalist has a hard time finding informants inside a government agency or company or if the informants appear reluctant or afraid to talk too much, then they might be better off trying to elicit information elsewhere - from among those who once worked for that agency or company. 'Formers' are frequently good sources of information because they are familiar with the institution, issue or person a journalist is probing. They are also often freer to talk, as they no longer fear being reprimanded or fired.

Even if they have no current knowledge, the store of information that 'formers' have in their heads - about how the entity being probed typically works, how it has in the past dealt with similar problems and wrongdoing, and how it is likely to work now - can provide journalists with background, context and clues as to how to proceed.

When investigating an individual, someone formerly associated with that person could provide helpful information. For example, a former party colleague, work associate or staff member would have insights on the personality traits of the individual a journalist is investigating, as well as useful information on their professional and personal life.

Friends and enemies: Those with the most intimate knowledge about a person are either his friends or his enemies. Logically, therefore, these are the people to interview if a journalist wants to 'get the goods' on an individual they are investigating. But for obvious reasons, extra care should be taken with these sources. Friends are bound to say good things and to be defensive; enemies meanwhile, will obviously say only the worst about a person.

The notion of friends and enemies can also be extended to institutions.

There are, for example, groups that can be described as friends of an institution - for example, anti-corruption groups may be great supporters of a government agency that investigates and prosecutes grafters. But this same agency may have equally vocal enemies, including those in politics and the bureaucracy who are wary about being investigated.

Similarly, an environmentalist member of parliament can have 'friends' among green groups who want to curtail pollution, but the same MP surely has 'enemies' in industry.

Both friends and enemies are likely to have intense feelings about this MP and both should therefore be sought out.

Victims: While it may initially be difficult to convince insiders and potential whistleblowers to talk, victims of corruption and other forms of abuse committed by governments or private companies are often only too willing to recount their experiences. They are also the ones most likely to tell their stories to journalists, NGOs or government investigators in the hope that their grievances will be addressed.

The obvious way to find victims is to look for those who have been disadvantaged by a government decision or policy, the award of a government contract, or extortion by government employees.

If the object of the probe is an anomalous contract, then the victims would be companies that were unfairly disqualified from a bid, or lost a bid because of under-the-table deals made between bid committees and winning firms. Losing companies are likely to have an idea of how the bids were rigged and of the connections between winners and officials who sit on bid committees. Similarly, losing lawyers and litigants in court cases often have some idea of how their rivals influenced a judge. But, because they are losers, one must take their stories with a pinch of salt, as the bitterness of their loss may have skewed their perspective.

In investigations of public-works funds, the victims to look for are communities that suffer from bad infrastructure because the money allocated to construct or improve it, was pocketed by contractors and officials. People from these communities can describe how they suffer from the consequences of corruption. They may have monitored the project in the course of its implementation; they will probably also know who the contractors are and what connections they have with officialdom.

If the subject of the investigation is a company, then journalists should look for the victims of that company - e.g. fired employees, if the subject is a labour dispute; consumers, if the company is being accused of a scam or of peddling harmful or overpriced products; suppliers, if the company is alleged to be reneging on its contracts with other firms.

A journalist investigating human trafficking, meanwhile, has to find victims of syndicates that deal in the people trade. If the investigation is on a mining-induced environmental disaster, then a journalist could go to the communities that bore the brunt of the disaster's ill effects. If reporting on cases of police abuse, a journalist could approach other victims, such as those who have been detained on trumped up charges, or tortured or beaten up while in police custody. The BIRN reporters interviewed Kosovars who paid bribes to policemen so they could apply for passports.

Sometimes victims are organised, because there are enough of them who are angry and want to do something to correct wrongdoing. In such cases, investigators should seek out these groups as they are a gold mine of information and contacts.

Perpetrators: Many people assume that officials and businesspersons guilty of corruption or abuse will not talk to investigators or will not provide anything useful except denials. That is true in some cases, but there are also perpetrators who for various reasons decide to provide revealing information. Some may be tired of the corruption and extortion they have been involved in and feel that talking to a journalist might help initiate reforms. Often, sources like these demand anonymity.

In some cases, the parties to corruption - such as businesspeople who paid off bureaucrats or court litigants who bribed judges - see themselves as victims of the system and so are willing to spill the beans. By talking about their involvement in corrupt deals, they have an opportunity to air their grievances without admitting their complicity.

When US journalists Michael Montgomery and Stephen Smith reconstructed the 1999 massacre by Serbian militias of 41 unarmed civilians in the Albanian village of Cuska, they interviewed both the survivors of the massacre and those responsible for it. In sometimes chilling accounts, the killers - ordinary village folk - talked about how they shot even women and children and later burned their victims' homes.[1] The perpetrators agreed to be recorded on tape as long as they were not identified by name. According to Smith, they spoke to journalists for various reasons: some felt pangs of guilt and wanted to talk; others felt they needed to explain and justify their actions.

Similarly, when the Institute for War and Peace Reporting, IWPR, conducted an investigation on the Balkan sex trade in 2003, it interviewed pimps and human traffickers who were among those responsible for a thriving cross-border trade in prostituted women. IWPR also interviewed trafficked women and law-enforcers, but some of the more compelling quotes came from the traffickers themselves.

Experts: These are such an obvious information resource that they are often overlooked. In many ways, experts are ideal sources because most of them do not have any partisan political agenda or material motives in speaking out - unless they have been hired by a company or agency to argue a certain position (in which case the journalist had better make sure they find this out). Many experts just want to share their knowledge and are only too happy to find someone, especially a layperson, who is interested in their field.

Those investigating corruption are likely to consult lawyers, accountants and auditors. Lawyers can provide information on the nuances of the law and the legal liabilities involved in the offences being investigated. They can speak of corruption cases

1 The report, Massacre at Cuska, was aired by National Public Radio in the USA in February 2000 and is available in http://americanradioworks.publicradio.org/features/kosovo/massacre.htm.

they have encountered. If they have been hired by one of the parties in a corruption case, they can also provide documents and background information. In this case, though, they will probably provide only information that will help their client's case.

Accountants and auditors are helpful in making sense of financial statements, audit reports and other documents that require a familiarity with numbers. Often, the key to an investigation is in such documents, and a journalist would do well to seek expert advice on what the numbers mean.

> ***Other types of experts are helpful in providing background information on particular areas, even if they have no specific knowledge of the case being investigated.***

For example, those who are familiar with budgets and procurements, such as retired government auditors or business consultants, can provide background information that could help a journalist determine how to proceed in investigating, say, a government contract or a particularly notorious supplier or contractor. Tax experts are helpful in investigations of corruption involving tax settlements or revenue officials. Securities analysts are a good resource for areas such as insider trading and price manipulation. Academics can be tapped for information on a variety of issues, whether involving political corruption or criminal gangs.

The same is true of just about every topic a journalist investigates. Experts on the environment abound, whether a reporter is probing toxic waste, marine pollution, algal blooms, desertification, endangered species or the damage caused by mining. There are experts on women's and children's issues, and various aspects of medicine and health, as well as defence, security and the economy.

The rule of thumb is: if you are stumped by a subject, look for an expert to help you out.

NGOs and campaigners: Non-governmental organisations have emerged as vocal advocates or opponents on a range of issues, and are becoming increasingly important sources of information for journalists.

NGOs are good not just for getting 'the other side' of a story. They also often provide useful links to other human sources, such as victims and eyewitnesses. Because NGOs work with grassroots groups, they can help put journalists in touch with those in communities who are victims of human rights and other abuses or environmental

devastation. They can put journalists in contact with abused women and children, as well as victims of forced labour, human trafficking and other crimes.

NGOs can also help guide journalists to the paper trail, pointing out studies that have been done by campaign or advocacy groups. Some NGOs have in-house databases and research findings that they may be persuaded to share with journalists. Some have also developed their own expertise in investigating issues, such as corruption, human rights, access to information, the plight of ethnic communities or the trade in small arms.

Evaluating sources

Not all sources are equal. Some are more reliable than others. Some are more informed than others. There are countless tales of journalists who got their stories wrong because they relied too much on their human sources.

Among the things journalists should always consider is the source's agenda. What does the source have to gain from providing information? Are they telling the whole truth? Are they covering up for themselves or for someone else? Are they promoting a certain line or agenda? How does the source's agenda affect the journalist's grasp of the story?

Interviewers should remember that even if the source is reliable, it is possible that they suffer from false memory; that is, their recollection of facts and events may be wrong.

Here are some questions journalists should ask themselves when gauging the reliability of sources. These tips are from the Poynter Institute's, A Guide for Evaluating Sources, by Joann Byrd.

- What is the source's past reliability?
- What is the source's standing with their peers?
- How representative is their view: the one employee with a complaint, or does this fit with other things you hear? How widely known is this particular information?
- What proof does the source offer (e-mail, voicemail, documents)? How can the information be verified?
- Is the source qualified to give the information? Can a 10-year-old's account be trusted? Can a non-expert provide this kind of information or opinion?
- How close is the source to the story?
- How does the source know what he knows? Is this first-hand information or something the source heard from someone else?
- How dedicated is the source to getting the story told? Will he deny the information once it is published? Will he be willing to testify in the event of a lawsuit?
- If the public knew where this information was coming from, would they have reason to doubt it?
- Is this person the best authority on this particular subject?

Finding people

Official sources are relatively easy to find. A journalist only has to go to a telephone directory (or consult one online) and ask to be directed to the information office of a government agency. Knowledgeable sources – including fellow journalists who cover that agency regularly, its former officials or employees, or individuals who regularly transact business with it - can also point to who would be the best person to interview.

In many cases, the most knowledgeable person in an agency is not its head. Sometimes it is a career or professional bureaucrat who has been in that agency for years and has the historical knowledge and insider information a journalist is seeking. Other times, it is a consultant who has done regular work with that office. Many times, it is best to talk to those at the middle, rather than the top, level of the agency, as these are the workhorses who are more familiar with daily operations, the little details that are needed to put an investigation together.

Apart from phonebooks, a quick resource for finding people is the Web, where there are all sorts of ways to locate people and find their email and even postal or office addresses. The Internet also has various listings of experts, mainly those based in North America (see 'Tracking Sources Online' on pages 150-152).

In addition, there are specialised directories and listings for particular industries and professions. Information on business executives can often be found in directories of local chambers of commerce. Social clubs and alumni associations, as well as business, religious and professional associations, also publish membership rosters that list names, telephone numbers, and e-mail and postal addresses. These are often available to the public. Many of these listings are now accessible online as well.

In the Balkan context, however, the tried and tested way to find people is simply by asking other people. Often, journalists ask other journalists for names and telephone numbers pertinent to their investigation. It is often easiest to find persons through their family (relatives), school (classmates), neighbourhood, social club, or business and professional networks. Journalists' sources also refer to other sources.

One should never leave an interview without asking a source who else could have information on the subject matter being investigated.

Journalists who report for the first time on communities they are not familiar with should take a more 'sociological' approach when identifying possible sources of information. They can make a map of who wields power and influence in that community by listing those who run the local government, the major businesses, the NGOs and civic clubs, as well as others who wield influence, such as religious leaders, labour or farming leaders, and journalists. These 'influentials' are natural sources of information and insight on how the community works.

But limiting one's sources just to these people means only having a view of the top rungs of that community's social ladder. Journalists should make sure their reporting also reflects the concerns of those down on the lower rungs - ordinary folk who comprise the bulk of the community and whose concerns are not necessarily reflected by their leaders.

Tracking sources online

The vast amount of information on the Web makes it easier to track down people wherever they are in the world. The simplest way to do this is to type a person's name into a search engine like Google or Yahoo and see what the search yields. While the search may not reveal addresses and phone numbers, it could provide leads on where to find that person.

The more wired a country is, the easier it is to get information about people living or working in it. That is hardly the case for many Balkan countries, but the amount of information that is online can nevertheless be astounding.

Journalists who want more specific information on individuals can access the following:

- To find phone numbers:

Teldir: Belgium-based listing of online telephone directories around the world; links to telephone directories in more than 200 countries
www.infobel.com/teldir/

Global Yellow Pages: links to telephone directories in many countries
www.globalyp.com/world

Ability: links mainly to yellow pages worldwide
www.ability.org.uk/phone.html

Whitepages.com: allows users to search by name and do 'reverse searches,' searching by phone numbers and addresses, but only for US telephones
www.whitepages.com

- To find e-mail addresses:

JournalismNet: links to several email search engines; if one fails, try the others
www.journalismnet.com/people/email.htm

MESA or MetaEmailSearchAgent: service run by the University of Hannover in Germany, searches several email search engines for a given name
http://mesa.rrzn.uni-hannover.de

- To find what they do on the web:

Do they have a website?

To find out who owns a site, perform a 'whois' search. Network Solutions, (http://www.networksolutions.com/whois/index.jsp), Domain Tools (http://www.domaintools.com/) and most ISP's have tools for this. Searches can be made by domain name or IP address. Additional registration and website data (server, description of the site, address and contact person for the site) are also available. Searches can be done worldwide.

Do they blog?

Search for their names in Blogpulse and find out how their blogs rank.
http://blogpulse.com

Search for references to them in Tecnhnorati or Feedster
http://technorati.com
www.feedster.com

Do they use online chat rooms?

Search the chatrooms. JournalismNet links to several and provides tips on monitoring people in chatrooms.
www.journalismnet.com/people/usenet.htm

Are they part of online mailing lists or listserves?

Search online mailing lists on Catalist, the official catalogue of mailing lists, or try out the links at JournalismNet's guide to mailing lists.
www.lsoft.com/lists/listref.html
www.journalismnet.com/people/listserv.htm

- To do multiple searches that yield information on people:

JournalismNet: probably has the most comprehensive listing of sites for doing people and paper searches.
www.journalismnet.com

Zoominfo: this search engine allows users to enter the name of a person or company, provides quick biographical information and links to websites that contain more information; keeps track of 31 million business executives and professionals, and two million companies worldwide.
www.zoominfo.com

- To find experts:

ProfNet: a network of experts linked to the media through PR newswire, a provider of news and information distribution services; journalists can send a query to 15,000 public relations officers working for academic and research institutions, mainly in the US, and their queries will be referred to experts in these institutions.
https://profnet.prnewswire.com

Yearbook.com: keeps a listing of US experts on a range of topics; journalists send a query through the site and receive an answer from an expert listed in the yearbook; links to websites of experts and their organisations.
www.expertclick.com

JournalismNet: provides links to a long list of sites which can be accessed by journalists seeking experts in various parts of the world.
www.journalismnet.com/experts/index.htm

Exercise 6

Using human sources in an investigation

Read the excerpt from an investigation, Trading in Misery, on the trafficking of women in the Balkans on page 245. Published in 2003 by IWPR, this report is almost entirely based on human sources. Answer the following questions:

- Who were the key sources for this report? List them.
- Which techniques did the reporters use to get these sources to talk to them?
- What information did the sources provide on the sex trade in the Balkans? Can you trust what these sources said? Why or why not?
- Did the reporters try to verify or corroborate the information they got from human sources? Do you think that the corroboration was sufficient?
- If you were writing this report, which other human sources would you try to reach? Which questions would you ask them?

CHAPTER SEVEN

The Art of the Interview

What are the techniques for making people talk?

In 1999, US journalists Michael Montgomery and Stephen Smith tried to reconstruct what happened in the Albanian village of Cuska in May that year. They spent several weeks talking to militia members who, in the course of the interviews, admitted to killing unarmed Kosovo Albanians. Among those they interviewed was Milan, a Bosnian Serb who belonged to the militia gang , Munja (lightning).

"I am a Serbian patriot," Milan told them. "I fought for the Serbian cause. And also for the sake of money. Money was the main thing."

Interviews can be:

- On the record
- Not for attribution (or background only)
- Off the record

The militia members agreed to be interviewed as long as they were not identified by name. The journalists, with the help of local fixers, found these men, established a rapport and trust with them, and convinced them to talk on tape about their roles in the massacre and its aftermath.

Smith and Montgomery found that many of the fighters wanted to tell their stories - but for different reasons. Some were angry at Milosevic for pulling troops out of Kosovo, others felt guilt and shame for the violence and killing. Still others were proud of what they did. Identifying a subject's underlying psychology and motivation for speaking out - even anonymously - can be vital in securing an interview with a difficult subject.

"We heard that members of the Serbian secret police were transporting Albanian civilians in the trunk of their cars for $2,700," said Milan. "There were some members of my unit who would take the money and just kill the guy. I didn't do such things. I took them to the border. When the NATO bombing intensified, I started doing the same thing - taking the money and killing them."

The result of these interviews was a powerful, hour-long radio documentary that featured the voices of both the killers and the survivors. The journalists reconstructed the events from their points of view. They also used photographs, diaries and investigations by human rights groups to corroborate what they had been told. The documentary was translated into Serbian and Albanian and broadcast throughout the region. The investigation, Massacre at Cuska[1], shows the power of interviews and how they can be used in information-gathering as well as telling a compelling story.

Different interviewees require different approaches. To interview officials, journalists sometimes have to write letters explaining the purpose and nature of their inter-

1The report, Massacre at Cuska, was aired by National Public Radio in the USA in February 2000 and is available at http://americanradioworks.publicradio.org/features/kosovo/massacre.htm.

view request. The letters can be mailed, hand-delivered or faxed. What is acceptable practice differs from agency to agency and from country to country. In many cases, reporters can simply request an interview by calling the information office or public relations department of a private company, non-governmental organisation or government agency. Sometimes, interviews are granted even without prior notice - a journalist can simply show up at the door and take their chances.

> ***When pursuing investigative reports, it is generally best to schedule an interview in advance and inform the interviewee what kinds of questions will be asked.***

More reluctant sources can be approached through references and intermediaries - friends, colleagues, other sources - who can vouch for a journalist's credibility and help convince reluctant interviewees to talk. This was the case for the militia members interviewed by Montgomery and Smith: they worked closely with local fixers who used their contacts to make introductions and vouch for the journalists. In many Balkan societies, people still prefer a personal touch. It is easier for them to trust a journalist if they are referred by someone who the source trusts or respects.

In most cases, it also helps to explain to a reluctant interviewee why their interview is crucial. Reluctant sources are sometimes persuaded to talk if they see that a journalist is well-meaning and is motivated not merely by the thirst for a story but also by the need to expose the truth and do something for the good of others. Sometimes, as in the case of Montgomery and Smith, sources will talk if they trust the interviewers and are assured of anonymity.

Journalists need to invest time and patience with interviewees who for one reason or another are reluctant to talk. Sometimes it may become an option for the interview to be made under certain conditions, such as anonymity. But if the sources remain adamantly against talking about what they know, perhaps they would be more willing to share pertinent documents or point the journalist to other sources who might have information vital to the investigation.

Sometimes though, interviewees are wary because they are guilty of wrongdoing and fear being exposed. Corrupt government officials or private contractors paying bribes to officials would understandably be wary of facing a television camera. In these cases, a journalist can try convincing the interviewees that it is better that they get their side of the story. They can be told that the report will probably be printed or broadcast even without this, so it is better for them to face the camera and have

their side heard, rather than to keep silent and have people thinking all sorts of things about them.

Sometimes this approach works, especially with government officials who feel that their public reputation is at stake and that they can save it by giving a convincing interview. Often, these officials are already used to harsh questioning by the media and are confident enough to face accusations in public. If the officials themselves refuse to talk, then a spokesperson, party ally or any other third party could speak on their behalf. A journalist can also ask for written answers. Written answers, however, hardly make for good television.

> ***Throughout this process, the journalist should be earnestly interested in getting the other side of the story, not just going through the motions of an interview so as to give the report a semblance of balance. They should keep an open mind, and allow those accused of wrongdoing ample time to defend themselves.***

Private individuals accused of wrongdoing are understandably more reluctant to go public. But they can be similarly persuaded that it may be in their own best interest to present their side of the story. Sometimes, things work better if a journalist writes a personal letter requesting an interview and explaining why an interview is important and the topics that will be asked. Leaving messages with secretaries or assistants is unreliable: the message may not be relayed properly and secretaries often lack the patience to explain to their bosses the finer points of an interview request.

Sometimes interviewees are persuaded to talk by the sheer persistence of a journalist. The journalist who leaves frequent messages with the secretaries of would-be sources, phones their family, friends and acquaintances begging for an interview, and writes personal letters explaining why they need to talk, is often more likely to get an interview than one who shows less energy and enthusiasm. Sheer patience and persistence can win points. Sometimes, too, potential interviewees can be so impressed by a journalist's passion for, or interest in, a subject or issue that they agree to sit down and talk.

If a formal interview is difficult to arrange, a journalist can try to meet the source informally, say at a coffee shop where the interviewee normally hangs out. The journalist can then politely introduce themself, without intruding on the source's privacy, and briefly and politely explain the nature of their request.

Sometimes, a source's interest may be piqued if the journalist reveals a little of what they know. The interview may be given, if only because the source is curious about what the

journalist has already found out. A source may also be less wary and more open to talking if the journalist drops the names of other sources who have already agreed to be interviewed, as long as these sources know that their identities will be revealed in the report.

Trying to find out from others why a potential interviewee is reluctant to talk can also be helpful. The journalist can then address the sources of such reluctance. Perhaps the source does not want to be seen in public with the journalist? Then an interview can be set up in a private home or some other setting where the source's privacy is guaranteed. Perhaps the source is not sure whether the journalist can be trusted? In this case, a person who can vouch for the journalist can be asked to give the source a call and some reassurance.

> ***If sources still refuse to be persuaded, journalists can wait at their doors - stake out their offices or homes and, with cameras ready, wait for them to come out, so they can ask their questions.***

Such 'ambush' interviews, however, may be less satisfactory than arranged ones, because sources are angry, they are not prepared to answer questions, and meaningful conversations may be difficult as the interviewees are angry, embarrassed or shocked. But if the journalist is polite and persuasive and the source agrees to sit down and talk, these interviews can turn out well.

Interview conditions

Sources grant interviews under different conditions. Some allow everything they say to be made public; others are more circumspect. Often, there is a misunderstanding between the journalist and their source as to what is on the record and what is not. At the start of the interview, it is always best to have a clear understanding of the ground rules of an interview, although in certain cases, it also works to bargain on the ground rules during the course of the interview. For example, a journalist can ask that certain, less controversial portions of the interview be put on the record in an otherwise off-the-record interview. Whatever the case, the rules should be clear to both parties.

The usual interview conditions are:

On the record: The statement or the entire interview can be broadcast, quoted and attributed to the person. The person may be identified by name in the report and their face shown on television.

Not for attribution (or background only): The statement or the entire interview can be used, but the person giving the interview cannot be named or shown on television. Sometimes sources agree to be shown on television, but in a shadow or pixellated format, so that they are not identifiable. In not-for-attribution interviews, the statements are attributed not to an identifiable individual but to a more generic source, such as 'a member of parliament,' a 'top police official,' or 'a military intelligence officer'. Sometimes, as is often the case when reporting on children involved in crimes, the person being interviewed is referred to using a pseudonym. It should be made clear in the report, however, that the interviewee's real name is not being used.

Off the record: This is a tricky condition that sources often mistake for 'not for attribution.' Both journalists and sources often misuse the term. Strictly speaking, 'off the record' means the information cannot be used either in the report or for further reporting. Thus, a journalist should always clarify what 'off the record' means to a source.

If the source says that the information can be used without being attributed to him or her, then the journalist and their news organisation should decide whether and under what conditions they should use that information (see 'Anonymous sources' on page 168).

If the source, however, says that the information cannot be used at all, then the journalist should respect this condition. They can however try to bargain, by, for example, asking whether the information can be used if confirmed by another source, without attributing the information to the original source.

One way to convince sources to go 'on the record' is by asking them if they would be prepared to be identified if other sources provide the same kind of information and are willing to be named. A journalist may also convince people to go on the record if, before publication or broadcast, they are given a chance to read or vet the quotations that will be attributed to them.

Such conditions can create difficulties, as sources may opt to change what they said in the original interview. But these difficulties may be worth the trouble, as otherwise, the sources would be unnamed, and the report could, as a result, appear less convincing. As a rule, journalists should consult their editors before agreeing to interview conditions.

Preparing for and doing interviews

Viewers regularly see television journalists woefully unprepared when they conduct their interviews. This lack of preparation is most embarrassing during live interviews, which are not edited, and where a journalist's gaffes cannot be undone. No matter how well journalists speak or project on television, their ignorance will sooner or later become painfully obvious during an interview.

Print journalists may be able to get away with conducting long, unstructured, fishing-expedition types of interviews, even if these are not the most effective ways to uncover new information. Television is a harsher medium. TV journalists need short, coherent sound bites, and should therefore be more deliberate in their choice of questions and more careful in how they phrase their queries.

For an interview to be successful, you should:

- Do your homework
- Be clear about its purpose
- Prepare questions in advance
- Put the interviewee at ease
- Listen during the interview
- Observe during the interview

Some tips for successful interviewing:

Do your homework. Journalists should never come for an interview unprepared. They should try to know as much as possible about the interviewee and the topic they will be asking questions about. Many interviewees are irked when journalists ask basic questions about their lives and their professions, and other information that is already widely known or easily available on the Internet or elsewhere. Unless a journalist deliberately wants to play dumb or to conceal the fact that they know more than they like to reveal, interviews should seldom be used to get information that is fairly common knowledge or readily available elsewhere.

Be clear in your mind about the purpose of the interview. A journalist should list the people they need to interview for a report and then make clear what the objective of each interview would be. The objectives of an interview determine the kinds of questions a journalist will ask.

Is the interview …

- To gather facts?
- To elicit opinions or points of view?
- To elicit feelings?
- To corroborate information provided by other sources?
- To provide expert analysis?
- To inject colour, atmosphere and personality into the story?
- To put a human face to a story?
- To get an official statement or 'the other side' of the story?

Commonly, the interview has several objectives. In this case, the journalist should list the questions that will meet each of the objectives they hope to achieve.

Prepare questions in advance. The questions depend on what the purpose or purposes of an interview are. Interviews intended to elicit facts should feature direct questions that are designed to get information. These questions can be open-ended to allow the source to give details and to explain. For example, a tax official can be asked, "What is the process that is normally followed when a tax audit is conducted?"

Interviews to solicit opinion can be less structured. Interviews to get colour can be less formal and more personal. Outrageous or provocative questions can even be asked, although this tactic may not be useful if the aim of the interview is to get facts.

It helps to organise the sequence of questions. A journalist should anticipate answers and see how questions can be ordered to get the information or point of view needed. Often, the phrasing and sequencing of questions determine whether the journalist gets the answers. This is why it is important to phrase and sequence questions either mentally or in writing before the interview takes place.

Some ways to structure an interview:

- Chronological: The interview follows a time or story line, from beginning to end. This helps the journalist keep on track and follows a natural logic that helps both interviewer and interviewee sail through the interview. This sequence is particularly useful for reconstructing events or trying to figure out how an issue has developed.

- Non-threatening to threatening: It is often easier for a reporter to ask harmless questions first, allowing the interviewee to relax and feel at ease, before asking the more difficult or embarrassing questions.

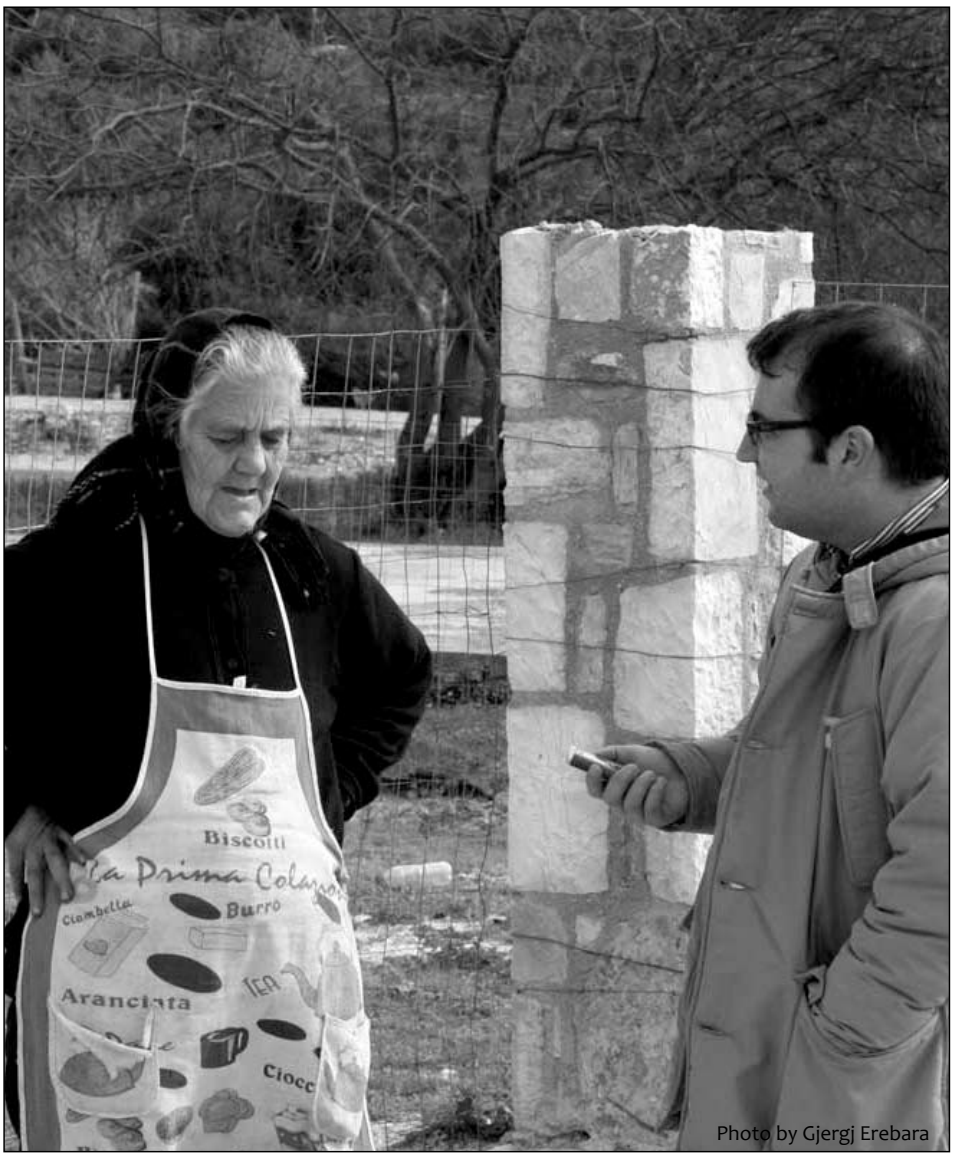
- Small picture to big picture: The journalist begins with minor and minute details of a story, before moving on to what the story means and the more analytical questions.

- Big picture to small picture: A reporter begins with the source's analysis of an issue or an event, before going to the finer details of the story.

As a general rule, journalists should ask clear, precise, and focused questions. Long-winded questions confuse interviewees. Two-part questions like, "Did you really sign the contract and why?" Double-barreled questions like, "Did you open a Swiss bank account or did your wife do it?" are similarly confusing. The source may answer "No," to just the first half of the question while remaining silent on the second.

Overloaded questions allow interviewees to wriggle out of giving an honest answer. For example, a question like "Is it true that in the last five years the city government has lost 20 per cent of its revenues to overpriced contracts?" is loaded with too many details. The interviewee, say the city mayor, can honestly say "No," because one of the details (not 20 per cent, maybe 15?) was amiss.

Some interviewees resent being asked leading questions that prompt them as to how to answer. Some leading questions make assumptions like, "How much corruption do you think exists in this administration?" This question already presumes the administration is corrupt. Other types of leading questions allow the interviewee few possible answers. For example, "Will you still support Mayor X, even if the crime rate has gone up during his term?"



BIRN's editor, Besar Likmeta interviewing for his World Bank story (see page 212).

Asking a leading question is risky. On the one hand, it may prompt a provocative and dramatic answer that could make for a great television moment. On the other hand, it could irk the interviewee and make them clam up.

Interviews, especially for television, that are intended to get the other side, often use closed questions that require a 'yes or no' answer, if only for dramatic effect.

A journalist could ask an official accused of corruption: "Did you take bribes from this company in exchange for approving the contract?" Closed questions, however, are not effective when trying to elicit facts or information. More open-ended questions like, "What do you know about anomalies in government contracts?" allow sources to give longer, more detailed and better thought-out answers.

If an interviewee avoids a question or gives a less than forthright answer, the journalist can rephrase the question or return to it at a later point in the interview. The journalist should also ensure that they understand what the answer means. Asking an interviewee to clarify answers or to rephrase them guards against misunderstanding. For broadcasting purposes, it sometimes helps to ask an interviewee to rephrase an answer that is incoherent or is not a full sentence.

At the end of an interview, it often helps if journalists ask whether there is a question that they missed or should have asked. This can elicit new information or new angles to a story.

Put the interviewee at ease. Most interviews start with a 'breaking the ice' phase, when the journalist makes small talk with sources, hoping to make them relax and less restrained about talking. The sources, for their part, use this phase of the interview to size up the journalist and to anticipate what questions will be asked. The first impression a journalist makes during the ice-breaking phase can sometimes determine whether an interviewee will be cooperative.

The prior research the journalist has made about the source can be useful even at this early stage. They can bring up a common topic of interest, perhaps, 'I also collect stamps'. If the interviewee is an avid golfer, the journalist can talk about an ongoing golf tournament. If they knows the source has a daughter who is involved in filmmaking, they can also broach that subject. During the ice-breaking period, the journalist can slowly move towards the objective of the interview and reach agreement on interview conditions.

During the interview, listen. Guide questions are just that. No matter how well prepared a journalist is, there are bound to be surprises. A journalist should listen carefully to what an interviewee is saying, so that appropriate follow-up questions can be asked. The journalist should clarify vague answers - e.g. what does 'uh-huh' really mean? Sources should also be asked to explain jargon, technical terms and processes, statistics, or anything else a journalist does not fully understand. If conflicting or contradictory statements are made, these should be sorted out. If the sequence of events being narrated does not make sense or seems jumbled up, the journalist should try to get things straight.

Often, the sequencing and the phrasing of questions need to be revised, especially if the interviewee gets ahead of the journalist by anticipating questions and answering them in advance. More savvy interviewees just talk and talk, veering the conversation away from controversy and making it difficult for the journalist to ask the hard questions and to steer the conversation back where they had originally intended.

What interview subjects hate:

- Unprepared reporters.
- Reporters who show up with preconceived ideas and ignore the subject's point of view.
- Reporters who talk more than the subject.
- Reporters who act bored or distracted.
- Reporters who take too much time setting up equipment.
- Reporters who are late or rushing.

Interviewees are also sensitive to how journalists conduct themselves. If a journalist is genuinely interested, they tend to talk more. But if they sense a journalist is not listening, they tune out as well and give only perfunctory answers. Interviewees are also put off by rude or improper behavior, or by journalists who talk too much (see box, 'What interview subjects hate' on this page).

Reporters, therefore, should observe proper decorum when they do their interviews. They should also dress appropriately: sandals may not be appropriate when doing an interview in a five-star hotel or the posh office of a top company executive, but are acceptable for interviews on the beach.

During the interview, observe. Journalists should take note of the behaviour of their interviewees - facial expressions, gestures, eye contact. These are all indicators of a source's personality, as well as their trustworthiness and credibility. Reporters should

be especially observant of the way sources react when difficult questions are asked. Was there a temporary silence? An embarrassed cough? A shifting of the eyes?

Journalists should also observe how the interviewee interacts with other people in the place where the interview is taking place. Are they relaxed? In control? Nervous? Unsure of themselves? Do they have mannerisms or gestures that betray shyness, uncertainty, cunning? All these details may prove useful later, when the journalist is putting the report together.

Anonymous sources

In every country that has a free press, unnamed sources are part of the journalist's toolkit. These days, anonymous sources are all over the newspapers and even television.

There are, of course, legitimate reasons for using quotes from unnamed individuals or information whose source cannot be attributed. The Watergate investigation, for one, relied heavily on 'Deep Throat'. Nobody knew who he was until Deep Throat came out to reveal himself more than 30 years after the investigation. It can be argued that without unnamed sources, significant information that has an impact on politics and policy will never be made public. Some important stories that are high in the public interest may also never get written or aired.

But the practice has also been much abused. Unnamed sources are used as shortcuts. Instead of digging for documents, talking to more people and piecing together information from many sources, reporters often use a single, unnamed source to make grave accusations of corruption or abuse of power. The race for a juicy headline makes the practice a common one. Anonymous sources save newspapers and news programmes from the risk of being scooped or of letting a day pass without a scandal in the headlines.

The risk of such wanton use of unnamed sources, however, is that they damage the credibility of journalists.

Unattributed Sources

Daniel Orkent, the former public editor of the *New York Times*, says that the greatest number of complaints he received from readers had to do with unnamed sources. Readers, he wrote in a 2005 column in the *Times's* online edition, question the authenticity of unattributed information. They also think that the reporters are being lazy when they quote unidentified individuals. Worse, some readers believe that the unidentified quotes are actually made up by the reporters themselves.

In February 2004, *The Times*, reeling from a scandal involving an inventive reporter, issued more stringent reporting guidelines. The *Washington Post* issued specific policies on sources, quotations, and attributions in March 2004. Both the *Times* and the *Post* guidelines on unnamed sources prescribe more specific identification, such as 'a member of the Cabinet' instead of just 'a high government official'.

Newsroom practice favours anonymous sources, observes Orkent. Reporters who get scoops, even if these are based on unattributed information, are rewarded by editors who give more prominent play to their stories.

Overall, however, the use of unnamed sources in the US media is declining, according to a 2003 study by the non-profit Council for Excellence in Government. In newspapers, unnamed sources accounted for 30 per cent of all sources in 1981, but declined to 25 per cent in 1993 and 20 per cent in 2001. For television news, the proportion fell from 21 per cent in 1993 to 14 per cent in 2001. 'Television's need for pictures and a strong narrative may explain why only one of six sources was not identified, compared to only one out of four in print,' says a report on the study published in The Public Manager.

Being careful with unnamed sources

This problem has been much discussed within journalism circles in other countries as well. The emerging consensus is that unnamed sources cannot be avoided, but also that journalists should be very careful in using them.

There are, however, no clear-cut rules for anonymous sources. What is clear is that only in very exceptional circumstances should a report be based on a single, unnamed source. In addition, unattributed information should be corroborated either by documents or another, preferably named, source. Multiple sourcing is the rule.

In television, special care must be taken to ensure that anonymous sources are not identifiable. The BBC editorial guidelines are helpful in this regard. These say:

- We must ensure that if anonymity is necessary it is effective. Both picture and voice may need to be disguised. A 'voice-over' by another person is usually better than technically induced distortion, which can be reversed, but audiences should be told what they are hearing. Blurring rather than 'pixellation', which can be reversed, is the best way of ensuring anonymity in pictures.

- Our promises of anonymity may also need to include, for example, blurring car number plates and taking care not to reveal the location of a contributor's home in order to avoid any risk of 'jigsaw identification'.

It is also important to include 'meaningful' descriptions of the sources that are unnamed. It is debatable, however, whether it is always necessary to explain the motivations of an anonymous source talking to a journalist. Certainly, it is important to say that interviewees refused to be identified because naming them would risk their lives or their careers.

Sometimes, however, it is not clear to journalists why sources talk. Some clearly have an axe to grind (in which case, this should be mentioned in the report). But many other sources make startling revelations simply because someone asked them in a nice way or because they had long wanted to make these things known. Others talk not because they are unusually civic-minded but simply because they were assured their identities would be protected. Sometimes, they agree to be interviewed only because they were friends of the reporter or a friend of a friend.

Motivations should perhaps be disclosed only when they matter to the story and to how the facts revealed might be interpreted.

In the end, news organisations must make their own rules about when to use unnamed sources. But they must make those rules responsibly, knowing that uncontrolled and irresponsible use of unnamed sources could damage their credibility in the long term.

Interview styles and approaches

For a long time, the confrontational interview was a staple of investigative television programmes in the West. The image of a celebrity anchor like Nightline's Ted Koppel or 60 Minutes' Mike Wallace, pouncing on a source and asking tough questions that left the interviewee stuttering and virtually speechless made for good television. The tough interrogation approach is also used in some television programmes in Europe, primarily because of the drama that it creates.

Such a confrontational approach, however, has increasingly come under scrutiny. Canadian investigative journalist John Sawatsy, for example, has studied thousands of interviews and concluded that the best approach is not that of the journalist as interrogator or prosecutor but more of therapist or professional listener. In the Sawatsky method, the journalist leads the source to provide answers while remaining in control and without giving their own opinion or views on the matters being discussed.

An article by Susan Paterno in in the *American Journalism Review* describes the Sawatsky method thus:

- Instead of using questions like cattle prods, jolting sources with provocative queries until they squeal, reporters need to reverse the relationship, Sawatsky says. Resist the temptation to converse, sympathise, and add value-laden statements - for example, 'Brian can be excessive sometimes' – follow up with: 'What do you mean, excessive?'…

- After breaking down and rebuilding thousands of interviews, [Sawatsky] saw patterns. 'Interviewing is about people. They're not chemical compounds and they don't always act predictably. But there is a predictable part.' Ask a closed question and sources will 'confirm or deny 98 percent of the time. That's the science.'…

- Professional answer-givers, what Sawatsky calls sophisticated politicians and business executives, frequently defeat journalists by answering a closed-ended question with a curt, 'No, not at all' or a disingenuous, 'Gosh, I hope not!' before switching to a prepackaged 'message track,' their prepared response to uncomfortable questions.

Here, Sawatsky advises a radical approach that includes, according to the *American Journalism Review* report:

- Asking neutral, open-ended questions that start with what, how and why. These types of questions demand more from sources and ask them to describe causes (what happened?), processes (how did it happen?) and motivation (why did you do it?).

- Probing tough issues instead of asking tough-sounding questions. Asking a subject, 'Do you hate Muslims?' will most certainly elicit a 'No' answer. Instead, ask focused, open-ended questions that probe the source's feelings toward Islam.

- Remembering that less is more. The more information journalists put into questions, the more information sources leave out. Short questions produce succinct, dramatic, focused responses. Long, rambling questions get long, rambling, or confused replies.

Sawatsky also frowns at journalists making statements and expressing opinion during an interview. He advises against showing sympathy for their sources and prompting them as to how to respond. A Sawatsky example: Do not ask Ronald Reagan, 'Were you scared when you were shot?' Instead, the question should be phrased, 'How did you feel when you were shot?'[1]

1 For more on the Sawatsky method, see The Question Man, by Susan Paterno, *American Journalism Review*, October 2000, available online at www.ajr.org.

Each journalist eventually evolves a distinct interviewing style. It does help, however, to try more methodical approaches to the art of interviewing and note down which work best and under what conditions.

Some journalists play dumb, pretending to know less than they actually do because they believe such an approach makes it easier for people to talk. Others use the tactic of deliberately keeping silent, knowing that people in general do not like awkward silences and so tend to talk to fill the gaps in the conversation. Some journalists reveal things about themselves, hoping their sources will take a similarly confessional tone.

Oriana Fallaci Interview Style

Italian journalist, Oriana Fallaci, is considered to heva been one of the most determined and gifted interviewers around. Her prosecutorial interviewing method, however, was the exact opposite of Sawatsky's. She made opinionated statements during her interviews. For example, she told Indian Prime Minister, Indira Gandhi, in a 1972 interview, "I don't imagine you as a housewife." This elicited an answer that provided an insight into a little-known aspect of Gandhi's life: "You're wrong! Oh, you're wrong! I was a perfect housewife. Being a mother has always been the job I liked the best. Absolutely..."

Fallaci also elicited a provocative statement about Zulfikar Ali Bhutto, then the Pakistani prime minister. "Bhutto is not a very balanced man," Gandhi said, "you never understand what he means".

Moreover, the journalist got away with confronting Gandhi with leading statements, like, "How much you must have loved your father!" and closed questions like, "You're not religious, are you?" both of which the prime minister responded to thoughtfully and eloquently.

It is therefore difficult to set hard and fast rules. The Sawatsy method works for investigative reporters when they want to gather facts and unearth information. It may not be the best method to use for high-profile world leaders who may not welcome the journalist-as-therapist approach.

Similarly, in doing personality interviews, asking quirky, provocative and even silly or bizarre questions may elicit unpredictable and lively answers that provide insights into the interviewee's personality and way of thinking. Some journalists believe that asking boring questions elicits only boring answers. Some interviewers therefore choose to inject humour and colour into their questions, and in this way manage to get choice and colourful quotes.

For sure, Fallaci's personality and her stature allowed her to get away with asking even outrageous questions. Her interviews, however, were not so much fact-gathering efforts. As she wrote in the preface to *Interview with History*, they were an attempt to seek 'an answer to the question of how they [people wielding power] are different from ourselves'. Thus, the Fallaci style provokes public figures accustomed to interviews into making honest revelations about themselves and others.

For example, when she asked Archbishop Makarios, then the head of the Greek Orthodox Church, "Did you feel at ease with the pope?" his answer was an icy, "It was interesting. A pity all that protocol".

Exercise 7
Conducting an interview

Prepare for a hypothetical interview with either a government official or a company executive currently in the news. Say you are scheduled to interview this person about a controversy or scandal they are currently involved in. Answer the following as part of your preparation for the interview:

- What is the purpose of your interview?
- List six questions you want to ask. Write the questions in the way in which you intend to ask them once the interview is taking place. Make sure the questions correspond to the purpose of your interview.
- Anticipate how the interviewee is going to answer. If they evade the questions, what follow-up questions will you ask? List these questions as well.

CHAPTER EIGHT

Putting the Story Together

How can journalists write compelling investigations?

For many journalists, the research and reporting constitute the most enjoyable and exciting phase of an investigation. For them, the hardest and least fun part is writing. It's what they struggle with the most.

It is not difficult to understand why. Investigative reports are more complex than daily news stories. In the course of doing them, journalists gather and sift through a great amount of information. It is not easy to put all that information together in an interesting and coherent report.

The most common problems that challenge investigative journalists are organising all the information that they have gathered, figuring out what it all means and telling the story in a compelling way. What makes these tasks difficult is that the journalists know all the little details of their investigation and they are engrossed in the complexity of what they have been working on for weeks or months. They want to put everything they have found into the report.

Often, investigative reports end up being too long and difficult to read, written more to satisfy the writer than the reader, who ends up getting lost in the maze of details. They miss the big picture. Reporters forget to answer the most important question of all: What does it all mean? They do not tell a story; they have no characters. They end up writing a research paper rather than a riveting, journalistic account.

Reporting and writing

One way to make things easier is to remember that reporting and writing are not two distinct phases of an investigation. Journalists should keep thinking about the writing, even while they are reporting. From the time they begin an investigation, they should be constantly doing the following:

Organising information: not just paper records, which should be filed in separate folders in an order that makes sense, but also digital records (such as Web pages, which should be saved in electronic format because Web sites are continuously updated), audio and video recordings as well as interview transcripts.

From the outset journalists should:

- Organise information
- Think about characters and settings
- Build a story

Some journalists use spreadsheets or tables to list documents and interviews (including interview contact details), as well as Web links. Some put choice quotations in a separate file for easy access during the writing process.

An indispensable organising tool is a chronology or a listing of events in the order in which they happened. The chronology is useful during the reporting phase – as a guide when doing interviews or when looking for the gaps in the reporting. It is also very useful during the writing. With a chronology, journalists do not need to keep digging into their notes and transcripts all the time. The chronology, which should have names, details of events and dates, is there as a handy reference.

Other handy guides include graphics, such as flow charts, that remind a journalist of a process or chain of events, while they are writing. Maps, graphs and tables are also handy to have around when writing.

Many journalists write an outline or storyboard before they begin writing. The outline usually contains the main themes, findings and characters. The storyboard is a visual layout - a sketch - of the narrative that helps reporters imagine how their story is going to play out. The storyboard allows them to move around various elements of the story - and see how these look - before they write it.

Thinking about and developing characters and setting: Strong, interesting characters are key to any story. Without them, stories are dull. They do not come alive. Characters and interesting quotations breathe life into a report. The characters can range from victims of wrongdoing to perpetrators. They may be whistle-blowers or investigators. They can be ordinary people who are somehow thrown into the centre of the story. They can also be eyewitnesses to, rather than participants in, an event.

In the course of reporting, journalists should be keenly observing and documenting details about those they are writing about. They must make sure they get essential information about people - age, education, profession, etc. - during the reporting phase. They should note down interesting details about a person they are interviewing, such as manner of dress, behaviour, mannerisms and facial expressions. During interviews, they should not forget to ask questions that bring out elements of a person's character or personality that may be useful later when writing the story.

When they visit a place, for example, the site of a mining disaster, they should take careful note of what they see. Pictures and video are important in helping capture details. Even print reporters should consider taking pictures or video of important places they visit so they can mine these for details when they write. Mobile phones equipped with cameras are perfect for this task. But journalists should take note not only of what they see, but of what they hear, smell and taste. These sensory observations may prove important when they are piecing the story together.

Building a story: Many investigative journalists get too engrossed with facts, they forget that they will eventually have to write a story. Any story has a beginning, a middle and an end. It has a narrative arc. Journalists should begin thinking about the narrative arc or structure of their report even before they write it.

A story needs continuity. Sometimes a character can be used as the thread that ties a narrative together. That character's life can be used throughout the report; his or her life can be illustrative of the various themes the journalist wants to develop in the report.

Sometimes the contrast between two characters or two sets of characters provides the narrative thread and the dramatic tension in a story. This was the case for The Massacre at Cuska, where two sets of characters - the victims of the massacre on one side and the perpetrators on the other - provide the continuity in the narrative.

In other stories, a chain of events told in a certain order, such as via flashback or in the order in which the events happen, makes up the backbone of the narrative. For example, a report can open with a murder that has taken place and unfold the narrative through a chain of events - such as the story of the murder investigation - that follows.

The search for the culprit or the cause of the wrongdoing could also be a narrative thread.

Whatever it is, journalists should already be thinking about and imagining narrative structures during the reporting phase, so that they can do the reporting that is needed to make these structures possible.

The beginning: hard or soft?

Like feature stories and news reports, investigative reports can begin with a hard, summary lead or a soft lead. Either one works, depending on the kind of story and the material a journalist has at hand. The aim of a lead is to pull the readers into the story and to provide them with a sense of what the story is all about.

The lead can be:

- Hard, delivering punch and immediacy
- Soft, giving emotion and drama

This is an example of a hard, summary lead. It is from a 2005 story Macedonia implicated in 'abduction' case, by Ana Petruseva and Miomir Serafinovic, on the involvement of Macedonia in extraordinary renditions - the abduction and detention of suspected terrorists in secret prisons[1].

> **The Macedonian authorities were involved in the kidnapping and illegal detention of a German national following a 'request' from the CIA, local police and intelligence sources have told IWPR.**

This lead works because it is punchy and straight to the point. It draws readers in because it is an important story that reveals something they did not previously know about.

Similarly, this 2003 IWPR report on prison abuse in Serbia, Serbia: Detainees allege torture, uses a hard lead.

> **In the wake of the police sweep that followed the assassination of prime minister Zoran Djindjic, IWPR has gathered testimony which points to the use of torture and other forms of mistreatment against detained suspects.**
>
> **The evidence indicates that ill-treatment of detainees was more widespread than statements from the Serbian government and from the United Nations and OSCE suggest.**

1 See the full story on page 249

Again, there is hard and revelatory information in this report and this needed to be stated clearly and forcefully.

Reporters often face difficult choices when writing their stories. A hard lead has punch and immediacy, especially if the report reveals something that is shocking and new. A soft lead, on the other hand, has emotion and drama and puts the human face into the story. The police abuse story, for example, could have been written this way, to highlight the suffering that resulted from police abuse.

> **Milan Vukovic, a restaurant owner in Belgrade, was arrested on March 13, the day the state of emergency was imposed. Accused of belonging to the group thought to have killed the prime minister, he was detained for a month at Makis, the headquarters of the special interior ministry unit charged with fighting organised crime.**
>
> **"A group of five or six masked policemen tied my hands to a chair that was fixed to the floor, and put a plastic bag over my head," he said. "After a short while, I used up all the air. The bag stuck to my face and I started struggling for air. When it was obvious that I was suffocating, they punctured the bag. They played this game twice."**

While the hard lead stressed the magnitude of the abuse and the new evidence that had come to light, the soft lead plays up the drama and emotion.

Types of soft leads

Soft leads are not summary leads. Instead, they are descriptions or stories that introduce a report rather than sum it up.

For example, this is how a 2006 BIRN story, Ex-Policemen Run Kosovo Passport Scam, by Krenar Gashi and the BIRN team, on the involvement of policemen in a passport scam in Kosovo, began:

Basic types of soft leads are:

- Quotation lead
- Descriptive lead
- Narrative lead

"For €300 I can get you all the documents in one day," said Sajo, a former policeman in Kosovo and now based in Rozaje, in Montenegro. "All at once - birth certificate, citizenship papers, ID and passport."

Sajo sells new identity papers to Kosovo Albanians. There are many like him in Montenegro and Kosovo, where a lucrative trade in falsely obtained passports and other documents is booming.

An undercover investigation by BIRN revealed the large amounts of money Kosovo Albanians routinely pay to people like Sajo to obtain new versions of the old Yugoslav passport.

Quotation lead: The above story uses a 'quotation lead' from a statement made by Sajo, a character in the report. Sajo is used to illustrate the wrongdoing that the report will expose. He draws us into the story. We do not know yet what Sajo is all about. We find out in the second paragraph that he is one of many policemen involved in a booming trade in falsely obtained passports. In the third paragraph, we discover that the journalists encountered him as part of an undercover investigation.

Descriptive lead: There are other types of soft leads. Below is a 'descriptive lead' that begins with a character and, like the story above, shows the importance of characters in putting the human face in investigations. A descriptive lead can be about a person, a place or an object. This 2003 IWPR story on the proliferation of illegal guns in Albania, Kosovo and Macedonia opens by describing a character who is emblematic of the problem that is described in the report.

Sweat pours down Emin Limani's face as he picks up gun after gun - and then shovels them into a furnace. He is melting them down as part of a scheme to disarm Kosovo.

There's still a long way to go. There are hundreds of thousands of weapons held illegally in the area, and taking them out of circulation is a big task.

The real challenge is to convince people that giving them up is a good idea. People like Emin, in fact. Despite his job, he is no advocate of disarmament. His face darkened when he was asked how he feels about melting down weapons.

"I feel sorry that I have to destroy them, but what can I do?" he mumbled, as if ashamed.

Using Emin to begin this report accomplishes several goals:

- The image of a man melting down a gun piques the reader's interest in the story.
- Emin is representative of the dilemma that is at the heart of the report: local people like to keep their guns because it provides them security even as the proliferation of so many weapons only adds to the insecurity of their situation.
- Emin's tale sets the narrative tone for this report, which is really more about a complex social situation rather than a wrongdoing with clear villains and heroes.

Risks of soft leads

In The *Art and Craft of Feature Writing*, the US journalist William Blundell warns that using soft leads does not always work. They can flop unless they meet the following standards:

- **Simplicity:** the narrative and description should be clearly and immediately understandable. If what is described or narrated requires more than a brief explanation of how it relates to the rest of the story, the report slows down, the writing becomes heavy and readers lose interest.
- **Relevance:** the lead must be directly related to the rest of the story. If there is a shift in focus, readers feel they had been misled, that the story was not what it promised to be in the beginning.
- **Interest:** 'slice-of-life' leads, as Blundell calls them, must be interesting. If they are boring or if the quotes used are dull, the story falters. Blundell's advice: 'If you lack vibrant examples, choose a general lead instead.'

Focus: Blundell advices against 'fruit-salad leads … in which scraps of detail and

- anecdotal material drawn from different parts of the story are tossed together and served to the reader in one heaped and confused paragraph.' Leads condition the reader and should, as much as possible, be chosen to illustrate an important part of the story that will be treated more fully. But Blundell allows for exceptions if there is an engaging anecdote that can be told. Interest, he says, is more important than focus.

Narrative Lead: The following is an example of a narrative lead, so called because it tells a story, rather than describing a person or a place. This is from a report on the high cost of energy in Bulgaria and is part of the series, The Power Brokers, a joint project by the Organised Crime and Corruption Reporting Project and SCOOP.

> **Ivan Shutov warns the driver to slow down on the pockmarked road. His team is making its way around potholes, toward the tumble-down shacks of the Stolipinovo section of Plovdiv in Bulgaria. They have a tricky assignment in this poor little neighbourhood.**
>
> **Stolipinovo houses Bulgaria's largest Roma community and Shutov, from the state electrical company NEK, is here with a police escort to try to collect payments on electricity bills.**
>
> **He expects a cold reception, especially because a July 1 rise in energy prices is probably not the last increase these customers face – and they know that. Across Bulgaria, the spiking cost of energy is driving pensioners, the poor and many of the working class citizens who make up much of Bulgaria to anger.**
>
> **Energy companies say they must collect the money owed them if they are to be self-supporting. That attitude does not give dispensation to the poor in places like Plovdiv. Power companies worried about their bottom line are thus pitted against some of Bulgaria's poorest citizens, who have traditionally received energy from the state for free or at steeply discounted rates.**
>
> **As Shutov's team prepares to disconnect the electricity from a local house, the local people argue.**

"How do we pay for electricity?" demands Stefan Ivanov, 23, in line for disconnection. Stefan, like many local residents, lives only on a stipend of €32 per month from state aid.

"I have four children. Look at my apartment. It has just one room. I don't even have windows and you want me to pay bills for electricity?"

Stefan appeals for support from a crowd of local residents who have gathered. The situation is tense. Police started escorting power company employees after a near riot last year when more than 200 residents who had lost power threatened two energy company employees with sticks.

Energy company officials say residents of Stolipinovo owe the Power and Distribution Company of Plovdiv €3 million. The company says so many residents do not pay their bills that they had to begin sending in collection agents like Shutov.

Residents here and in other communities have not paid regularly for utility services for years and have gotten away with it. But now, energy companies across the region are cracking down on delinquent bill payers, and a new policy calls for shutting off power if a bill is more than one week late. For many, that will mean the lights will go out.

This is a much more extended lead. We do not really know what the story is about until the story unfolds. But it works, partly because the writers break the narrative in the second sentence of paragraph three and the whole of paragraph four, which gives the big-picture explanation of the problem examined in the report. The narrative also works because it introduces the readers to characters - Ivan Shutov, the collector from the power company, and the angry Roma residents. Their confrontation over high power bills builds dramatic tension and illustrates to the readers the intense emotions involved in this conflict.

Drama is central to story telling. After all, much of what journalists investigate involves drama and conflict, whether the story is about corruption, overpriced power, proliferation of illegal guns or the trafficking of women. Reporters should reflect the drama and conflict in their reporting, without hyping it or adding more conflict and emotion than there actually is.

The nut graf

When opening with a narrative or a description, reporters must make sure they go back to the main focus of the report. The transition from the lead to the main body of the article is called the 'nut paragraph'. The 'nut graf' is the so-what paragraph. It tells readers what the story is about and why they should care.

Chris Scalan, writing for the Poynter Institute in the US, says the nut graf 'tells the reader what the writer is up to; it delivers a promise of the story's content and message. It's called the nut graf because, like a nut, it contains the 'kernel,' or essential theme, of the story.'

Scanlan explains that the nut graf serves the following purposes:

- It justifies the story by telling readers why they should care.
- It provides a transition from the lead and explains the lead and its connection to the rest of the story.
- It often tells readers why the story is timely.
- It often includes supporting material that helps readers see why the story is important.

As an example, observe how the nut graf functions in the following CIN report on the magnitude of the drug trade in Bosnia. The nut graf is in italics.

> **For some four years, Irfan Hadzimuhovic spent about 18,000 KM a year on his career, which was heroin. The 25-year-old Sarajevan is now in the Therapeutic Community Campus in Rakovica trying to kick his habit.**
>
> **"Day after day, hour after hour, second after second - I spent every second thinking about how I'd get the money," he said.**
>
> ***Nobody knows how many addicts there are in Bosnia and Herzegovina (BiH). The US State Department estimates there are 120,000 habitual drug users in BiH. As much as 15 percent of the population may be recreational drug users.***
>
> ***What is clear is that drugs are a huge business, generating 500 million KM a year or more and accounting for as much as two percent of the country's economy, making it one of BiH's largest businesses.***
>
> ***The US State Department describes BiH as a transit area for drug trafficking because of its strategic location along historic Balkan smuggling routes, and because its weak central government and small anti-drug forces do little to disrupt the trade. Narco-dealers collude with or are tolerated by corrupt public officials, said the report, which cited "anecdotal evidence."***

The nut grafs shift the focus from the small picture - one drug addict - to the big picture of the entire drug trade in BiH. The fourth paragraph provides a sense of the magnitude of the trade. The fifth paragraph answers the question why, as in why is the drug business doing so well in BiH?

In the following story about Bulgaria's black market in blood, the nut grafs come later - after the fourth paragraph. Black Market in Blood Booms in Bulgaria, an investigation by Ekaterina Terzieva and Albena Shkodrova, published by BIRN in 2007[1], starts out with a scene: the backyard of a hospital in Plovdiv where poor people are gathered in the hope of finding buyers for their blood. The nut grafs are in italics:

1 The full story is available in www.birn.eu.com/en/66/10/2084/

"You will recognise them easily," a source said of the blood vendors. "They dress in shabby clothes and hang around, pretending to go past places by accident where no one could possibly pass by chance."

And there they were, at the back of a regional hospital in the outskirts of Plovdiv. Just as our informant suggested, they were pretending to accidentally pass by the entrance to the blood centre, surrounded by woods.

There were a half-dozen poorly dressed people. Seeing us approach, a young man came up and asked, "Are you looking for blood?"

They turned away in disappointment on discovering we were journalists, but two of the older ones agreed to talk: selling blood was the only way they could survive, they said. One donation a month doubled their monthly income of €50, helping them to feed their families.

Selling blood in Bulgaria is illegal. A state system, based on voluntary donations, is obliged to supply all hospitals with all the blood and blood products they need. But in recent years the number of donors has fallen sharply and the shortage of blood has grown. This has created a new market, in which thousands of poor people sell their blood.

In a Plovdiv hospital, we found low-level health officials, including sanitary workers, technical support and security staff involved in an organised trade, offering an easy, but often expensive and illegal solution to people in need.

Writing the middle

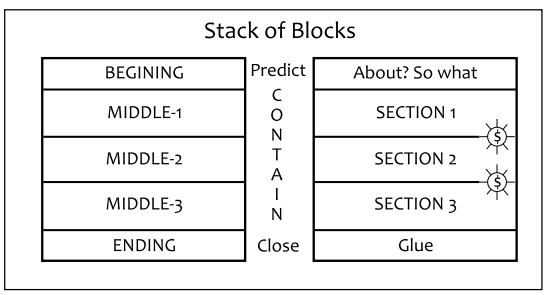
The middle is the trickiest part of a report. It is when a story can bog down and flop completely, prompting readers to flee. It is also the part where the least interesting elements of a story need to be told. The main challenge in writing the middle is sustaining reader interest beyond the lead and the nut graf.

The middle is actually where the meat of the investigation resides. It is where reporters go into the details of what they have found. Middles can be structured according to the key themes or findings of the investigation. They can also have a chronological structure - meaning that instead of developing themes, the writer opts to tell a story following the order in which events happened.

Mechanisms to keep the readers attention:

- Action and scenes
- Conflict
- Point of view
- Dialogue

This is how Scanlan of the Poynter Institute visualises how a report can be written. He thinks of the elements of a story as a 'stack of blocks'.



The stack has three parts: beginning, middle, and end, explains Scanlan. The middle contains the information grouped by subject matter into parts arranged in logical order. The beginning predicts the middle in form and content, and the ending cements the main points into the readers' memories.

In journalistic terms, the stack of blocks begins by telling the readers what the story is about and why it's important, followed by sections, ending with a kicker to help the reader remember. If the story is longer, the stack of blocks may include a few 'gold coins' (in the above figure, the starred circles) or rewards, spaced throughout to keep readers reading. Gold coins might include a delightful anecdote, a great quote, a neat turn of phrase, or an interesting new character. Instead of including a background block too late, the stack of blocks supplies the readers with context in little bits as needed.

The middle blocks in this stack are often the most challenging to write. The longer the report, the more difficult it is to sustain reader interest. There are various mechanisms that can be used to keep readers glued to a story. These devices, however, can be used not just in the middle but throughout the report.

Action and scenes: It may help to think of a report as a movie unfolding before the readers' eyes. The movie progresses only because there is action that is played out in scenes. Below is an example of how Nick Davies, an investigative reporter for *The Guardian* newspaper in the UK, used his trip with a police patrol in a high-crime neighbourhood to write about the problematic issues of drugs and street crime.

In this 2003 report, Davies recreated different scenes from his evening with the police and these became the narrative thread of his story. He used the scenes as take-off points to discuss issues related to crime, such as immigration, youth gangs, poverty and the limits of law enforcement.

He opens by describing how the police patrol he was with came upon the killing of a 'Yardie', a Jamaican gang member. The writing is different from the usual investigative report. Davies tells the story in all its rawness, as if he is bringing readers to the scene of the crime and telling them in a somewhat breathless tone what happened there. Here is how he starts:

> **Right there. That's where they got the Yardie guy. He was in that pub, the Jolly Roger, on the corner of All Hallows Road and, although it's dark now and our van is racing, we can still catch a glimpse of the lamplit pavement where he lay with his blood pooling over the kerb and on to the Tarmac.**
>
> **There were people standing all around, but it was one of those times when nobody saw anything. It seems like the men with the knives sent a message into the pub - "Tell Chrissie to come outside" - and for some reason (maybe he was stupid, maybe he was too cool to be scared) he went out, and they slashed him 24 times, tore open his belly and stabbed him through the skull in a quiet street in a city in south-west England.**

In the paragraphs that follow, Davies brings in the big picture of how 97 per cent of drug-related street crime is never solved and the police's helplessness in the face of it all. Then he goes to another scene:

> **An hour ago, the inspector addressed the troops. They were in the old police gym, 40 men and women in white shirts and black stab-proof vests, sitting on crooked rows of plastic chairs among the battered punchbags and weightlifting machines. It was very quiet while the inspector spoke, and they sat with their arms folded and their chins on their chests. "This is a really serious situation," he told them.**

Davies proceeds by recounting the rest of the meeting with the troops, interspersing the story with additional information about the Yardies and the seeming futility of fighting street crime. Then he goes back to the inspector and recounts what happens when the inspector himself goes on patrol. Davies describes the officer's trip down crime-infested neighbourhoods, using this as a take-off point to discuss other issues related to crime and crime control.

Conflict: It can be said that all investigative reporting is about conflict: wrongdoers vs victims, winners vs losers, the powerful vs the powerless. Reporters generally highlight this conflict at the beginning of their stories, but many do not sustain it in the middle.

This Pulitzer-Prize-winning story by the *Toledo Blade* newspaper in the US keeps readers hooked by making conflict the central part of the story. The report is about an elite US Army unit called the Tiger Force, which tortured and killed civilians, later burying them in mass graves in several villages in Vietnam during a seven-month period in 1967. The *Blade* found that the unit carried out 'the longest series of atrocities' during the Vietnam War and that, although the unit was investigated by the army, no one was ever prosecuted.

The *Blade* dug into army files and interviewed both soldiers and survivors for the series that was published in 2004. The first part of the series begins with a narrative lead that recounts how unarmed Vietnamese farmers hid in rice fields, quaking in terror as the US soldiers fired and bullets flew all around them. The story is told from two points of view, those of the farmers first and then of the soldiers.

After that story is told, the nut grafs follow and a summary of the investigation's findings is laid out. Then, in the middle of the article, the story shifts back to the farmers and the soldiers – their views are told in point and counterpoint - bringing alive a conflict that took place nearly 40 years before the series was published.

Thirty years after US combat units left Vietnam, the elderly farmers of the Song Ve Valley live with memories of the platoon that passed through their hamlets so long ago.

Nguyen Dam, now 66, recalls running as the soldiers fired into the rice paddy that summer day in 1967. "I am still angry," he said, waving his arms. "Our people didn't deserve to die that way. We were farmers. We were not soldiers. We didn't hurt anyone."

But one former soldier offers no apologies for the platoon's actions.

William Doyle, a former Tiger Force sergeant now living in Missouri, said he killed so many civilians he lost count.

"We were living day to day. We didn't expect to live. Nobody out there with any brains expected to live," he said in a recent interview. "So you did any goddamn thing you felt like doing - especially to stay alive. The way to live is to kill because you don't have to worry about anybody who's dead."

Point of view: The *Blade's* report is also a very good example of telling a story from different points of view, meaning seeing events, issues or problems through the eyes of different characters.

Most investigative reports are written from the point of view of the author; that is, a reporter who has gathered, sifted and analysed information and is telling a story as an all-knowing and mostly impartial narrator. That does not mean, however, that an investigative report cannot reflect different points of view. The author's voice need not be the only one that the readers 'hear' when they read a story; other voices, other points of view, can be included as well.

Writing from different points of view allows readers to see how events unfold through the eyes of those who were actually part of these events, rather than only through the eyes of a reporter who was not even there. That is clear from the *Blade's* report, which brings out the terror on both sides of the battlefield.

As a writing device, reflecting different points of view is also a good way of making a story more textured and interesting, especially as it bogs down in the middle.

Dialogue: Investigative reports are rich in fact. Sometimes, they are also rich in colour and description. But they can be even better when readers hear how the characters in the report actually talk. Quotes alone sometimes do not suffice. An exchange, a conversation provides a better sense of the characters or of the situation a reporter wants to describe.

For example, this dialogue from a scene that takes place at the border between Bulgaria and Greece gives us a sense of the wiliness and desperation of human traffickers. It is from a 2003 IWPR story on the Balkan sex trade.

> **Marcu scratches his unshaven face and stares intently out of the window at the queue of battered tankers, trucks and cars beyond.**
>
> **He's nervous, tired and desperate. Sitting in a small cafe on the Greek-Bulgarian border, he hesitates over his coffee before asking us a favour, a big favour.**
>
> **"Look, I know you're Romanians. May I ask you to take these two girls in your car and drive them over to Greece?" he said, pointing to a car outside where a couple of young girls are sitting in the back seat.**
>
> **He's figured out where we're from by the plates on our vehicle.**
>
> **"They're from Brasov (a town in central Romania) and need to get to Thessalonika (northern Greece). I'll pay you good money. Their papers are OK," he added enthusiastically.**
>
> **Marcu tells us he is trying to make a living by trafficking the two girls. "I'll find them good positions in a club in Thessalonika. I have an address and I'll get good money from this. You know how hard it is to make a living nowadays. The girls are poor too, they're sisters and their parents are drunkards," he said.**
>
> **"Greece is a much better future for them. I arrived here with them by bus but now I'm afraid to cross the border together with them because I heard the Greek customs officers are very suspicious and can stop us from entering."**

Leaning over the table, Marcu began to look worried, "Please help me, take the two girls in your car and then we'll meet on the other side and you'll get some easy money."

"Why don't you just take a cab across?" we asked.

"No, I don't want to hire a cab because these guys are crooks, they can rob me," he snapped back.

Marcu was getting edgy and wanted us to do a deal to take the girls across and quickly. Leaving the coffee shop, he followed, shuffling along to our car. We were about to talk to him further when, nervously examining our distinctive Romanian Dacia, he noticed we had made a mistake. On the back seat were our cameras and equipment: our cover was well and truly blown.

He didn't look back as he sprinted away down the road, getting into his car and disappearing round a bend into Bulgaria. He will no doubt be back to try another day.

The ending

Reporters always want their endings to be memorable. But they do not always succeed. Sometimes, they are too exhausted by the writing process that they end not with a bang but with a whimper. They stick a quote at the end, or get the character they had in the beginning and bring him or her back again as a way to conclude the story.

Bruce de Silva of the Associated Press says that endings serve three functions. As summarised by Scanlan of the Poynter Institute, these are to:

An ending can be:

- Narrative
- Explanatory
- A quote
- Descriptive

- Tell the reader the story is over.
- Nail the central point of the story to the reader's mind.
- Resonate. 'You should hear it echoing in your head when you put the paper down, when you turn the page. It shouldn't just end and have a central point,' De Silva said. 'It should stay with you and make you think a little bit. The very best endings do something in addition to that. They surprise you a little. There's a kind of twist to them that's unexpected. And yet when you think about it for a second, you realise it's exactly right.'

There is a range of possible endings that a reporter can use. In fact some of the devices for ending a story are the same devices that are used when writing leads.

Narative Endings: These can be used for both beginnings and endings. Here is an example of a narrative ending. It is from the story on the Kosovo passport scam and uses a narrative lead, starting off with the story of a policeman involved in the underground activity. It ends with another story, this time of the unintended victims of the passport scams - Serbs who complain that, because government functionaries are so busy making money from fast-tracking the processing of passports for Kosovo Albanians, their own passports are neglected.

In effect, Kosovo Albanians until recently had two ways of obtaining personal documents, the regular method and the fast track. As the fast one becomes more popular, many Serbs complained that the regular procedure is getting slower.

In the municipal offices in the Serbian enclave of Gracanica, one middle-aged Serb could be heard grumbling about the way the legal system appeared to be crumbling. "The Albanians corrupted our institutions and now we Serbs can't get proper public services from our own institutions," he said.

Such complaints are unlikely to have any impact on a trade that meets a clear demand. Two weeks after we encountered one Albanian in the queue in Kosovo Polje, we found he had resolved his passport problem through the use of paid mediators.

Adi had got tired of waiting and being refused a passport for what he called 'senseless reasons' and got the papers from a mediator within three days. "I bought my own passport," he said proudly.

Narrative endings allow the writer to summarise his points, but in an indirect way, by telling a story. The ending above both summarises the impact of the scam as well as providing an unexpected twist by pointing to forgotten or unintended victims, who are not discussed in the rest of the report.

Explanatory endings: Summary endings do not always have to be narrative. Explanatory endings, like this one from a 2006 report on profiteering energy traders in the Balkans written jointly by the Centres for Investigative Reporting in Romania and Bosnia can be equally effective. In two short paragraphs, this ending sums up the main findings of the report. It repeats the themes tackled in the main body of the article, but repetition serves the purpose of reminding readers what the story is about and why it is important.

Most of these countries share not only the same, small connected group of owners, but also a tendency to be investigated and a proclivity to make lots of money from the poor management state companies.

In the end, it is the Romanian energy user who pays.

Sometimes, endings try to project the future implications of the material covered in the report. A 2005 BIRN story on organised crime, the proliferation of illegal guns and general lawlessness in Kosovo's western region, ends by predicting an uncertain, even dark, future for that part of the country. This is strictly speaking not a summary ending, but by projecting into the future, the ending reminds readers what the main point of the report is.

> **With political and economic stability still some way off in Kosovo, incentives for smuggling and other forms of organised crime are likely to remain strong. The ready availability of guns means that the killing can go on indefinitely.**
>
> **And neither the family man driven by the strong emotions of the vendetta, nor the professional hit-man operating with cold-blooded calculation is likely to think twice as long as there is no real official sanction to deter him.**

Quote endings: Among the most commonly used ending is the quote ending. One reason these are such favourites is that they work quite well. They offer a summary or a conclusion, but one not served by the reporter but by someone else. Quote endings therefore constitute one final opportunity to put another voice into the story. They can also give a sense of objectivity, because it is not the reporter making the conclusion but some other person.

Compare, for example, the ending of the Kosovo passport story with the following ending from Armed to the Teeth, the investigation mentioned earlier in this chapter that looked into the flood of illegal weapons in Albania, Kosovo and Macedonia. It ends with a quote, with strong words not from the writer but from someone else.

> **In Macedonia, disarmament official Gezim Ostreni said that people still harbour misconceptions about the danger of firearm proliferation.**
>
> **"These weapons do not pose a threat for the state, contrary to what is commonly believed," he said. "They pose a threat to people who live in the vicinity of the owners. They will be used not to start uprisings, but to shoot at one's own children or neighbours. I've been through two wars, and I know that well."**

Descriptive Ending: A report can also be concluded with a descriptive ending that paints the picture of a place or portrays a scene. This story on an 'urban renewal' project in Brcko district, northern Bosnia ends by going back to the opening scene of the report: the Faraon restaurant in the seedy Arizona Market, where the owners of brothels, shops and all sorts of illegal businesses hang out. The local traders are ex-farmers who own the land on which the market stands. But they are being threatened with eviction because the market is being developed into a shopping mall by an Italian-Bosnian company.

This is the classic 'tying back' ending, as it ends by referencing the beginning of the story.

This is how the story, Showdown at Arizona Market, published in 2004 in the *Net-Novinar* website by a team of Balkan journalists, begins:

> **It is Sunday afternoon at the Faraon restaurant, a slightly more substantial wooden building than the rest of the 3,000 wooden kiosks that make up the Brcko District's sprawling Arizona Market in northeast Bosnia. But just like the rest of them, the Faraon has a parking lot for a toilet.**
>
> **After visiting the 'toilet,' Matija Misic, 55 years old, is ordering his third brandy, banging the table with his fist and swearing loudly at the "international community" which, he says, wants to dispossess him of the land, given to him by his grandfather, where the Faraon sits.**
>
> ***"This is private land and the plan of these bastards won't succeed,"* Matija is yelling in the face of an American journalist, who sits across the table from him.**
>
> **Misic is not alone in his anger. Like a judicial council, ten equally drunk and angry landowners from the market, who gather regularly at the Faraon, sit at the tables nodding their heads with the pounding of the table.**
>
> **They are all landowners, or they rent kiosks in the market, which in early June, according to the plan of OHR [the Office of the High Representative in Bosnia and Herzegovina] and the Brcko District government, an Italian-Bosnian consortium will redevelop into the most luxu-**

rious shopping centre in southeastern Europe – either with or without the landowners' cooperation.

The plan has introduced the local landowners to the American style concept of 'urban renewal' where government is allowed to take away property rights in the name of the 'greater good'.

So far, the landowners aren't buying it.

And here's how it ended:

Meanwhile, back at the Faraon where the private property owners' threats have produced little more than hot air in the restaurant, the mood is still angry stirring memories of the Arizona Market's Wild Wild West days.

"I won't give them my land, and I will defend it with my life if necessary!" Misic yelled at no one in particular.

Everyone in the cafe nodded.

Excercises, Resources and Additional Reading

Serb police target Karadzic informer

Balkan Crisis Report, May 4, 2004

Milan Lukic passed information on the ex-Bosnian Serb leader to The Hague, and his brother appears to have paid the price.

By Nerma Jelacic in Sarajevo,
Tanja Matic in Visegrad and
Hugh Griffiths in The Hague

A Bosnian Serb commander who had fed information on top war crimes suspect Radovan Karadzic to the Hague tribunal was the target of a botched assassination attempt by police in Republika Srpska, RS, which left his brother dead, intelligence sources say.

Milan Lukic - who has been indicted by the Hague court - was not in the house near Visegrad when it was raided by Bosnian Serb police on April 18. His brother Novica, never accused of involvement in war crimes, was there at the time - and was summarily shot dead in front of his wife.

The botched raid made international headlines as the first time the authorities in RS had gone after an individual wanted by the Hague.

The attempt was welcomed by Lord Paddy Ashdown, the High Representative in Bosnia and Herzegovina, despite the killing. On April 20, he described the police raid as "the most serious attempt yet by the RS authorities to detain those indicted by the ICTY (International Criminal Tribunal for the former Yugoslavia), and so ensure the RS meets its international and domestic legal obligations".

But IWPR investigations reveal a very different picture. The raid appears to have been a rogue operation to silence a man who was promising to deliver vital information about the network that protects and funds Karadzic, the former Bosnian Serb leader, the tribunal's most wanted suspect.

Lukic planned meeting with Hague agent

IWPR has learned that Lukic had already provided the Hague with information on Karadzic.

Milan Lukic, 36, has been charged with some of the bloodiest war crimes of the Bosnian war, but is still seen as a hero by Bosnian Serb nationalists.

A source who holds a senior post in the RS police told IWPR that on the day of the shooting, Lukic was planning to meet an undercover agent from the Hague tribunal to hand over documents detailing an extensive drug conspiracy involving RS police, which benefits Karadzic's underground network.

Milan Lukic at his ICTY trial.

The tribunal would not confirm that Milan Lukic had arranged a meeting that day, but they told the IWPR team that he was in regular contact with them.

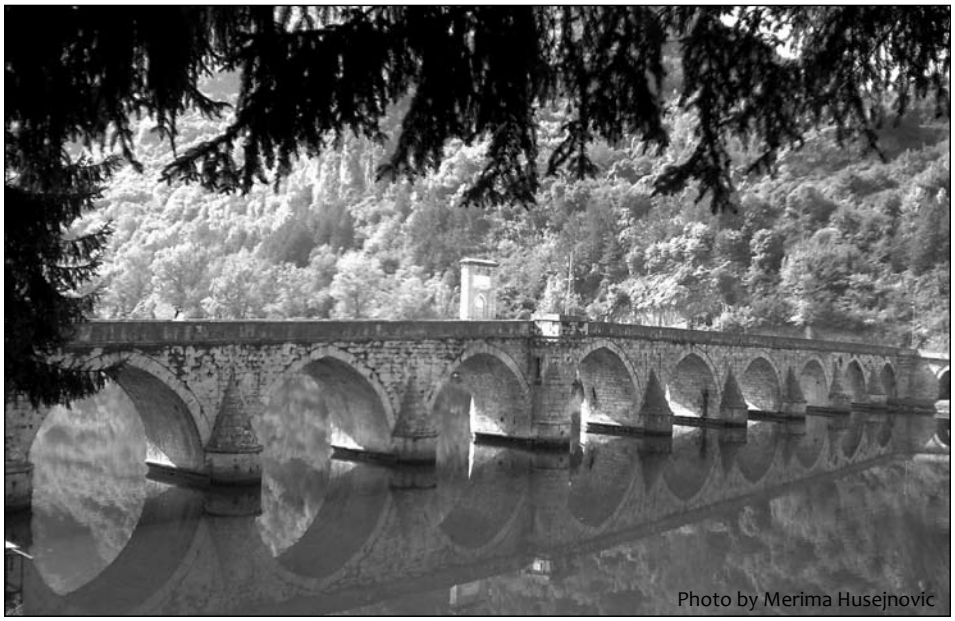
A tribunal official was stunned that IWPR's contact in the RS police had given the correct code name for the undercover agent dealing with Lukic. That lends great credibility to the source's account and raises troubling questions about the tribunal's internal security system.

When IWPR asked Jean-Daniel Ruch, Special Political Adviser to the Prosecutor, about whether tribunal officials and the RS police were in contact about the raid before it happened, he responded, "We neither sanctioned, nor were informed in advance of this operation. We learnt about it the next day. We are constantly pressing all relevant authorities to arrest fugitives. There was no particular encouragement from us to the RS MUP (interior ministry) to launch this operation."

Notorious in his own right

In the eyes of many survivors of the Bosnian war, Milan Lukic is implicated in more killings than any other indictee, with the exceptions of Karadzic and his top military commander Ratko Mladic.

Lukic was indicted in 1998 for crimes against humanity and violations of the laws or customs of war. According to the Hague indictment, from mid-April 1992 to at least October 1994, Lukic and the men of his paramilitary unit, the White Eagles, committed dozens, if not hundreds, of crimes in the Visegrad municipality, including murder, torture, beatings, looting and destruction of property.



Visegrad, home to Lukic's business empire.

In September 2003, a court in Serbia sentenced him in absentia to 20 years in jail on separate charges related to the 1993 abduction and murder of 16 Bosnian Muslims seized from a bus on the Serbian-Bosnian border.

Lukic has not been detained on either set of charges. Instead, he is known to have moved back and forth between Serbia and Bosnia, controlling his portfolio of businesses. According to a source in The Hague, Lukic owned or controlled "half the cafes in Visegrad". Exploiting Bosnia's porous eastern borders, he spent some of his time in the Serbian town of Obrenovac.

Insider knowledge

Lukic was ideally placed to shed light on Karadzic's current activities and possibly his whereabouts, because he is said to have been part of the web of businessmen, politicians and security force members protecting the former Bosnian Serb president.

Sources from both the RS and Bosnian state intelligence communities told IWPR that up until January this year, Lukic was part of Karadzic's business network, in charge of a lucrative drug manufacturing operation - drugs were

smuggled through Serbia into Bosnia, and vice-versa.

"Money obtained from narcotics smuggling was vital in supporting Karadzic's life as a fugitive and provided Lukic with steady income," said a source in the Bosnian government's intelligence service who asked not to be identified.

In an interview with Hague officials, IWPR obtained confirmation that Milan Lukic has been talking to the tribunal for a couple of years.

"Last year he allegedly wanted to surrender. An operation was put in place to allow that to happen," said a tribunal official. "But he never showed."

Lukic's contacts with the Hague court intensified as his relationship with Karadzic soured.

In January things reached breaking point. According to the Bosnian intelligence source in Sarajevo, Lukic fell out with members of the Preventiva, as Karadzic's armed protectors are called. The quarrel culminated in a shoot-out between Lukic and Karadzic's bodyguards.

The fight was reportedly over a drugs shipment and the size of the cut in profits that Lukic would receive.

The same intelligence source recalled that Lukic "used to meet Karadzic's bodyguards on the Serbia-Bosnia border, but this is not the case anymore".

At least two independent sources say Lukic was wounded in the shootout.

The confrontation with Preventiva left him feeling insecure in Visegrad, his home turf. To complicate matters further for Lukic, he can no longer feel safe in Belgrade, either. In March, his cousin, patron and fellow-indictee general Sreten Lukic was removed from his post of deputy interior minister by the newly-elected Serbian government.

In his increasingly exposed position, Milan Lukic began to be interested in collaborating with the Hague tribunal.

IWPR can reveal that in March this year, he told the tribunal that Karadzic was hiding in the village of Zaovine, near Visegrad. "We got the address. The owner of that house had links to the Lukic family," said the Hague official. "Zaovine has been used as a crossing point for war criminals for years."

Mistaken identity

IWPR's source in the RS police says that the April 18 raid against the Lukic household was launched in the mistaken belief that Milan Lukic intended to meet a Hague agent there.

The source says that Lukic was due to meet a representative of the tribunal on that date to give him documents indicating RS police involvement in ille-

gal imports of acetic anhydride, a precursor chemical essential to producing heroin.

"The RS police intercepted a telephone conversation between Lukic and the local Hague agent, in which they arranged to meet at 'Milan's place'," said the Bosnian Serb police source.

RS police took the message to mean the home of Lukic's parents in the Visegrad suburb of Garcha, though in fact the meeting was intended to take place elsewhere, in the small Montenegrin town of Pluzine.

The raid, therefore, appears to have been designed to intercept Lukic and prevent him from meeting a Hague representative.

The official order for the raid on the house in Garcha came from a district court in the Serb segment of Sarajevo. It stated that the action was to stop "narcotics smuggling, organised crime [and] illegal border crossings" and allow the "apprehension of war crimes indictees".

The officers involved in the raid were part of the Bosnian Serb entity's special police, and were not local men - they came from Banja Luka, Srpsko Sarajevo and Bijeljina. Neither the Visegrad police nor the international authorities were informed of the raid.

The official police statement after the raid said that the RS police had intended to "apprehend war criminals" and that during the action Novica Lukic was killed after he "offered resistance". A police spokesman confirmed that Milan Lukic was one of the people they wanted to capture.

But an IWPR reporter at the Lukic home heard eyewitness accounts from the family suggesting that the police attacked the house on a shoot-to-kill basis, and were not trying to apprehend or deliver indicted war criminals alive.

The ground floor of the two-storey Lukic home is used by the brothers of Milan and Novica, who were away that day. Novica and his family lived on the first floor, with a separate front door.

Novica's wife, Ruzica, told IWPR they were awoken at 7am by the sound of the door being broken down.

She insisted it was not possible that officers could have believed that anyone inside was in a position to resist, as the police statement suggested.

"Novica got up from the bed, still in his pyjamas, made two steps from the bed to the bedroom door, opened the door and was immediately shot from the front door," she said.

The bedroom door where Novica was killed is only one-and-a-half metres from the front door.

Ruzica said that her husband was first shot in the legs, but that after he fell, the police wanted to make sure they did not capture him alive. "They shot several more bullets into his chest. He made no sound. There was no quarrel. There were no words," she said.

A medical report confirmed that Novica was shot first in the legs. The IWPR reporter also noticed that the only bullet holes were on the floor of the hallway.

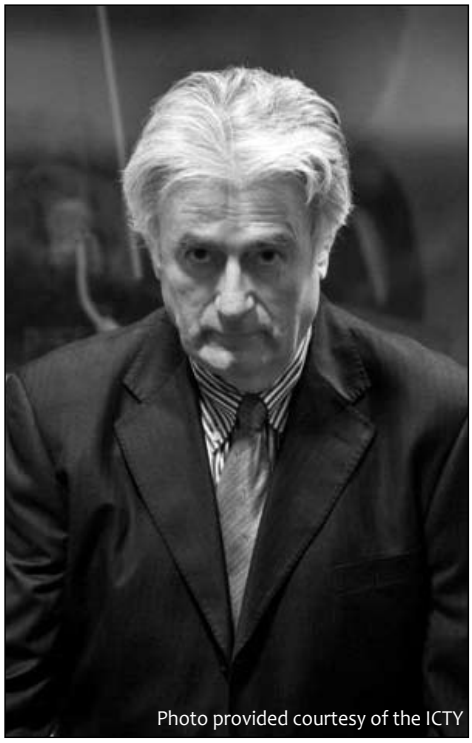


Photo provided courtesy of the ICTY

Radovan Karadzic.

This suggests that there was no crossfire and that Novica was, as his widow claimed, shot dead while lying down.

"Several policemen wearing masks over their faces ordered me to lie on the floor face down. Then they wrapped Novica in a blanket and dragged him down the stairs," said Ruzica. An ambulance took Novica's body to hospital.

The fatal attack contrasts sharply with the very different approach taken in a related raid on the same day.

Drazan Perendija, head of the local association of veterans of the Bosnian war, told IWPR that the home of Milan Lukic's cousin Sredoje, indicted on the same war crimes charges, was also searched on April 18.

"The house was searched, policemen had no masks over their faces and nobody was hurt," he said.

Called to the Bosnian Serb assembly on April 22 to give an account of the botched raid, RS police chief Radomir Njegus told deputies that there had been some "serious failures". He noted that Novica Lukic bore a resemblance to Milan.

On April 20, the day after Novica's funeral, the mood in Visegrad was angry and confused. The town on the river Drina was flooded with fresh posters supporting Vojislav Seselj, the leader of the Radical Party in Serbia.

The drugs trail

Sources at The Hague insist they do not have any documents on a narcotics trade involving Karadzic and Lukic.

"We do not have the resources to monitor drug trafficking in Bosnia.

There are only two persons in the tracking department; our time is full with trying to find the remaining indicted war criminals," said one of the sources.

But other international law enforcement agencies in Bosnia are tracking the drugs business.

On the orders of Jonathan Ratel, one of the international prosecutors in Bosnia, RS police raided a factory in Visegrad on January 6, discovering 22.8 tons of acetic anhydride. The raid followed a tip-off from the Dutch authorities that large quantities of the chemical, used to make heroin, had been shipped to Bosnia from the Netherlands.

Code of silence likely to persist

RS authorities have suspended the two special police officers believed to have shot Novica and jailed them pending an investigation.

When IWPR asked the RS interior ministry about the police raid which left Novica dead, as well as the drugs case, spokesman Zoran Glusac was tight-lipped. "The ministry of the interior of RS has said everything it has to say," he said. "At the moment we have an investigation (into the April 18 raid) and until it is finished we will not say anything new."

No matter what the investigation finally determines, the killing will have a chilling effect on the few individuals in RS who might have been prepared to cooperate with the Hague court.

Tribunal officials asked us the question that is on the minds of a lot of people in Bosnia, "What do you think Milan Lukic will do now?"

Certainly, the latest action will keep him away from Visegrad for some time, according to the RS police source, "The message has now been delivered: if the local police are to arrest him he will be first shot and then handed over to the Hague."

That is certainly worrying the Hague investigators to whom IWPR spoke. Their main concern is their agent on the ground, whose code name was known to the RS police officer.

But they have not given up hope that their one-time informant may still give himself up - if only to stay alive.

World Bank demolished Albania village

Balkan Insight, February 02, 2009

A World Bank project meant to safeguard Albania's coast, was used to demolish parts of a village and leave many families homeless, according to an internal report, which also notes allegations of corruption and attempts at a cover up.

By Besar Likmeta and
Gjergj Erebara in Tirana

An internal report of the International Development Association, IDA, obtained by Balkan Insight, shows that a World Bank project on coastal zones management in southern Albania aided the demolition of informal settlements in the village of Jale, in disregard of the Bank's policies on forced displacement.

The investigation by an inspection panel ,found that World Bank management failed to comply with its policies regarding the design, appraisal and implementation of the project, harming the local people affected by it. The probe also found that the World Bank assisted the demolition, by pressuring local construction police to take action and by supplying them with equipment and aerial photographs.

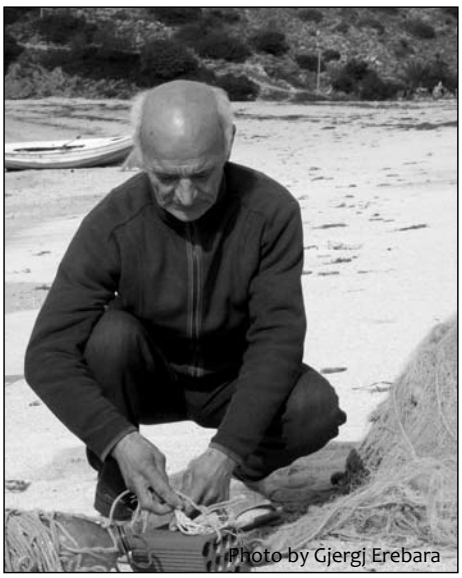
In addition to the project's failure to comply with World Bank policies, the investigators noted allegations of corruption and complaints that the demolition of the Jale settlements was part of a bigger scheme to develop the area as a tourist resort. While the panel did not evaluate these allegations, it concluded that the selective demolition carried out by construction police supported the intention to clear the area.

The investigative panel also accused World Bank management of misrepresenting facts during the probe and hampering the investigation by withholding access to data, while it noted the unusual lack of recollection of facts and crucial events by staff. Investigators said that several World Bank staff members both at headquarters and in the field were 'coached' to provide unusually consistent but factually incorrect or misleading information.

In a statement for Balkan Insight, the World Bank conceded 'that mistakes were made in the project, and that ways to address the alleged grievances of

those affected are under active consideration.'

'The World Bank is concerned about the errors that were made by management and staff in the context of the project. In accordance with our internal processes, the Bank is reviewing actions of its staff, and, if warranted, will take appropriate action,' the statement said.



The people of Jale still eke out a living from the sea.

Bulldozed Lives

The village of Jale is situated on the coast of the Ionian Sea, on the road linking the port of Vlora with Saranda, and is considered by many as one the most beautiful hamlets on Albania's riviera. Two authors of children's books who come from the area have often featured its deep blue waters and sandy beaches in their books, giving it the image of paradise on earth.

The families living in the village trace their history back 300 years, owning small plots of land that were handed down from father to son.

The area was neglected by the Stalinist regime of the late Enver Hoxha, its landscape spared the mass industrialisation that blighted other parts of the country. When the regime imploded in 1991, the majority of the houses in the village were little more than shacks, and most of the residents left for Greece and Western Europe to seek a better life.
After a decade of tumultuous transition to democracy, the tourism industry started to slowly recover, remittances started flowing, and the village experienced a renaissance.

The old houses serving the growing numbers of tourists were suddenly not big enough. Residents applied for building permits but were refused because the area was outside planning zones. Driven by economic necessity and the reality of wildcat construction everywhere in the country, they pushed on, mainly adding rooms within their boundaries.

By 2006, when Albania adopted a law on the legalisation of illegal construction,

the houses in Jale were a fraction of the estimated 220,000 unauthorised buildings across the country.

The villagers applied to legalise their buildings under the new law but none of them obtained a conclusive answer. On April 3, 2007, they were notified that their houses were illegal and would be demolished.

They launched an appeal at the local court, but construction police did not wait for the case to come to trial, and on April 17, 2007 surrounded the area and demolished all newly built houses in the village.

"They (the police) surrounded the village as though we were in a state of war", recalls Vasilika Koka, who saw her parents house reduced to ruins. "With all those police forces and snipers looking on, the road was blocked for three days and no one could even bring in food."

As they proceeded over the pleas and curses of the villagers, the construction police would tell the residents that they should not worry.

"You are crying now, but don't worry, you will be eating with silver spoons as soon as this is part of a big World Bank

Vora Rrenja, a Jale resident, whose house was demolished.

project and they invest and take care of you," one construction police officer said, according to the locals.

Aiding and Abetting Destruction

The televised scenes of the demolition caused a furore. The head of the Union of Civil Liberties party, Vangjel Dule, who represents the area in parliament, slammed Prime Minister Sali Berisha, arguing that the demolition was being done for business interests close to him.

Speaking in parliament at the time, Dule said that "sinister interests linked to Berisha are illegally hidden behind the [demolition] process".

Berisha denied any ulterior motive, a spokesperson stating that he "has only one interest, the law and only the law, and any interpretation beyond the legal context is speculation and untrue."

One week after the demolitions, then-Minister of Transportation Lulzim Basha told parliament that the demolition was a result of the World Bank project on Integrated Coastal Zones Management and Clean-Up.

"The demolition was a must because of the World Bank project in the area; the Bank asked for it," Basha said.

The investigative panel found a direct connection between the project and the demolition of Jale, and described the project's role as "paving the way" for the demolition.

According to the report, project records indicate an active relationship between the project and the construction police, because of the fact that aerial photography financed under the project identified the buildings to be demolished.

The probe also found that the project provided equipment to construction police to carry out the demolition, including digital cameras, GPS and computers.

In March 2007, some two weeks before the demolition order, the project coordinator, Jamarber Malltezi, the son-in-law of Berisha, sent a letter to the head of the construction police asking for the demolition of houses without building permits in Jale. Attached to the letter were two CDs with the aerial photography financed by the project, indicating the houses to be demolished.

Several articles published in the local media later linked the process to the project coordinator and indicated that that it was being carried out to make way for a tourist resort.

According to the investigative panel, the World Bank at some point prepared a press release to address the allegations, but in the end did not issue it.

The ruined house of Bashkim and Athina Andoni

Contacted by Balkan Insight, Malltezi rejected the allegation that appeared in the local media in the aftermath of the demolition.

"The articles were concocted and paid for [by someone]," he said, adding that he had denied any wrongdoing on his part at the time as well, but that the local press had not published his reply.

Malltezi characterised the report of the inspection panel as biased and not factual, and said that in February the World Bank would compare it with another report filed by management in response to the allegations before its board of directors would reach a decision.

The Bank confirmed to Balkan Insight that its Board of Executive Directors

will meet to discuss the report of the investigative panel as well the management's response. This board meeting is expected to be held in mid-February, after which time the reports prepared by the Inspection Panel and management will be made public.

The investigative panel arrived at the conclusion that the World Bank failed to comply with its policies on involuntary settlement, and that this failure can be traced as far back as the time of the appraisal of the project in 2004.

It also concluded that the World Bank's management response 'was particularly unhelpful and non-informative and at times in total conflict with factual information that had been long known to management.'

Although the panel does not mandate necessary compensation it points out that "some of the people affected seem poor and vulnerable and they claim the demolition took away their life savings and [that they] need assistance to rebuild their lives."

Hiding the Truth

In a memo sent on November 24, 2008, with the report attached, the investigative panel expressed its concern to the Bank's Executive Board of Directors about what it called 'misrepresentation of the of facts' by its management and staff.

'We are disturbed to report that during its investigation the panel received certain documentation that misrepresented critical project facts,' reads the memo.

According to the memo, in one instance a crucial statement within the project appraisal documents stated that an agreement had been reached with the Albanian government to halt demolitions in the project area until certain procedures and criteria were in place, but the panel discovered during the investigation that the statement was not true.

According to the panel, staff and bank management hampered its access to critical data and project documents which were later provided only at the panel's insistence.

'During the investigation some staff gave the impression of being pre-interviewed,' notes the memo. 'In one interview there was even a refusal to answer a straightforward factual question on the grounds that management was going to produce an official response.'

The investigative panel concluded that it encountered unusual difficulties in accessing accurate and complete information.

'It may be an exceptional case, but that fact that it happened is of great concern,' the memo states.

Tirana - Choking on Growth

Balkan Insight, November 27 2007

Albania's capital becomes a victim of its own phenomenal growth, as the city's environmental problems multiply.

By Ergys Gjencaj in Tirana

"All this dust is killing us," complains Merita, a Tirana resident in her thirties, as she walks her dog.

"Taking a stroll along the street is not the same any more, it's hard to breathe amidst all this pollution," she adds.

With a population that has more than tripled in the last 15 years to nearly 800,000, fuelled by internal migration and a construction boom unprecedented in its history, Tirana is a city that faces an increasing menace to public health as respiratory diseases multiply and cancer rates reach alarming levels.

Studies have shown that 56,000 tonnes of dust are generated in Albania's capital every year, 70kg for each of its residents.

Most of this dust is produced by small particles, known as particulate matter, or PM10, which have been found to be a major cause of cancer.

According to the Ministry of Health, more than 1,400 cancer cases are directly linked to increased levels of environmental pollution in Albania, the majority of them in the capital.

A study published in October by the World Health Organisation found that air pollution alone was responsible for more than 200 deaths every year.

"Action must be taken - just as against a criminal who kills somebody in the street or robs a bank" says Xhemal Mato, executive director of the Eco Movement, an environmental group.

For Mato the Albanian public is having a crisis of conscience over the environment, from politicians to plain folks.

Many like him among the green community are worried that the government and the city authorities are doing too little to safeguard the environment, while at the same time they are creating a deadly legacy for future generations.

Arjan Gace, a coordinator for the World Bank-financed Global Environment Facil-

ity, believes that it all has to do with the fact that Albania does not have a tradition of environmental awareness, hence green issues are far from the hearts and minds of it people - and also of its decision makers.

Gace, whose organisation funds various environmental NGOs in Albania, blames the authorities for not considering the harm done to the environment while giving new building permits for apartment blocks.

"One only has to look at the neglect and at the ugly assault that is being made on one of the oldest and most prominent national parks, literally on the doorstep of the capital," Gace says, referring to the Dajti Mountain National Park.

"Instead of being well-managed and offered to the citizens of Tirana as an example of what a national park should be like, Dajti is becoming a jungle of relay stations and satellite dishes, strange steel and glass structures that do not belong to a place that should be an oasis of nature."

Every city in modern history that has seen the kind of instant, chaotic growth that Tirana has been undergoing, has had to deal with a costly legacy of environmental harm that takes a mammoth effort to undo.

For Albania's Deputy Minister of the Environment, Taulant Bino, a major cause of the worsening pollution in Albania's capital has to do with the large number of aging vehicles that are crowding its streets.

As Tirana changed after the fall of Albania's hermit communist regime in 1991, from a capital where population movement was tightly controlled into a metropolis into which people have been flooding in search of better economic prospects, the scale of its growth has brought its environmental degradation.

During the communist era, the private ownership of vehicles was banned, and only a select few among senior officials had a car. Now more than 100,000 cars are registered in Tirana alone. Most of them are more than 10 years old, running on diesel and poorly maintained.

Bino contends that the government has tried to regulate the problem through customs tariffs and by setting maximum levels for the emissions of old vehicles, but Gace and others like him are not convinced.

He points out that often the quality of fuel that is sold is far below standard.

"It is common for the Albanian driver to pay a premium price for a low-sulphur diesel fuel, only to realise later - from the black smoke belching out of his exhaust pipe - that he has been cheated and given some low-grade fuel," says Gace.

The smog hanging over Tirana is easily visible from the hills above the city.

Various investigations by the authorities have found that petrol stations have sold low-quality fuel, but the problems remain rampant because controls are sporadic and few.

The Ministry of Environment, which controls the quality of fuels in Albania, denies the magnitude of the problem, arguing that much of the air pollution is created by the building industry, which is regulated by the municipality of Tirana. As part of the capital's construction boom, an average of 600 apartment blocks were completed each year in the first half of this decade.

"Though there have been improvements in the infrastructure of the capital these past few years, very little has been done about public transport and urban planning, which have much to do with air pollution," says Bino.

For its part, the municipality blames the police for failing to take action, as a massive amount of construction materials is trucked around the city every day, without respecting environmental standards.

However, while the municipality and the government play the blame game, with every day that passes the air that Tirana residents have to breathe is becoming a greater risk to their health.

"It's amazing. Everything gets covered in a thick layer of dust if you leave it outside for just a day or two," says Gezim, a mechanic in central Tirana's busy Fortuzi Street. "How scary to think that all of that is ending up in our lungs!"

Lars Moller's checklist for the investigative synopsis

The following is a checklist of questions that investigative journalists should ask themselves as early as possible in the course of their investigation. The list was drawn up by Lars Moller, a Danish investigative journalist, and the Netnovinar Training Centre. The list is composed of 70 questions that are intended to help journalists think about the focus of their investigation, the investigative process, and the sources and methods they will use in the course of their research and reporting[1] .

1. What is your basic hypothesis?

- What do you want to say?
- In what way do you want to say it?
- What is the minimum story and what is the maximum story? (headline or brief explanation)
- Why do you want to say it?
- What is your motive (professionally and personally)?
- For whom is the story important?

2. What are the most important questions in the case?

- What do you know and what do you presume?
- What must you find out:

  - about laws and regulations?
  - about norms and common practice?
  - about history?
  - about statistics?
  - about ethical considerations?

3. Make a list of the most important questions

4. Make a list of information that needs verification and confirmation (Who can verify it?)

1 The questions are discussed in greater depth in Netnovinar's Web site, http://www.media.ba/mcsonline/bs/netnovinar/4

5. Who are the stakeholders?

- Make a list of everyone who may be interested in the success of your story.
- Who is interested in the story not being published (inside your news organisation and externally)?
- Who might turn on you as an enemy (what are the dangers, and how can you protect yourself)?
- Who could be your allies (do you need an inside informer and how do you find him/her)?
- How can the audience use the story (who is the target audience, what will they do - if anything)?

6. Organising and analysing information

- Define information by type and importance.
- Define information as verified and unverified.
- Discuss what you have with your editor, mentor or experienced colleague.

7. How can the story be presented?

- What does the audience need to know and in what way should they find it out?
- How do you clearly present to the audience the process of investigation, documents, human interest and editorial policy?
- What should you present in fact boxes, with photographs, charts or polls?
- Will you publish the case in one or more stories?
- Will you start publishing before all stories are ready (and written)?
- Is the story suitable for campaign journalism?
- Can the case be presented with additional elements (special logo, sidebars, editorial)?

8. How much time and money will it take?

- How much time do you need (estimate period of time and working hours)?
- How much individual research do you need?
- How much team work do you need (develop the number and roles of the team members)?
- How much (and when) do you need the assistance of photographers, camera crew and others who are not writers?

- How much assistance do you need from colleagues from other media?
- How much assistance do you need from experts outside the media organisation?

9. What is your research strategy?

- Write up (by type and in chronological order) a list of all necessary activities.
- Make an estimated time schedule for all activities.
- Allot time for all planned activities.

10. Organise your sources

- List 'oral' sources.
- Define sources as primary and secondary.
- Define sources according to their:

  - human interest/personal experience.
  - partisanship.
  - independent expert knowledge.

- Estimate sources as possible allies, neutral or hostile to your work.
- Decide when, how and where you will get access to sources.
- Examine possible legal and ethical problems involved in using these sources.
- Think about how you can protect sources that need protection.
- List 'written' sources:

  - Define as background documents and key documents.
  - Define documents by difficulty of accessibility (directly accessible - difficult to access).
  - Which information/documents are available via the Internet?
  - How will you try to get access to those difficult to access?
  - Are there any legal or ethical obstacles involved?
  - List locations for observation and reportage.
  - Are the locations accessible (easy-difficult)?
  - How will you get access?
  - Can you take photos, clean sound or live pictures?
  - Are there any legal or ethical obstacles involved?
  - Plan adequate time for co-operation with colleagues, consultation with editor, mentor or older colleagues, and meetings with legal advisers and independent experts.

11) In the process of research you also need to:

- Assess and analyse:

  - information that turns an assumption into a fact.
  - information as pieces that fit the puzzle.
  - information as gap-closing.
  - information that raises new questions.
  - information that still needs confirmation.

- Prepare the key interviews:

  - make a list of the most important questions.
  - list key questions that call for confirmation.
  - make a plan for the interview.
  - establish the purpose of the interview.
  - organise how you will control the interview.
  - arrange when, where and how you will conduct the interview.

12) What happens after publishing the story?

- What are the reactions you can expect?
- What will you do next?

FOI laws in the Balkans

ALBANIA

Date of law: 1999.

Who can apply: Any individual.

What it covers: Information contained in official documents, including personal information on individuals exercising state functions related to the performance of their duties.

Format of request: Written.

Response period: Authorities must respond within 15 days and provide information within 30 days.

Exemptions: None defined in law; documents can be withheld only if another law, such as the laws on data protection or classified information, restricts their disclosure.

Appeal: The People's Advocate (Ombudsman), elected by Parliament, is tasked with oversight of the law. The Advocate can take complaints and conduct investigations but its decisions are non-binding. Appeals can also be made in court.

Problems: The Act is not well known in government. In 2004, the People's Advocate recommended that disciplinary measures be imposed against officials who intentionally or negligently violate the law, reflecting a growing frustration with the progress of implementation.

Other concerns: In 2006, Parliament approved amendments to the law to create a new category called 'restricted' for information, the disclosure of which, would 'damage normal state activity and the interests or effectiveness of state institutions'. It was strongly criticised by civil society groups and

international organisations. The Criminal Code prohibits the disclosure of state secrets. Violations can be punished with up to 10 years imprisonment.

NGOs promoting FOI:

Albanian Media Institute
Rr Gjin Bue Shpata, No 8, Tirana
Tel/Fax: +355 4 229800; + 355 4 267083;+ 355 4 267084
E-mail: **info@institutemedia.org**

Albanian Consumer Protection Office
Rr S Frasheri, No 2, Sh 1, A 10, Tirana
Tel/Fax: +355 4 246174; F: +355 4 246174
E-mail: **konsumatori@gmail.com**

BOSNIA-HERZEGOVINA

Date of law: 2001.

Who can apply: Any individual.

What it covers: Information in any form held by any public authority, including legal entities carrying out public functions.

Format of request: Written.

Response period: 15 days.

Exemptions: Information that can cause 'substantial harm' to defence and security interests, the protection of public safety, crime prevention and crime detection. Non-disclosure is allowed to protect the deliberations of a public authority, corporate secrets and personal privacy. A public interest test is applied to all exemptions. Public bodies may not prevent disclosure of facts which constitute a violation of the constitutional order or of an international agreement, provided that publication does not undermine national security.

Appeal: To the agency concerned. Decisions can also be challenged in court or brought to the Federation Ombudsmen or the Ombudsman of Republika Srpska.

Problems: In 2005, the Centre for Access to Information found that only 57 per cent of state bodies even responded to requests.

Other concerns: The Criminal Code prohibits the disclosure of state secrets. Violations can be punished with up to five years imprisonment.

NGOs promoting FOI:

The Centre for Free Access to Information
Sime Milutinovica S 14, Sarajevo
Tel/Fax: + 387 33 238 651; + 387 33 238 652
E-mail: **info@cspi.ba**
Web site: **www.cspi.ba**

BiH Press Council
Trampina 8, Sarajevo
Tel: + 387 33 272 270
Fax: + 387 33 272 271
E-mail: **info@vzs.ba**
Web site: **www.vzs.ba**

BH Journalists
Kralja Tvrtka 5/5, Sarajevo
Tel/Fax: + 387 33 223 818
E-mail: **bhnovinari@bhnovinari.ba**
Web site: **www.bhnovinari.ba**

Mediacentar
Kolodvorska 3, Sarajevo
Tel/Fax: +387 33 715 840
E-mail: **kontakt@media.ba**
Web site: **www.media.ba**

BULGARIA

Date of law: 2000.

Who can apply: Any person or legal entity.

What it covers: Information in any form held by state institutions and other entities funded by the state budget and exercising public functions, regional offices of the central authorities; institutions and bodies financed under EU programmes and funds.

Format of request: Written or oral

Response period: 14 days.

Exemptions: Personal information about an individual, a state or official secret, business secret or pre-decisional material. Any restrictions must be provided for in an Act of Parliament. Information relating to preparatory work or opinions or statements of ongoing negotiations can be withheld for two years. Partial access is required but has not been widely adopted.

Appeal: No internal appeals mechanism. No independent oversight body. Rufusals can be appealed against to the regional Administrative Court and the Supreme Administrative Court.

Problems: In 2004, the Access to Information Programme found that just 60 per cent of requests received some kind of information. In 2008, refusals were less than one per cent of the number of requests.

Other concerns: In 2002, the Law for the Protection of Classified Information was passed. It provides a very broad scope of classification authority, allowing everyone who is empowered to sign a document to classify it as secret or confidential. There are requirements to show harm for some provisions, but there are no overriding public interest tests.

NGOs promoting FOI:

Access to Information Programme (AIP) Foundation
76, Vassil Levski Blvd, 3rd floor, Sofia, 1142
Tel/Fax: +359 2 988 50 62; +359 2 981 97 91; + 359 2 986 77 09
E-mail: **office@aip-bg.org**
Web site: **www.aip-bg.org**

CROATIA

Date of law: 2003.

Who can apply: Any individual.

What it covers: Information from public authorities, including state bodies, local and regional governments, legal entities and persons vested with public powers.

Format of request: Oral or written.

Response period: 15 days.

Exemptions: Information that is declared a state, military, official, professional or business secret by law, or personal information covered by the law on data protection. Information can be withheld if there is a 'well-founded' suspicion that its publication would damage the prevention, discovery or prosecution of criminal offences; make it impossible to conduct court, administrative or other hearings; make it impossible to conduct administrative supervision; cause serious damage to life, health and safety of the people or the environment; make it impossible to implement economic or monetary policies or endanger intellectual property rights.

Appeal: First to the agency concerned and if that is not satisfactory, to the Administrative Court or the Ombudsman although the latter's decisions are not binding.

Problems: In 2005, the Croatian Helsinki Committee found that public bodies failed to respond to requests for even routine information, and many have not appointed information officials, created catalogues of information or registers of requests.

Other concerns: The Criminal Code prohibits the disclosure of state secrets. Violations can be punished with up to five years imprisonment. Non-officials who are aware they are publishing a secret can be imprisoned for up to three years or fined.

NGOs promoting FOI:

Croatian Helsinki Committee
Bauerova 4, 10000 Zagreb
Tel: +385 1 461 3630
E-mail: **hho@hho.hr**
Web site: **www.hho.hr**

Association of Croatian Journalists
Perkovceva 2, 10000 Zagreb
Tel: +385 1 482 8333
Fax: +385 1 482 8332
E-mail: **hnd@hnd.hr**
Web site: **www.hnd.hr**

KOSOVO

Date of law: 2003.

Who can apply: Any individual or Kosovo registered legal entity.

What it covers: Documents held by any Institution of the Republic of Kosovo, municipality, independent bodies set up under the Constitution of Kosovo or the Kosovo Privatisation Agency.

Format of request: Written or electronic.

Response period: 15 days.

Exemptions: Information that would undermine the public interest in public security, defence and military matters, international relations or financial, monetary or economic policy; the privacy and integrity of an individual; commercial interests; court proceedings or the progress of inspections, investigations or audits. Internal documents under consideration or where disclosure would seriously undermine the decision-making process are also exempt.

Appeal: To agency concerned, a court or the Ombudsman.

Problems: In 2005, the Ombudsman described the FOI law as 'an example of a law which so far have, to a considerable extent, existed only on paper.'

NGOs Promoting FOI:

Youth Initiative for Human Rights
Tringe Ismaili 34 a, 10000 Pristina, Kosovo
Tel/Fax: +381 38 248 509
Email: **ksoffice@yihr.org**
Web: **www.yihr.org**

FOL Movement
Rruga UCK, 46/5, 10000 Pristina
Tel: +377 44 131 542
Email: **info@fol-08.org**
Web: **www.levizjafol.org**

INPO - Initiative for Progress
Rruga 12 Qershori, nr 52, 70000, Ferizaj
Tel: +381 290 329 400
Email: **info@inpo-ks.org**
Web: **www.inpo-ks.org**

Independent Media Commission
Rr.Gazmend Zajmi, Nr. 1, 10000 Pristina
Tel : +381 38 245 031
Fax: +381 38 245 034
Email: **info@imc-ko.org**
Web: www.imc-ko.org

Press Council of Kosovo
Rr.Hajdar Dushi, Nr. 7, 10000 Prishtina
Tel: +377 44 29 18 10
Email: **presscouncil.kosovo@gmail.com**

Association of Professional Journalists of Kosovo
Bell Popova num. 6, Pristina, 10000, Kosovo
Tel/Fax: +381 (0) 38 244 551
Email: **info@apjk.org**
Web: **www.apjk.org**

MACEDONIA

Date of law: 2006.

Who can apply: Any individual or legal entity.

What it covers: Information from state and municipal bodies or companies or individuals who are performing public functions.

Format of request: Oral, written or electronic.

Response period: 10 days.

Exemptions: Classified information, personal data, confidential information, tax violations, pending investigations, documents in the process of being compiled, if disclosure would cause misunderstanding, risk environmental protection or endanger intellectual property. All exemptions are subject to a test that requires release if the public interest is greater than any harm which may be caused.

Appeal: To the Commission for the Protection of the Right to Free Access to Public Information (http://www.sinf.gov.mk), which is also in charge of the law's implementation. Commission decisions can be appealed against in court.

NGOs promoting FOI:

Helsinki Committee for Human Rights - Macedonia
Address: Dame Gruev 8/5, P.O. BOX 58,
1000 Skopje, Republic Of Macedonia
Tel: +389 2 3119 073
E-mail: **helkom@mhc.org.mk**
Web site: **www.mhc.org.mk**

MONTENEGRO

Date of law: 2005.

Who can apply: Any individual or legal entity.

What it covers: Information held in any form by state and local authorities, public companies and other entities that have public powers.

Format of request: Written or electronic.

Response period: Eight days, which can be extended for another 15 days. In exceptional cases a 48 hour response can be requested.

Exemptions: Information related to national security, defence or international relations; public security, commercial or other private or public economic activity; economic, monetary or foreign exchange policy; prevention and investigation of criminal matters; personal privacy and other personal rights and internal negotiations. To withhold information, interests must be 'significantly harmed' and the harm caused must be 'considerably bigger than the public interest in publishing such information'. Information cannot be withheld if it relates to the violation of regulations, unauthorised use of public resources, misuse of power, criminal offences and other related maladministration issues.

Appeal: To the supervisory body of the agency concerned or in court.

Problems: In 2006, the Network for the Affirmation of the NGO Sector (MANS) said it had filed several hundred requests and reported that agencies responded on time in just 50 per cent of cases.

NGOs promoting FOI:

Network for Affirmation of NGO Sector (MANS)
Address: Dalmatinska 188, 20 000 Podgorica
Tel: +382 20 266 326 ; +382 20 266 327
E-mail: **mans@t-com.me**
Web site: **www.mans.co.me**

Center for Civic Education
Address: Njegoseva 36/I, 20 000 Podgorica
Tel: +382 81 665 327
E-mail: **info@cgo-cce.org**
Web site: **www.cgo-cce.org**

Center for NGO Development
Address: Dalmatinska 78, 20 000 Podgorica
Tel: +382 20 219 122
E-mail: **crnvo@crnvo.co.me**
Web site: **www.crnvo.co.me**

Center for Euro-Atlantic politics (CEAP)
Address: Njegoseva 36/I, 20 000 Podgorica
Tel: +382 69 22 50 84; +382 67 22 37 99
E-mail: **nedjeljko@ceap-montenegro.com**
bojana@ceap-montenegro.com
Web site: **www.ceap-montenegro.com**

Montenegro Media Institute
Address: Bulevar Svetog Petra Cetinjskog br. 9,
20 000 Podgorica
Tel: +382 20 202 185, 202 175
E-mail: **imcg@mminstitute.org**
Web site: **www.mminstitute.org**

ROMANIA

Date of law: 2001.

Who can apply: Any individual.

What it covers: Information from public authorities and state companies.

Format of request: Written.

Response period: 10 days.

Exemptions: Information on national security, public safety and public order, deliberations of authorities, commercial or financial interests, personal information, ongoing criminal or disciplinary investigations, judicial proceedings and information 'prejudicial to measures for protecting young people'.

Appeal: To the agency concerned or a court. The People's Advocate (Ombudsman) can also hear complaints and make recommendations.

Problems: Only two per cent of over 700,000 requests in 2005 were denied, but problems remain, including the misuse of classification to hide categories of information, excessive fees and refusal to provide information in the form requested.

Other concerns: The law on classified information contains a provision on 'business secrets', which are defined as any information that could affect the interests of a legal entity,

be it private or state-owned. The Criminal Code prohibits the possession of classified information by those not authorised to have it.

NGO promoting FOI:

Asociatia Pro-Democratia
B-dul Maresal Al Averescu 17, Sector 1, Bucharest
Tel: +40 21 222 82 45; +40 21 222 82 54
Fax: +40 21 222 82 54
E-mail: **apd@apd.ro**
Web site: **www.apd.ro**

Association for the Defence of Human Rights in Romania - the Helsinki Committee
Str Nicolae Tonitza 8A, Sector 3, Bucharest 704012
Tel: +40 21 312 45 28
Fax: +40 21 312 37 11
E-mail: **office@apador.org**
Web site: **www.apador.org**

The Centre for Legal Resources
Str Arcului 19, Sector 2, Bucharest
Tel: +40 21 212 0690, 212 0519
Fax: +40 21 212 1519
E-mail: **office@crj.ro**
Web site: **www.crj.ro**

Romanian Academic Society
Mihai Eminescu 61, Bucharest 2, 020071
Tel: +40 21 211 1424
Fax: +40 21 211 1477
E-mail: **office@sar.ro**
Web: **www.sar.org.ro**

SERBIA

Date of law: 2004.

Who can apply: Any person.

What it covers: Information and documents from public authorities including state bodies, organisations vested with public authority and legal entities funded wholly or predominately by a state body. There is a public interest in information relating to threats to public health and the environment and a presumed interest in all other information unless the public authority can prove otherwise.

Format of request: Written or oral

Response period: 15 days except in cases where there is a threat to the person's life or freedom, protection of public health or the environment, in which case the request must be answered within 48 hours. The deadline can be extended to 40 days if the state agency has a justifiable reason for not meeting the 15-day deadline.

Exemptions: Information that risks the life, health, safety or any other vital interest of a person; imperils or obstructs the criminal process or other legal proceedings; seriously imperils national defence, national and public safety or international relations; substantially undermines economic processes or significantly impedes economic interests. Also exempt is information protected by law, as a state, official, business or other secret, if its disclosure could seriously prejudice individuals whose interests outweigh the public right to information. Access to information is also limited if it would violate the right to privacy or reputation of a person unless they consent.

Appeal: To the Commission for Information of Public Importance (www.poverenik.org.rs), or in court. The Commissioner can hear cases relating to denial of access to information, delays, excessive fees, and refusal to provide the information in the form or language requested by the applicant. Decisions are binding on public authorities. If a body fails to release the information, the Commissioner can ask the government to enforce the decision.

Problems: From its inception on July 1, 2005, until July 31 2009, the Office of the Commissioner has heard a total of 6,612 requests. Of that number 5,800 cases have been resolved.

NGOs promoting FOI:

Transparency Serbia
Address: Bulevar Despota Stefana 36/I, 11000 Belgrade
Tel: +381 11 303 38 27
E-mail: **ts@transparentnost.org.rs**
Web site: **www.transparentnost.org.rs**

Lawyers' Committee for Human Rights (YUCOM)
Address: Svetogorska 17, 11000 Belgrade
Tel: + 381 11 33-444-25; 33-44-235
E-mail: **yucomoffice@gmail.com**
Web site: **www.yucom.org.rs**

Centre for Advanced Legal Studies
Address: Goce Delčeva 36, 11070 Belgrade
Tel: : +381 11 260 8360
E-mail:**cups@cups.rs**
Web site: **www.cups.rs**

Belgrade Centre for Human Rights
Address: Beogradska 54/7, 11000 Belgrade
Tel: +381 11 3447 121, 3447 120
E-mail: **bgcentar@bgcentar.org.yu**
Web site: **www.bgcentar.org.yu**

Youth Initiative for Human Rights
Address: Kondina 26/II, 11000 Belgrade
Tel: +381 11 3370 757, 3370 747
E-mail: **office@yihr.org**
contact@yihr.org
Web site: **www.yihr.org**

Regional Sources

Information on FOI laws from David Banisar, published in www.freedominfo.org. Information on NGOs, BIRN research.

Milorad Dodik, Prime Minister of Republika Srpska, Bosnia - Herzegovina, Asset Disclosure[1]

Bosnia and Herzegovina
Central Election Commission
Central Election Committee

(official logo)

Bosnia and Herzegovina
Central Election Commission

Statement of Financial Standing

Name and surname of candidate: Milorad Dodik page 1 of 3
Candidate/elected representative for: Republika Srpska Diet, Electoral Unit 1
Political party / Coalition / List of independent candidates: Association of Independent Social Democrats – SNSD – Milorad Dodik
Code: 515 / 301 / 01 Signature: (signature M.Dodik)
(code of party, coalition, list of independent candidates) / (electoral unit code) / (Number on list of candidates)

PART I – Data on family and household

Name and Surname		INCOME YES	INCOME NO	PROPERTY YES	PROPERTY NO	DUTIES YES	DUTIES NO	PART II INCL. YES	PART II INCL. NO
1. Spouse:	Snježana	☐	☒	☒	☐	☐	☐	☐	☐
2. Children:	Igor	☐	☒	☐	☒	☐	☐	☐	☐
	Gorica	☐	☒	☐	☒	☐	☐	☐	☐
	_____	☐	☐	☐	☐	☐	☐	☐	☐
	_____	☐	☐	☐	☐	☐	☐	☐	☐
	_____	☐	☐	☐	☐	☐	☐	☐	☐
	_____	☐	☐	☐	☐	☐	☐	☐	☐
	_____	☐	☐	☐	☐	☐	☐	☐	☐
3. Members of household whom the candidate is legally obliged to support:									
	Igor	☐	☒	☐	☒	☐	☐	☐	☐
	_____	☐	☐	☐	☐	☐	☐	☐	☐
	_____	☐	☐	☐	☐	☐	☐	☐	☐

Exact address of residence, including municipality:
Your flat was: bought ☒ inherited ☐ built ☐ you are a tenant ☐ other ☐

page 1 of 3

1 Translated from the original Bosnian

PART II – Data on Financial Standing of the Candidate and Members of his/her Household

The second part of the Statement of Financial Standing must be filled out by the candidate / elected representative and each member of the household who was listed in Part I as having income, property or any duties.

Name and surname of candidate or household member: Milorad Dodik

INCOME IN BOSNIA AND HERZEGOVINA AND ABROAD IN THE PAST 12 MONTHS

Amount of income (KM/EUR)	Period	Source of income
Monthly salary from RS Parliament	25.000	
Salary, President of RS Government.	7.000	

PROPERTY – List all cash, bank accounts, business documentation, shares, securities, bonds, capital property, personal property, tenancy rights and other property and goods of more than 5000 KM value in Bosnia and Herzegovina and abroad.

Amount (KM/EUR)	Description of property	Country of location of property
30.000	Flat in Laktaši	RS / BIH
80.000 x 2	2 flats in Belgrade (77 m^2 each)	Serbia
300.000	Family inheritance	RS / BIH
200.000	Family house	RS / BIH
100.000	Personal vehicle	RS / BIH
	Shares in companies	RS / BIH

DUTIES – List all liabilities, duties, bills of exchange, loans and guaranties for such duties in Bosnia and Herzegovina and abroad.

Amount (KM / EUR)	Name and surname of Creditor	Date of debt liquidation
2.000 monthly	Raiffeisen Leasing, car payments	29 3 years

Banja Luka, 27 June 2006
(Place and date)

(signature: M. Dodik)
(Submitted by)*

***Note: The signature of the person submitting the statement must match the signature on the identification document.**

PART II – Data on Financial Standing of the Candidate and Members of his/her Household

The second part of the Statement of Financial Standing must be filled out by the candidate / elected representative and each member of the household who was listed in Part I as having income, property or any duties.

Name and surname of candidate or household member: Snježana Dodik

INCOME IN BOSNIA AND HERZEGOVINA AND ABROAD IN THE PAST 12 MONTHS

Amount of income (KM/EUR)	Period	Source of income

PROPERTY – List all cash, bank accounts, business documentation, shares, securities, bonds, capital property, personal property, tenancy rights and other property and goods of more than 5000 KM value in Bosnia and Herzegovina and abroad.

Amount (KM/EUR)	**Description of property**	**Country of location of property**
	Joint ownership	RS / BIH / Serbia
30.000 x 2	personal vehicle	RS / BIH
100.000	Business premises in Laktaši	RS / BIH
100.000	Inheritance	RS / BIH

DUTIES – List all liabilities, duties, bills of exchange, loans and guaranties for such duties in Bosnia and Herzegovina and abroad.

Amount (KM / EUR)	**Name and surname of Creditor**	**Date of debt liquidation**
Loan for business premises		in the next few years

Banja Luka, 27 June 2006
(Place and date)

(signature: M. Dodik)
(Submitted by)*

***Note: The signature of the person submitting the statement must match the signature on the identification document.**

The OCCRP website where the story was first reported.

IRA may be buying prime Bulgarian land

Bulgaria, Tuesday, 12 February 2008

Land on the Black Sea coast and around Bulgaria's biggest ski resort now belongs to the nephews of Thomas 'Slab' Murphy, allegedly the former chief of staff of the Provisional IRA.

Young nephews of Thomas 'Slab' Murphy, registered two companies in Bulgaria in 2007 and started buying up prime development real estate.

Aiden and Stephen Murphy, sons of Murphy's two brothers, early last year registered companies they called 'AM' and 'BD' with the same Burgas address of 8 Mara Gidik Street. The cousins both listed as their home address their uncle's farm in the village of Ballybinaby, Hackballs Cross, in northeast Ireland's County Louth.

In October 2005 officers of the British Assets Recovery Agency (ARA) and the Irish Criminal Assets Bureau (CAB) raided a number of Murphy family businesses, and the High Court granted the ARA the right to freeze nine family properties worth more than 1.5 million pounds. Authorities believe the family's extensive enterprises are funded in part from proceeds of smuggling cigarettes, oil, grain and pigs. An ARA statement of November 21 2006 alleges money laundering and fuel smuggling.

Police say that cigarette smuggling gave Murphy contacts inside Bulgaria, which is a transit point for illegal cigarettes coming into Europe. IRA cigarette smugglers have worked this route for a decade.

In a March 2006 operation, Irish and British soldiers and revenue and customs officials joined forces in a raid of Murphy

family property around Manchester. They recovered at least 200,000 euros in cash stuffed into plastic bags, 30,000 smuggled cigarettes and two firearms. A fleet of tanker-trucks believed to be used to transport laundered fuel was seized as well. Some trucks bore the livery of multi-national fuel companies, meaning they could be driven cross-country without arousing suspicion. Four laundering facilities attached to a major network of storage tanks, some of which were underground, were also found.

Last November, Murphy was arrested in Dundalk and charged the next day with failing to file tax forms. He was released on bail and faces trial before a special criminal court in Dublin.

Murphy, 58, a single man who inherited his nickname from his impressively large father, lives on a farm situated close to the border of Ireland and Great Britain. He has used east European contacts to bring in weapons for the IRA, officials believe. Despite the official suspicion and links, Murphy sued The Sunday Times for libel when it printed in 1987 that he'd directed a bombing campaign in Britain for the IRA. The case was thrown out.

"Yeah, it's true, we registered the companies," said Philip Chikov, an owner of C&I Legal Partners in Burgas, when asked about AM and BD. The T & T Consulting Group owned by Tomy Mitev holds a warrant of attorney to manage the AM firm of 22-year-old Aiden Murphy. The nephews have also become clients of Bulbank, Bulgaria's largest bank, and they bought land last year on the Black Sea coast, according to the lawyers. AM bought about 10,000 square metres of property in the village of Roudnik, close to Burgas, for 15,000 euros.

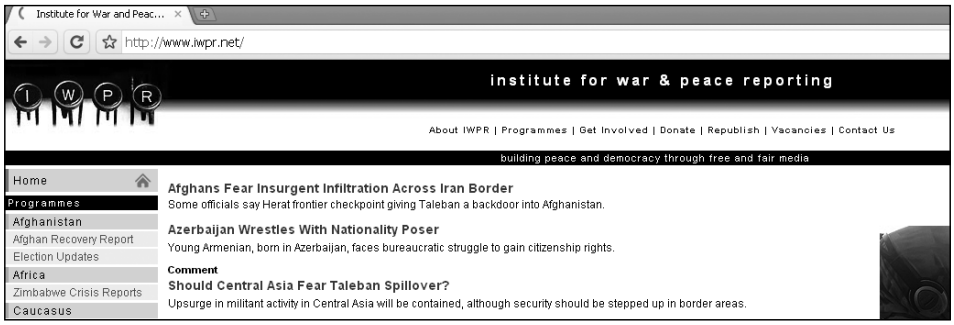
Later the firm spent 60,000 euros on land zoned for rural use that features a panoramic view of the Burgas bay area. The land next door to this property is owned by Seagle Ltd, a new company owned by Martin and Paul Kirk, two more nephews of Thomas Murphy, the sons of his sister. They also live in County Louth.

Ann Kirk, their mother and Murphy's sister, was Executive Officer of Trillfield Ltd, an oil trade company that Murphy also worked for until it ran into problems with the Irish government in the early 1990s over tax evasion and was liquidated.

The Kirk brothers set up Seagle the same day their cousins were registering their firms and they used the same trading address in Burgas of 8 Mara Gidik Street.

Records show that 21 residents from the border area between North Ireland and the Republic of Ireland have set up companies since late 2006 using this address.

In March of last year, Aiden Murphy's AM company bought another 4,000 square metres of land for 150,000 euros near Kukurevo, a rapidly developing area housing the largest ski resort east of the Alps. This property is near a ski and hotel resort, managed by an Irish property development company with a Sofia branch that is next door to C&I Legal Partners. That proximity is just a coincidence, the law partners said.



Trading in misery

Balkan Crisis Report, September 5, 2003

Tens of thousands of Eastern European women are falling victim to the Balkan sex trade.

September 15, 2003 – Marcu scratches his unshaven face and stares intently out of the window at the queue of battered tankers, trucks and cars beyond.

He's nervous, tired and desperate. Sitting in a small café on the Greek-Bulgarian border, he hesitates over his coffee before asking us a favour, a big favour.

"Look, I know you're Romanians. May I ask you to take these two girls in your car and drive them over to Greece?" he said, pointing to a car outside where a couple of young girls are sitting in the back seat.

He's figured out where we're from by the plates on our vehicle.

"They're from Brasov [a town in central Romania] and need to get to Thessaloniki [northern Greece]. I'll pay you good money. Their papers are OK," he added enthusiastically.

Marcu tells us he is trying to make a living by trafficking the two girls. "I'll find them good positions in a club in Thessaloniki. I have an address and I'll get good money from this. You know how hard it is to make a living nowadays. The girls are poor too, they're sisters and their parents are drunkards," he said.

"Greece is a much better future for them. I arrived here with them by bus but now I'm afraid to cross the border together with them because I heard the Greek customs officers are very suspicious and can stop us from entering."

Leaning over the table, Marcu began to look worried, "Please help me, take the two girls in your car and then we'll meet on the other side and you'll get some easy money."

"Why don't you just take a cab across?" we asked.

"No, I don't want to hire a cab because these guys are crooks, they can rob me," he snapped back.

Marcu was getting edgy and wanted us to do a deal to take the girls across and quickly. Leaving the coffee shop, he followed, shuffling along to our car. We were about to talk to him further when, nervously examining our distinctive Romanian Dacia, he noticed we had made a mistake. On the back seat were our cameras and equipment: our cover was well and truly blown.

He didn't look back as he sprinted away down the road, getting into his car and disappearing round a bend into Bulgaria. He will no doubt be back to try another day.

Marcu is one of the hundreds of traffickers working across this and many other borders in the Balkans, smuggling not guns, drugs or stolen cars but women.

How the trade works

In November 2002, an Organisation for Security and Cooperation in Europe, OSCE, conference on the trafficking of human beings estimated that some 200,000 women in the Balkans had fallen victim to a smuggling network that extends across the region into the European Union.

According to the latest figures from the International Organisation for Migration, IOM, the four biggest exporters of girls to Western Europe are Moldova, Romania, Ukraine and Russia.

Romania is the nexus of the trade for two reasons: its geographic location makes it a good transit country and the presence of large numbers of impoverished women desperate to make money provides a ready source of trafficking victims.

Two main smuggling routes begin here: one going north into Hungary, southwest through the former Yugoslavia to Albania and then across the Adriatic by speedboat to Italy; the other runs directly south, through Bulgaria to Greece.

With the first route, girls are taken to Romanian cities such as Bucharest and Timisoara, near the Serbian border. Many are then sold to Serbian gangs who move them south, putting them to work as prostitutes in Belgrade or selling them to criminal groups in Bosnia, Kosovo or Montenegro. Some will be smuggled into Albania, and then on to Italy and other European countries.

The second route runs from Romania directly south through Bulgaria to Greece. In Bulgaria, some of the girls are sold to gangs who smuggle them into Macedonia, then Albania and on to Italy.

The trade is a coalition of interests that crosses ethnic divides. Well-organised groups, familiar to each other from drugs or gun deals, trade across frontiers, as do lone traffickers.

War has made the Balkans a traffickers dream. Their illicit trade has been able to flourish as a result of the chaos of the last decade, which has weakened border controls and fractured and impoverished communities that were once held together by rigid moral codes.

Throughout the Balkans, checkpoints are badly policed by often corrupt officials, well used to taking bribes as guns and drugs moved through the region during the wars. Forged or stolen passports are easily available and visa regulations are flouted.

The wars have also created a market for girls inside the Balkans. The influx of cash from the international community policing the peace in Bosnia, Kosovo and Macedonia has swelled the trade in prostitution. One United Nations Mission in Kosovo, UNMIK, source told IWPR in August that the market is now so developed that many of the girls smuggled into the protectorate now willingly work as prostitutes. Their profits are good, their pimps are treating them decently and, they say, it's " better than returning to Moldova", the source said.

Of the 826 girls helped by IOM's projects in the region from May 2001 to December 2002, 590 - 77 per cent - were reportedly destined for either Kosovo, Bosnia or Montenegro.

There are several methods of recruiting girls. One is through newspaper advertisements promising menial jobs such as waitressing in Western Europe.

Others are attracted by promises of marriage to EU nationals.

After luring the girls, the traffickers seize their passports, then take them to major regional sex trade centres, where they are forced to work as prostitutes.

Some escape from their captors. We met several girls who had managed to flee. But a number of those who do are often recaptured by the traffickers or are hounded by them when they seek refuge in women's shelters.

In a major investigation, involving IWPR reporters in eight Balkan countries, we set out to explore this massive trade in people across the region. Our teams followed the trafficking routes, going from Romania, south into Bulgaria and Greece, across to Albania and then north through former Yugoslavia.

We visited clubs, bars, hotels and brothels, speaking with the traffickers, the pimps, the authorities and the girls themselves, to build up a picture of how this cross-border network of criminal gangs smuggling women operates.

Trafficking for the Olympics

At the Kulata border crossing between Greece and Bulgaria, dozens of taxis line up on the Bulgarian side of the frontier. According to a Bulgarian police source, some of the vehicles are waiting to ferry Greek traffickers to two local towns, Sandanski and Petrich, which have become regional sex trade centres - market places for girls from all over the Balkans and the former Soviet Union who are bought and sold with impunity. Some are destined to be smuggled to Italy and other EU countries, but the majority are purchased by night-club owners from northern Greece.

In a bitter twist of irony, Sandanski is also well known for being the birthplace of the world's most renowned slave, Spartacus. But today's young slaves are not likely to rebel against their captors. They're too weak, too far away from home and become involved in a highly organised criminal trade that leaves them little opportunity to escape.

Greek police sources have told IWPR that the transfer of the women from Bulgaria to Greece is well established, controlled by a tight-knit group of criminals. The officers say that a man well known to them in Sandanski controls the whole enterprise - including the taxi firms used by traffickers to smuggle girls over the border - and is either tolerated or actively protected by Bulgarian law enforcers.

In April, our team of journalists, posing as potential clients, questioned taxi drivers in both Sandanski and Petrich about buying women in the area. Initially reticent, the drivers soon began talking, saying they could put us in touch with people who could "solve our problem".

The prices charged for the girls depend on their age and experience. On average, they are sold for between 2,500 and 3,000 euro. "If the girl is fresh, very young and not used, the price is higher," one trafficker told us.

The cost and number of women being smuggled into Greece is expected to rise during next year's Olympics in Athens, with traffickers apparently calculating that the prostitution business will be brisk.

The traffickers are highly organised. They go to great lengths to check out the identity of clients in order to avoid police traps; possess high-tech instruments such as communication encryption software that prevents police tracking their mobile phones; and even run illegal TV stations broadcasting porn and advertising brothels.

The full article can be read in http://www.iwpr.net/index.php?apc_state=hen&s=o&o=archive/bcr3/bcr3_200309_460_1_eng.txt.

Macedonia implicated in 'abduction' case

IWPR's Balkan Crisis Report, January 24 2005

A German national has claimed that he suffered months of abuse in a Kabul jail after being arrested on a visit to the Macedonian capital of Skopje.

By Ana Petruseva and
Miomir Serafinovic in Skopje

The Macedonian authorities were involved in the kidnapping and illegal detention of a German national following a 'request' from the CIA, local police and intelligence sources have told IWPR.

State prosecutors in Berlin have confirmed that they are "investigating unnamed parties on suspicion of abduction" following complaints by Khaled el-Masri, a German national of Lebanese origin.

The unemployed father of six claims that, after being kidnapped and illegally detained while traveling in Macedonia, he suffered months of abuse in a US-controlled secret prison in the Afghan capital, Kabul.

A number of police and intelligence sources confirmed the claims to IWPR, saying that Macedonian officers were acting on a request from Washington. And enquiries at Skopje airport have revealed that a US Boeing 737 left for Kabul at the time el-Masri claims he was transferred.

Few Macedonian police officials are willing to discuss this case on the record. Interior ministry spokesperson Goran Pavlovski would only say "no comment" when IWPR asked him about el-Masri's allegations.

However, the interior ministry has not denied that Macedonian police were involved in the alleged abduction.

Police and intelligence sources have told IWPR that el-Masri was held for 23 days by agents from the Macedonian directorate for security and counter intelligence - in response to information and a request from the CIA.

"We did not look for him, we just acted upon information we had received. In other words, we just followed a request from an intelligence agency of a friendly country," one police source said.

An interior ministry official, who spoke on condition of anonymity, stressed, "While in Macedonia [el-Masri] was not

El-Masri was spirited away from Skopje on a special CIA flight to Kabul.

beaten or tortured. Our people acted in a strictly professional manner."

El-Masri, a 41-year-old unemployed car salesman from the German town of Ulm, claims that he was taken off a tourist bus by police on the Macedonian side of the border with Serbia on his way to Skopje on December 31 2003.

His luggage was searched and he was questioned for a few hours before being taken to a large town - he assumes Skopje - by armed police.

Local intelligence sources in the Kumanovo area - which also covers the Tabanovce border crossing with Serbia, where el-Masri was allegedly taken off the bus -

told IWPR that they had heard about the abduction, insisting it was conducted by Macedonian counter intelligence agents from Skopje.

"We knew that there was an operation, but we did not get any details as it was not related to our [work] at a local level," one source from Kumanovo told IWPR.

Police sources confirm that el-Masri was detained in Macedonia, but insist that the local intelligence services were only following orders from Washington.

Asked why el-Masri was allegedly held without any charges, one police source replied that "in these cases the rules do not apply" noting that requests from the CIA have absolute priority. Normally, suspects must be charged within 24 hours of their arrest, or released.

But el-Masri claims that he was held for questioning in a hotel for 23 days without charge before being handed over to people whom he believes were Americans, and then flown to Kabul.

A source at Skopje airport, who spoke on condition of anonymity, has told IWPR that official records do contain data about a special flight - a US Boeing 737 - that landed in Skopje from Palma de Majorca and then departed for Afghanistan.

"According to airport records the American Boeing landed in Skopje on 23 January at 9:30pm. It left Skopje few hours later, at 2am, with only one passenger. The name of the passenger is not listed. The plane's destination was Kabul," the source said.

IWPR's official request for information from Skopje airport had not been answered at the time we went to press. But Kabul is not a regular destination for flights leaving the Macedonian capital.

In Kabul, el-Masri claims that he was tortured and abused for a further four months, in an attempt to force him to confess to being an Islamic militant. He said that he was eventually released in Albania at the end of May 2004.

His lawyer, Manfred Gnjidoc, claims that el-Masri was the innocent victim of a controversial CIA policy known as 'rendition' - whereby suspects are handed over to countries with poor human rights records so that information can be extracted from them using torture, while leaving the US' reputation unharmed.

The lawyer told The New York Times that his client was taken because he has the same name - albeit with a slightly different spelling - as an al-Qaida-linked extremist who is wanted in connection with the September 11 attacks on the US.

The British newspaper, *The Guardian*, which has interviewed el-Masri extensively about his ordeal, has reported that the Berlin authorities are now subjecting a sample of his hair to radio-isotope analysis - a procedure that can reveal the source country of all food and drink consumed by a person over a period of time.

The seriousness with which the German authorities are treating the allegations has led some analysts to warn that Macedonia's alleged role in the events will not be overlooked.

Former interior minister Pavle Trajanov told IWPR that el-Masri's case was "unique" and noted that "it is highly unusual to hand over people to other foreign intelligence services in this manner".
"There is little doubt that [el-Masri] was held illegally," he said.

"There were no grounds to keep him for such a long time, especially since no court placed him in custody. If el-Masri proves his case it is likely the US will [have to] take responsibility.

"However, that does not mean that Germany will not react over Macedonia's role in the abduction."

Law professor Vlado Popovski, former head of Macedonia's state intelligence agency, told IWPR that the law enforcement authorities had a duty of care to check the identity of any suspect they apprehend.

"Hypothetically speaking, if the courts decide that this was a case of mistaken identity, the Macedonian authorities would not be relieved of their responsibility even if they thought [el-Masri] was the [right] man when they handed him over to another country's intelligence agency," he said.

The Macedonian interior ministry and the German embassy in Skopje said that they were not aware of any official request made by Berlin for assistance from Macedonia in their enquiries. The US embassy in Skopje was approached about the allegations, but refused to comment.

Macedonia has long expressed a willingness to aid the US in its so-called war on terror, with mixed results. Former interior minister Ljube Boskovski is still on the run after being charged with the murders of seven economic migrants, passed off as Islamic extremists, in an apparent effort to impress Washington.

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Information-gathering strategies: The investigative mindset

By Don Ray, Author of *The California Investigator's Handbook*, *Checking Out Lawyers (and anybody else)* and *Diggin' Up Gold on the Old Paper Trail*, *A Workbook for Investigatin' Folks.*

Given enough time, all good investigators come up with a mental checklist of tips, ideas or strategies that they can apply to their investigations. It may not be a conscious thing, but, nonetheless, the successful investigators draw on experience, observations, training and even studies to solve information problems. This investigative mindset is responsible for solving more information mysteries than probably any other factor. If you haven't already started writing down you best strategies, now might be a good time to start.

I've been able to whittle my list down to six basic concepts I use whenever I need to solve an information problem. In years past, I might have looked back at completed investigations to remind myself of what actually worked. The list would have included all six of my six strategies. What has worked well for you in the past? What lessons did you learn from you last investigation? If you didn't learn a new lesson or a new tool or a new danger signal, you're not growing.

You should certainly compile your own list. But while you're doing it, I'm happy to share mine with you. Feel free to use or reject any of them. If you can improve on them or if you can come up with something that has worked for you and that might work for me, please let me know about it.

J.D.L.R.

How often have you looked at something and felt deep inside you that it just didn't look right? You can't put your finger on it, but it just doesn't look right. Let it resonate within your brain for a few seconds. Just doesn't look right. J.D.L.R. It seems every investigative reporter has a different name for the phenomena - 'What's wrong with this picture?' 'There's something rotten in Denmark.' 'Something fishy is going on here.' 'I smell a rat.' Whatever you call it, the important thing is that you first recognise it and, even more importantly, you act on it.

If you're a good investigator, you won't sleep until you can figure out what's out of place. You'll shake you head each time you look at it. It's a lot like the official at the border crossing between two friendly

states who, every day, lets the same man on a bicycle pass to the other side. The man says he has nothing to declare, but the official 'feels it in his bones' that the man is up to something. But every time he searches the man, he comes up empty. No drugs, no jewellery, no large sums of money—nothing. But he could still swear the guy was up to no good. Finally, he described the man to his evening replacement.

"Yeah, I know which guy you're talking about," the other official said. "But when he comes back into the country, he's always on foot." It was only then that the first official figured it out—the man was smuggling bicycles.

J.D.L.R.s are great for coming up with new story ideas. Why do we never see our mayor on Mondays or Fridays? Could he be taking long weekends at taxpayers' expense? Why does the senator, a former war hero, not pronounce the name of the country in which he allegedly served? Could he be lying about his military record? Why does every person charged with being a drug dealer get a light sentence in one particular judge's court? Could the judge be on the take? Why is there an arson-set fire in every city the prominent arson investigator is visiting while he's visiting there? Could he be actually setting the fires?

These may seem hard to prove or outrageous in nature, but they would never come to light had some investigator not scratched his or her head and said, "Hmmm. That just doesn't look right."

Who would know?

It seems like such a simple concept. Before you go off in search of something, why not consider that someone else might already know the answer? Personally, I think it's a genetic thing. I think that after millions of years of evolution, any male hunter who couldn't find his way around in the forest ended up starving to death and, as a result, dropping out of the evolutionary process. It makes sense - if there was only one animal around at the time, the competition would be fierce. The gatherers, however, were probably more likely to share information about forests abundant with fruit trees. So you see, it's pretty much a man thing in my opinion. Men had the power. Men didn't let women have the good journalism jobs for a long time. Men didn't ask for help. When they finally let women have the good journalism jobs, they trained them from a man's point of view and maybe didn't stress that it's okay to not know something. It's okay to ask for directions. It's okay to admit we're ignorant about stuff.

And when you think about it, it makes sense. Is it our job to know everything? No, it's our job to learn stuff quickly and accurately. So to fight the genes in me that make me want to pretend I already know the answer or that it will come to me through divine telepathy, I always remind myself to ask myself who would know.

A great example was when I was working as a producer/reporter for an investigative

news magazine for a Public Broadcasting Station housed on the campus of Arizona State University. The advantage of being there was we could use journalism students as interns and assistance. It was great for them, because they could learn from us. One evening I sat with an intern who was frustrated because he could find no trace of bird smugglers in Phoenix. I had given him the assignment knowing there was an active underground ring that was bringing parrots across the border from Mexico and avoiding both the customs fees as well as the required quarantine. There was no one else in the building at the time except a student from Nigeria who was making a few extra bucks by sweeping floors. As my intern sat, discouraged, I listened to him bemoan that there was probably no smuggling going on.

"I asked every pet store owner in Phoenix if they knew about smuggled parrots, but they all said 'no.' I give up. There's no way to get to the truth.

About that time the Nigerian student was sweeping past us. "Excuse me," I asked politely, "but do you know anything about bird smuggling?"
"Do you mean the parrots they bring across the border in pickup trucks?"

"Yes," I said.

"Yes, I know about them. My roommate smuggles them!"

It could be just about anyone. They don't have to be government officials or university professors or anyone special - just people who know more about something than you know. It's pretty simple. What's the thing you're searching for? Say it aloud and then ask yourself who would know. Doing a story about a doctor who seems more like a butcher than a surgeon? You'll need an expert in his field to put his performance in perspective and help you with the questions you should be asking or the red flags to which you should be alert. How do you find that expert? Who would know about medicine? Doctors. Any doctors. Call any doctor and ask what the name is of the specialist about which you're curious. When you learn that, call one of those specialists in your area and ask where the best university is that teaches physicians that specialty. Then call that university and ask who the very best, most famous, on-the-cutting-edge specialist is anywhere in the world. Then call that top expert and ask him or her who in your area is the next best. The expert will surely name a colleague you can trust. Then call that local expert and buy him or her lunch. Soon, they'll be your mentor on that particular story. And chances are, they'll know the butcher all too well. People probably regularly call on them to correct the damage done by the butcher.

And don't forget about friends, relatives, neighbors, co-workers, running partners and others who would know where someone might have gone. Someone in hiding isn't going to tell a lot of people where he is, but his mother probably knows. The peo-

ple in his industry probably know. Don't be afraid to ask someone to help you.

The FBI and I were both looking for the same former employee of a multi-national oil company that was suspected of price fixing. I looked for lawsuits against the company and contacted a former employee who was suing the company (see 'Victims and enemies' below) and only asked for one thing - their old copy of the company directory. It didn't take long to find the name of the guy I was looking for in the directory. I called his old number and asked some really innocent questions, such as: "Who might know where Mr. X. Employee is now?" The person suggested I might look for the man's brother in Milwaukee, Wisconsin. He works for the police department there, he told me. I quickly got the guy's brother on the phone and learned that the man I wanted was in Miami, Florida. His brother even gave me his address. After that, it wasn't difficult to get a phone number and call him. He was shocked that I had found him, but happy the FBI wasn't quite as efficient.

And you might consider deputising people. You don't have to be a policeman or sheriff to deputise someone. You simply tell them about the exciting story you're working on and tell them they could play an important role. Tell them they might see their work on the front page of tomorrow's paper or on the six o'clock news. You'll be amazed at how they'll help you.

A friend of mine was doing a story in the desert community of El Centro, California and was having difficulty getting certain information about a physician who was accused of molesting his female patients. None of the victims wanted to admit to journalists or government investigators what they had allowed this man to do to them under the guise of authority. Few of the victims were willing to discuss with journalists or police what the man had done to them. But that doesn't mean they didn't talk to their friends. Who would know? Beauticians.

My friend went to several of the beauty shops in El Centro and 'deputised' the people working there. Soon, they were calling my friend at home and reporting on the gossip they were hearing from customers. Of course, my friend could only use the information as information leads, but it worked nonetheless.

Keep asking yourself the most important question - who would know?

Figure out the system.

One of the biggest mistakes young or inexperienced investigators make is that they fail to look at the system in which they're working. They fail to put the information they're finding in the context of the system from which they obtained the information. It's very easy to make assumptions about how a system works. And it's very easy to get egg on your face when you draw an incorrect conclusion from information you received from a system you didn't understand.

Case in point. An investigative reporter was investigating rumors that people close to the President of the United States had played a hand in the death of a woman who had claimed she had incriminating evidence on videotape about one of the cabinet members. When the reporter requested a copy of the death certificate of the murdered woman, he immediately went about verifying the information on the document. When he got the box that asked for the name of the 'informant' he found the name of the dead woman's best girlfriend. She put down her true address - about 100 miles from the scene of the murder.

When he dug deeply into the story, he learned and accurately reported that the informant had not been anywhere near the area where her friend died for a month before the murder and not at all afterwards. Then how was she able to be the informant? He was 100 per cent accurate in his reporting, but he was wrong in his interpretation. He allowed the reader to conclude that, indeed, government officials had doctored the death certificate to cover up for their own sinister wrongdoing. On the surface, it sounds logical - unless you seek to figure out the system.

Just what does 'informant' mean on the death certificate? At first glance it means 'the name of the person who informed the authorities that someone had died.' If that were the case, it would, indeed, be quite difficult for the best friend to first discover the body when she was 100 miles away. It would sure appear that someone was lying. And it was the government officials who issued the death certificate. Sounds like corruption, doesn't it? But a phone call to the County Recorder or the Coroner would have led the reporter to information he hadn't considered - that the 'informant' is the person who informed authorities of all the personal information about the dead person that they needed to complete the form. What was her full name? Where was she born? Who are her parents? What is her profession? Address? Date of birth? Get the picture? Imagine how embarrassing it would be to send your readers or viewers down such a path.

There are other reasons for figuring out the system. When you understand everything about the system you can often learn of other places to find more information. If someone gets a speeding ticket, the state motor vehicle department will release the information they have regarding the citation. But how does that fit into a system? The person with the citation had to go to a local court to either fight the ticket, pay the fine or both. That means there is probably something on file at the local court that could be helpful to you. Many times you'll be able to view the actual citation the police officer issued. Here's a chance to see exactly where someone was at a precise time on a particular day. Could that be important? Would it help to know there were three other people in the car at the time? That is was raining? That the person was supposed to be wearing glasses?

My rule of thumb is that I will not read beyond any line on a document until I understand it. I make it a point to read not only what's filled in on a form, but what the form is requesting. If the form asks for 'supporting evidence' but "oral evidence" is typed in instead, does that mean that the applicant simply swore the information was true? Probably not. It had to be someone else giving oral evidence. Otherwise, why would the form ask for 'supporting evidence'? Why go to the trouble of printing up a form that asks for supporting evidence if it would also accept the person's sworn statement? It's more likely that someone else provided the oral evidence on behalf of the applicant. Their word would be the same as a document or other supporting evidence. By figuring out the system, it gives you a clue that here may be someone else with whom you should talk.

But how would you know who it was that provided the oral evidence? There's probably another document somewhere that would show that - there almost always is. That's when you need to know the system.

It's easy to ask someone what the system is (see 'Who would know?' above), but a good investigator will try to quickly figure out the system by using logic. If you're looking at the cross-referenced index to civil case files and you discover there's an asterisk next to some of the alphabetised names in the left column and no asterisk next to any of the names in the right column marked 'other party', what's going on? What would make some of the people in the left column different? Could it be that those with the asterisk are the plaintiff while the ones without the asterisk are the defendant? Probably. That would mean that when you identify the role of the person on the left, the person on the right must be the opposite - or other party.

But which one is the plaintiff - the one with the asterisk or the one without? You could go ask the clerk or you could simply look up the name of a case you already know. Were you divorced? You'll know the answer when you see your own listing. Since you know which of you was the plaintiff and who was the defendant, you'll be able to tell which uses the asterisk.

Look for victims and enemies

Victims and enemies are usually more apt to want to talk to you and much less likely to report back to the person you're investigating that you were poking around. They make great sources. Granted, they're angry and hateful and filled with vengeance, but they're usually happy to spew out their hatred to anyone who will listen. And, of course, the information they offer will almost always be exaggerated - sometimes to the point of being a fairy tale - there will always be nuggets of gold you can take to the bank.

Victims and enemies are not hard to find.

Look for former employees or employers, ex-spouses or ex-lovers, people who were on the other side of lawsuits, actual victims of crimes committed, former in-laws, business rivals, the list goes on and on.

If you do a complete enough public records search and a complete enough newspaper and magazine search, you're likely to find situations where there may be victims and enemies. Talk to associates and ask them who would be a person's enemy. Sometimes you can even ask the person you're investigating. There's nothing wrong with asking a politician or government official or corporate head this simple question: "What do your critics have to say about this?" Often, they'll name the critics for you and then tell you why you shouldn't believe them at all.

A great person to help you find victims and enemies of people holding elected office is the campaign manager of the greatest opponent. Many candidates hire 'opposition research' specialists - private investigators who dig up every piece dirt imaginable on the opposing candidate. They almost always find information they won't end up using. For example, they may find that the opposing candidate had an affair or once used drugs or was once arrested. But if their own candidate also had an affair or once used drugs or was once arrested, the information will remain a secret. While the former opposition research person or the former campaign manager will probably never speak on the record, there's a great chance they'll point you to where you can find the information on your own.

Also keep in mind that some of the people closest to the person you're investigating may, in their own ways, feel victimised. I was once hired to look at the travel expense accounts of a judge who was so incompetent that defence attorneys would often request a different judge. A state law allowed a defendant to 'paper' one judge one time during their trial. Since this particular judge was the only judge for miles, the presiding judge would have to continually fly in another judge to sit on the trial. That means the incompetent judge would also have to be flown somewhere else to cover for some absentee judge - you can't just let the bad judge not work. My job was to find out how much money the taxpayers were spending to send this goof-off judge to distant cities.

His clerk was nearly three times his age and had clearly run the courthouse for decades. When I asked her if I could see the judge's expense accounts she looked at her watch and pointed to a file cabinet.

"Look, it's almost noon and I'm going to lunch," she said, matter-of-factly. "The expense accounts are in that file cabinet. The photocopier is over there. You can either come back in an hour or let me lock you in the office while I have lunch."

Her rare invitation to browse through anything I wanted told me instantly that she was a victim or enemy. After I finished copying everything and she returned, I invited her to dinner so she could tell me all about how incompetent her judge was.

Don't overlook them - victims and enemies. They can be the cat's meow!

Follow the money.

I'm certainly not the first journalist to recommend you follow the dollar, the franc, the peso, the yen or the quetzal or colon. As trite as it sounds, you must always remember to follow the money trail. There's almost no investigation where their isn't a distinct and separate money trail. The murderer had to buy the gun from someone. The minister who ran off with the church funds had to buy a plane ticket from someone and will no doubt spend the money somewhere. The child molester had to have phone bills so he could call his victim. The profits from the drug sale had to be laundered somewhere.

This is where public records can often be helpful. It's not difficult to find out how much the car he's driving cost, how much the house he's living in cost, what the taxes are on that plane he owns. Maybe he filed for bankruptcy or was sued and his income tax records ended up in the case file as exhibits.

Keep in mind that money can come in the form of other things. A nice piece of property, for example makes a great bribe. Want to pay off a politician for signing legislation favourable to your business? Just give him some land that will one day be valuable. Of course, you need to put the title in the name of his brother-in-law or his cousin or his attorney - as long as his name isn't on it. When he's out of office and the statute of limitations is past, you can then transfer the title directly to him. And don't forget the family trust. The name of the trust doesn't have to be the same as the family surname. John McMillan can call his family trust the Butterfly Family Trust.

When President Ronald Reagan and his wife, Nancy, left office, they moved into a $2.5 million mansion in the ritzy area of Bel Air in Los Angeles. The deed was first in the name of Wall Management Services, Inc. a California corporation formed by Reagan's wealthy friends about the time they bought the house. When Reagan was out of office, a new deed showed the owner to now be Wall Management Services Trust, which purchased the house for $3 million. Since the trust records are not public, it's not clear who was in the trust at the time of the purchase. It certainly wasn't in the Reagan's name. Coincidentally, the Republicans were still in power with President George Bush at the helm.

But when President Bush lost his bid for reelection and stepped down in 1993, the Reagan mansion changed hands again. This time the deed showed that the Wall Management Services Trust, now showing Ronald and Nancy Reagan as the trustees, transferred title of it to the Reagan Family Trust. No money changed hands. Were the Reagans part of the Wall Management Services Trust from the beginning? Did they pay the $3 million for the house or were their rich friends a part of the trust? Did the friends put up the money for the

house? The no-money transfer after the Republicans are no longer in office should have raised a few eyebrows.
It's not the easiest thing to do, but if you imagine the flow of money and then imagine who might see it, touch it, process it, store it, manage it or spend it, you'll be on the right track to follow it.

Don't embrace obstacles.

Too many young journalists or investigators carry bad habits from school or from home into their new profession. It was really easy to say 'my dog ate my homework' you didn't do your work. The computer always seems to crash with all of your investigative notes irrecoverably inside. There's always a traffic jam on the freeway when you were supposed be somewhere you didn't want to be. Admit to it. You were happy your alarm clock didn't go off and you had to miss that event you really didn't want to attend.

We've all done it. What I want to alert you to is the time you did it because you were afraid you'd fail at whatever you were doing. If you complete the assignment and fail, they'll find out you're not as good as you told them you were. But if some other independent obstacle appears and prevents you from completing the job, you can never fail. It wasn't your fault.

This can be a deadly practice - deadly to your career anyway. It's up to you to ask yourself if you really want to risk failure. Are the excuses you're telling yourself something you actually believe? When others do it you recognise it right away. It takes a lot of effort to do it yourself.
"I'd have ridden that bull for 20 seconds," you might say, "if I hadn't come down with the flu that morning. Too bad I wasn't able to ride." See how this statement can make people think you're a rodeo king. But if you get on the bull and he immediately stomps you into the ground, the world will know you're not that good.

There's no reason you shouldn't be good at gathering information. I like to think of finding the answer to the mystery as being like a martial artist putting his hand through a stack of wood. I'm told he visualises his hand on the other side of the boards and it goes there. If he visualizes the board - the obstacle - it will always hold strong and he'll have broken knuckles.

Don't say to yourself, "I wonder if I'll get the information." If you say that, you'll surely not get the information. Rather, say to yourself, "I know I'll find the information. I'm anxious to see how I do it."

Happy hunting.

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The Online Investigative Journalist's Tool Kit

A vast array of online tools are available to the investigative journalist who wants to cross borders while sitting in front of their computer. The following index contains some of these tools and a short explanation of how they can be used.

Investigative Journalists' e-Groups and Directories

- www.globalinvestigativejournalism.org
- www.ire.org
- www.reportingproject.net
- www.icij.org
- www.netnovinar.org/

Social Networks and Analysis Software

- www.i2.co.uk
- Pajek: http://pajek.imfm.si/doku.php?id=pajek
- UCInet: http://www.analytictech.com/downloaduc6.htm

Indexing and Web Scraping Software

Organising large volumes of information and scraping the Web for information that can be used afterwards off-line could make the difference in the investigative work. dtSearch, www.dtSearch.com is a useful tool that allows indexing of files and could also be used as a spider for gathering data from Web sites.

Alternatives:

- Google desktop, http://desktop.google.com/ is a good, and free, indexer.
- http://openkapow.com/ is a Web scraping tool which can be used to create robots that will automatically and periodically grab data off Web sites you are monitoring.
- Setting up Google alerts on subjects of interest to the investigator could also keep journalists updated: www.google.com/alerts

IP and Web Address Check:

The following Web sites can be used to find out who owns a Web site and to track down IPs:

- http://allwhois.com/
- www.ripe.net/whois
- http://remote.12dt.com/rns/

- www.domainwhitepages.com
- www.network-tools.com
- www.webyield.net/domainquery.html
- http://betterwhois.com
- www.uwhois.com
- http://centralops.net

Foreign Agents and Registration Act

This is a database of lobbyists with the U.S. government. All countries of the world hire lobbyists in Washington, DC, for various purposes. This database provides the contracts between countries and lobbying firms. Very useful to see how governments, politicians spend public money. www.usdoj.gov/criminal/fara

E-mail Tracking

- Readnotify: http://www.readnotify.com tells you when email you send is read, reopened, forwarded and to whom it was forwarded.

Declassified CIA Information

The CIA has established a site, www.foia.cia.gov to provide the public with an overview of access to CIA information, including electronic access to previously released documents.

Online Translation

These Web sites might come in handy when we need to read documents in foreign languages.

- http://translate.google.com
- http://babelfish.yahoo.com/translate_txt
- www.freetranslation.com

The following site is helpful with translations from Arabic:

- http://dictionary.sakhr.com

Terrorism, Financial Fraud, Wanted Criminals

- http://www.treas.gov/offices/enforcement/ofac

Search Engines

- www.bing.com
- www.google.com
- www.yahoo.com
- www.gigablast.com
- www.ixquick.com
- www.ask.com
- www.alltheweb.com
- www.a9.com
- http://www.usa.gov/index.shtml

The Internet as an Archive

www.archive.org is a very important tool when it comes to checking Web sites that are no longer online or previous stages of a Web site. It stores Web sites in different stages of their development.

WIKIS

Wikis are increasingly important resources for journalists as they become more and more the world's whistle-blowing places. Valuable documents are posted on Web sites such as www.wikileaks.org

Encryption Software

PGP, Pretty Good Privacy, available in www.pgpi.org encrypts files and documents on your hard disc and can be used for e-mail communications as well. Drive Crypt, available from www.securstar.com encrypts your hard-drives.

Other Databases and Useful Web sites

http://wnc.dialog.com is a database that contains collections of articles from media outlets not covered by Lexis-Nexis translated into English.

Articles from all over the world, covering intelligence, companies, the world criminal, are searchable here. Requires subscription.

The Foreign Broadcast Information Service of the Central Intelligence Agency exemplifies national intelligence at its best, informing senior policy makers and the nation as a whole with its daily collection, translation, and publication of thousands of foreign media reports.

(Portions of the FBIS product are available to the public by subscription to World News Connection.)

Not-for-Profits / Foundations

www.guidestar.org provides data about NGO's established in the US. Provides comprehensive financial data. Requires registration. Free. www.defenselink.mil is a Pentagon searchable contracts database. Data about companies involved in Pentagon contracts all over the world.

Reporters can search for companies involved outside the U.S.

Human Rights

- Human Rights Watch, www.hrw.org is the largest human rights organisation. It investigates human rights abuses all over the world.
- Amnesty International, www.amnesty.org
- One World, www.oneworld.net

Freedom of Information

This Web site, www.freedominfo.org lists Freedom of Information laws all around the globe.

Law Enforcement Agencies

These are some of the main law enforcement agencies and intergovernmental bodies which look at global financial crime.

- The portal of the European Law Enforcement Organization, www.europol.europa.eu posts annual reports on crime in Europe.
- www.fas.org/irp/world is a portal that provides information on the world's intelligence and security agencies. Some of them, like the Canadian's for example, provide useful assessments on crime and global money laundering trends.
- The Egmont Group, www.egmontgroup.org is a worldwide gathering of financial intelligence units which monitor and identify money laundering trends.
- The Financial Action Task Force www.fatf-gafi.org is an intergovernmental body whose purpose is the development and promotion of national and international policies to combat money laundering and terrorist financing.
- www.interpol.com provides access to a fugitive database and covers cross-border crime.
- United Nation's International Money Laundering Information Network. www.imolin.org/imolin/ index.html
- The French Unit for Fighting Financial Crime, www.tracfin.minefi.gouv.fr
- The United Kingdom Serious Organised Crime Agency - SOCA, www.soca.gov.uk is not transparent, but phone contacts are on the Web site.
- The Federal Bureau of Investigation, www.fbi.gov is a good resource on global and United States based crime. Provides a database of fugitives.

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