

were captivated by the beauty of the unspoiled beaches, tall trees and dense forest. As the colonists approached the shore, Indians were waiting with bows and arrows. But the crew yelled out an Indian calling "Appada" meaning peace and the Indians withdrew their bows and welcomed them to shore. The Indians shared their food and the English colonists gave them goods such as knives, beads and tobacco. Auendaugh-bough was the name of the settlement when the English colonists arrived but the name was later shortened to Awendaw.

Awendaw is a special place. The arms of nature surrounds it and radiates its beauty. The Cape Romain Wildlife Refuge, the Francis Marion Forest and the Santee Coastal reserve create a natural wall of protection around the area. Hunting and fishing are still a means of getting food just as it was for the Seewee Indians.

The Churches of the Awendaw community are a "testimony of their faith." The Ocean Grove (formerly Pine Grove), Mt. Nebo A.M.E., Ocean Grove United Methodists and First Seewee Missionary Baptist are all historical churches that play a significant role in the lives of the people who live there.

In November 1988, the people of Awendaw began its fight to become a town. For four years, the people gathered once a month at the Old Porcher Elementary School to plan, organize and share information with the people. There were many hurdles set before the people of Awendaw by the Justice Department. In 1989, Hurricane Hugo interrupted the process, but it was resumed in 1990. The Awendaw community made two unsuccessful attempts to incorporate. Finally, after the third try, the Secretary of State granted a certificate of Incorporation on May 15, 1992. On August 18, 1992, the town of Awendaw elected its first mayor the Rev. William H. Alston. The first town council were Mrs. Jewel Cohen, Mrs. Miriam Green, the Rev. Bryant McNeal and Mr. Lewis Porcher (deceased).

This year the town of Awendaw will celebrate ten years of incorporation. The town has grown from 175 to over 1,000 in population. Over the last seven years, the town of Awendaw has become famous for its annual Blue Crab Festival. This grand celebration brings thousands of people from neighboring communities to share in the festivities.

Mr. Speaker, I ask that my colleagues would join me in a salute to one of God's little wonders, the Town of Awendaw, South Carolina. "Thank God for small towns and the people who live in them."

TRIBUTE TO MISSOURI STATE  
REPRESENTATIVES DAN  
HEGEMAN AND CHARLIE  
SHIELDS

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2002

Mr. GRAVES. Mr. Speaker, I rise today to recognize the outstanding work of Missouri State Representatives Dan Hegeman and Charlie Shields, whose legislative achievements will be honored by the Northwest Missouri Republican Club on July 26, 2002.

As a member of the Missouri State Legislature since 1991, Mr. Hegeman represents Mis-

souri's 5th District. A dairy farmer by trade, Mr. Hegeman is involved with a number of community organizations including: the Andrew Buchanan Community Council of American Cancer Society; Northwest Missouri Area Health Education Center Board; and, the Savannah, Maysville, and Albany Chambers of Commerce.

Mr. Shields, also a State Representative, is from Missouri's 28th District. In 1992, Representative Shields was named "Outstanding Freshman Legislator" by House Republicans and in February of 2002 was named Legislator of the Year during the Republican State Lincoln Days in Springfield. As a project coordinator for Heartland Health System in St. Joseph, Missouri, Mr. Shields has done important work in the areas of elementary, secondary, as well as, higher education, mental health advocacy, and community development.

Please join me in honoring Missouri State Representatives Dan Hegeman and Charlie Shields for their tireless work in representing their communities and their outstanding dedication to the great State of Missouri.

### PAYING TRIBUTE TO PETE SEIBERT

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2002

Mr. McINNIS. Mr. Speaker, today I stand before this body of Congress and this nation to honor a western visionary and World War II veteran who recently passed away. Pete Seibert contributed selflessly to our nation in its time of need and I thank him for his unrelenting passion and valor. Pete was a remarkable man and his actions during and after World War II are the essence of everything that makes this country great.

Pete Seibert is a veteran of the 10th Mountain Division of the Army, which studied and trained in Colorado. His platoon fought German forces in Italy's Po Valley, using their exceptional mountaineering skills to enable them to overcome the Germans. Regardless of his bravery, Sergeant Seiber was wounded on Mount Terminale in Italy and utterly destroyed his kneecap and femur. Yet, his injuries led to an honorable discharge at the young age of twenty-two, which enabled him to pursue his dreams.

After World War II, Pete returned to Colorado, the state that provoked his passion for the mountains during his training in the 10th Mountain Division to turn his visions into a reality. He arrived in Aspen in 1946 and despite hampering injuries from war began working as Ski Patroller. His determination to reclaim his expert skiing skills prevailed, and in 1947 he won the downhill, slalom, and combined competitions in the Rocky Mountain Championships. Moreover, he became a member of the 1950 U.S. Alpine Ski team, a great honor. However, he is now more famously known in Colorado as the co-founder of Vail Ski Resort in 1959, he became a familiar image that represents Vail to many. Despite local skepticism from existing ski resorts, Pete traveled around the country to raise revenue to build the mountain, and refused to give up. In 1970 his perseverance paid off when Ski Magazine

ranked Vail first rate and claimed it to be an amazing resort for all ages. Needless to say, Vail's business boomed, and its legacy is now world-renowned. In fact, in 2000 Ski Magazine listed him as the 3rd most influential skier of all time and in 2001, Vail named its most recent addition after Mr. Seibert; respectfully calling it "Pete's Bowl".

Mr. Speaker, I ask you to join me today in celebrating the life of Pete Seibert who recently lost his battle with cancer. He overcame enemies of freedom, crippling war injuries, and literally ascended to the mountaintop in pursuit of his dreams. Pete had a remarkable spirit that empowered all who knew him. I would like to express my deepest condolences to his friends and family.

### FREEDOM OF PRESS

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2002

Mr. TOWNS. Mr. Speaker, While citizens in this country take for granted the freedom of the press, there are nations in this hemisphere where journalists are still victimized by their governments for exposing injustices in their societies. In Panama, despite the apparent triumph of democracy following the arrest of Manuel Noriega and the U.S. intervention in that country, inquisitive journalists such as Miguel Antonio Bernal are treated as criminals because they dare to speak out on otherwise taboo subjects.

The following documents were prepared by Sarah Watson, Laura McGinnis and Karen Smith, Research Associates at the Washington-based Council on Hemispheric Affairs (COHA). Watson's article, entitled Press Freedom in Panama: Going, Going, Gone, was distributed as a memorandum to the press on May 30 and appeared in the June 1 issue of the organization's highly estimable biweekly publication, the Washington Report on the Hemisphere. It examines the ongoing plight of Miguel Antonio Bernal—a plucky professor-journalist—who was acquitted on trumped-up charges brought by former police chief Jose Luis Sosa, but now faces Panama's attorney general appealing his legal setback to a higher court and his intention to silence the voice of a man who cried out against government abuse in his country. The interview of the highly regarded Bernal was conducted by COHA researchers McGinnis and Smith, and reveals the journalist's personal perspective on the state of free speech in his country. It appeared in the July 11 issue of the Washington Report on the Hemisphere.

These documents should be of great relevance to my colleagues as they demonstrate the severity of the situation in Panama, and the need for continued international scrutiny of cases that threaten the freedom of speech and the right to dissent.

### PRESS FREEDOM IN PANAMA: GOING, GOING, GONE

On May 29th, Judge Lorena Hernandez announced her decision on a criminal slander case that made headlines in Panama and throughout Latin America. In a victory for the forces defending freedom of speech and of the press, she acquitted one of Panama's leading intellectuals and activists, Miguel

Antonio Bernal, of flagrantly trumped-up charges brought against him by former police chief José Luis Sosa. But Bernal is not out of the woods yet—the country's attorney general has announced his intention to appeal the decision. The Council on Hemispheric Affairs is now embarking on a major campaign to bring the deplorable situation of Panama's media in general, as well as Bernal's current plight, to the attention of the international community.

One of Panama's most respected public figures, Bernal has been a thorn in the side of every repressive dictatorship from Colonel Torrijos on, all of which have targeted him for harassment with grim regularity. Professor Bernal's sufferings at the hands of previous governments included being exiled from Panama by General Manuel Noriega, causing his flight to the U.S., where he later taught at Davidson College and Lehigh University.

Given this background, one might expect that the democratically-elected government of President Mireya Moscoso—who herself had been mistreated by previous repressive regimes—would have offered him a safe haven from where he could have played his important, if often unacknowledged, muckraker role in one of the Americas' most corrupt societies. Unfortunately, at least for the time being, Moscoso has chosen to assume the role of an apologist for Bernal's perverse persecutors.

#### ACCUSATIONS OF SLANDER

In a 1998 radio interview, Bernal stated that he held the Panamanian police responsible for the death by decapitation that year of four inmates at the infamous Isla de Coiba prison. Earlier, the police department had illegally seized control of the facility, which had achieved well-deserved notoriety for its inhumane conditions. In response to Bernal's accusation, Sosa, the then-chief-of-police, sued him for slander—specifically for besmirching the institutional “honor” of the Panamanian police.

In contrast to U.S. slander law, which provides for a civil trial with, at worst, a possible monetary penalty, Bernal could have faced up to two years in prison if convicted, since the charges against him for “slander and disrespect” were, under Panamanian law, criminal in nature. He also could have been denied the right to work in Panama for an additional two years.

Bernal's case went to trial on May 14th, and despite his recent exoneration by a Panama City judge, it is likely to take months, or even years, before the appellate process runs its course and any final verdict is handed down. On May 29th, Judge Lorena Hernandez took the startling step of declaring Bernal not guilty. Although this was the decision hoped for by all his supporters, the rapidity with which it was handed down came as a surprise given the usual viscous operating speed of Panama's judiciary. It is likely that the wide attention given to the case in the international press affected the pace of the judge's decision.

#### A LEGACY OF CORRUPTION

Sosa, Bernal's accuser, was police chief during the administration of Moscoso's predecessor, Ernesto Pérez Balladares, of the compromised PRD, General Noriega's old, tainted party. Thus, it is not surprising that Pérez Balladares and his corrupt cronies had something to hide from a free press, since many of them were acolytes from the Noriega era who were continuing the venal practices inherited from the master.

But the prevailing atmosphere didn't change noticeably under the leadership of Moscoso, who was elected in 1999. In May of last year, she tentatively proposed an amnesty for the large number of journalists ac-

cused of defamation, only to backtrack and withdraw her support a month later. Moscoso later instructed her attorney general to demand that journalists must have proof of their allegations when they levy charges of corruption. “We cannot allow it to be said that we in the government are corrupt,” she said.

#### CENSORSHIP ABOUND IN CORRUPT PANAMA; WITH SITUATION LIKELY TO WORSEN

Bernal is not the only Panamanian journalist facing such charges. Some of the others include a cartoonist, Julio Enrique Briceno, who was forced to meet with a judge every fortnight after the former vice president of the country (who also had been president of the Christian Democratic Party), Ricardo Arias Calderón, sued him for “insulting behavior.” Journalists Rainer Tuñon and Juan Diaz were sentenced to either 18 months in prison or a 400 euro fine, as well as being banned from working in Panama for 6 months, for reporting on a judge's investigation of doctors alleged to possess forged licenses. One of those under investigation, whose license later provided to be genuine, sued—and won—for damages to his reputation.

According to the Inter-American Commission on Human Rights (CIDH), more than 90—one out of every three—Panamanian journalists have cases pending against them for libel or slander. Furthermore, in 70 percent of such cases, the suit was brought by a public official. The Panamanian government, however, claims that only 28 journalists currently have cases to be heard on the docket.

A bill drafted last year in the corruption-plagued county by interior minister Winston Spadafora is ostensibly designed to regulate Panama's journalistic practices, but critics maintain that it will also serve to expedite press manipulation by the authorities. Among its provisions, carefully knitted to net all of the government's perceived foes, is the requirement that all active journalists in the country must possess a license as well as a journalism diploma; foreign journalists who wish to work in Panama will only be able to do so if no national is available to do the job, and even if they obtain permission to work, such outsiders will be limited to a one-year tenure. Critics insist that these rules constitute a violation of free trade and the right to practice a journalism career unencumbered by bureaucracy.

The OAS Human Rights Commission, CIDH found in 1985 that such “gag rules” as those listed above violate the Inter-American Convention on Human Rights. International pressure was placed on Moscoso to lighten such restrictions when she came into office, but she now appears to be trying to reintroduce some of the most draconian controls that the country has witnessed while the world's attention is currently directed elsewhere.

The international media community, as well as Panama's embattled press, has risen to Bernal's defense. His case was included as an example of government repression in the annual report of the watchdog group, “Reporters without Borders,” and he has been defended in editorials by some of Panama's best-known human-rights advocates. Also, in 2001, Bernal received international recognition for his work when he received one of France's most prestigious awards, the “Academic Laurels,” with a rank of Commander. His supporters are not hesitant to observe that apparently only Bernal's own government fears his pen and his tongue.

#### INTERVIEW WITH MIGUEL ANTONIO BERNAL

Conducted by Laura and Karen Smith of the Council on Hemispheric Affairs

WHAT IS YOUR OPINION ON DECREE 189, WHICH REQUIRES PANAMANIAN NEWSCASTERS TO HAVE A LICENSE?

Panama is still under the very authoritarian and anti-democratic conceptions that were established by the Noriega military dictatorship. This decree was announced by the government and is part of the different regulations they have established against freedom of speech. On June 18, the National Assembly approved a law that allows only those with a degree in journalism from the University of Panama, or a university recognized by the University of Panama, to be journalists in my country. I have a political science Ph.D. and a law degree, but I cannot act as a journalist in my country because I don't have a journalist degree. I have been on the radio without the license, but they have not fined me yet.

HOW DO YOU FEEL ABOUT PRESIDENT MOSCOSO'S NEW REQUIREMENT THAT JOURNALISTS MUST HAVE PROOF BEFORE THEY ALLEGE GOVERNMENT CORRUPTION?

If you denounce some corruption or government activity they will say that you do not have evidence, even if it is a public act. For example, they recently exonerated a foreign company from paying more than one billion U.S. dollars in taxes; when this was denounced they merely said, “Show the proof.” This is a very anti-democratic conception to prevent people from critiquing the government.

HAS FREEDOM OF THE PRESS BECOME AN ISSUE IN THE PANAMANIAN POLITICAL PROCESS?

Freedom of speech is one of the things that we struggled to obtain during the military years. After the overflow of the military, no one political party really championed freedom of speech. Since then, many things have happened to journalists, yet the political parties remain silent. In my opinion they are not real democratic political parties because no one in the former or present government has made a clear and unambiguous statement advocating the protection of freedom of speech.

WHAT NEEDS TO HAPPEN IN PANAMA AND THE WORLD TO ALLEVIATE THE SITUATION?

Panama's political process only reacts to external pressures. The authorities do not heed the cries of domestic critics. The judiciary, legislative and executive branches of government are all hostile to the concept for free speech.

YOU RECENTLY CAME UNDER FIRE FOR ACCUSING THE POLICE OF DECAPITATING FOUR PRISONERS, BUT YOU WERE ACQUITTED. DID THIS SURPRISE YOU?

Yes. I think I was acquitted because of the overwhelming international support my case has attracted. Immediately after the judge announced the acquittal, the Attorney General's office announced an appeal which they are already preparing.

WHAT DO YOU THINK YOUR CASE PORTENDS FOR THE FUTURE OF JOURNALISTIC FREEDOM IN PANAMA?

I do not think it looks optimistic for my country. There are some rightist people who want to use Panama as an experiment to see if they can do the same things in other places. It is important to support free speech in Panama not only for its own sake, but for the sake of other countries whose leaders might be tempted to do the same things.