WORLD PRESS FREEDOM REVIEW



# FOCUS ON THE AMERICAS

2010

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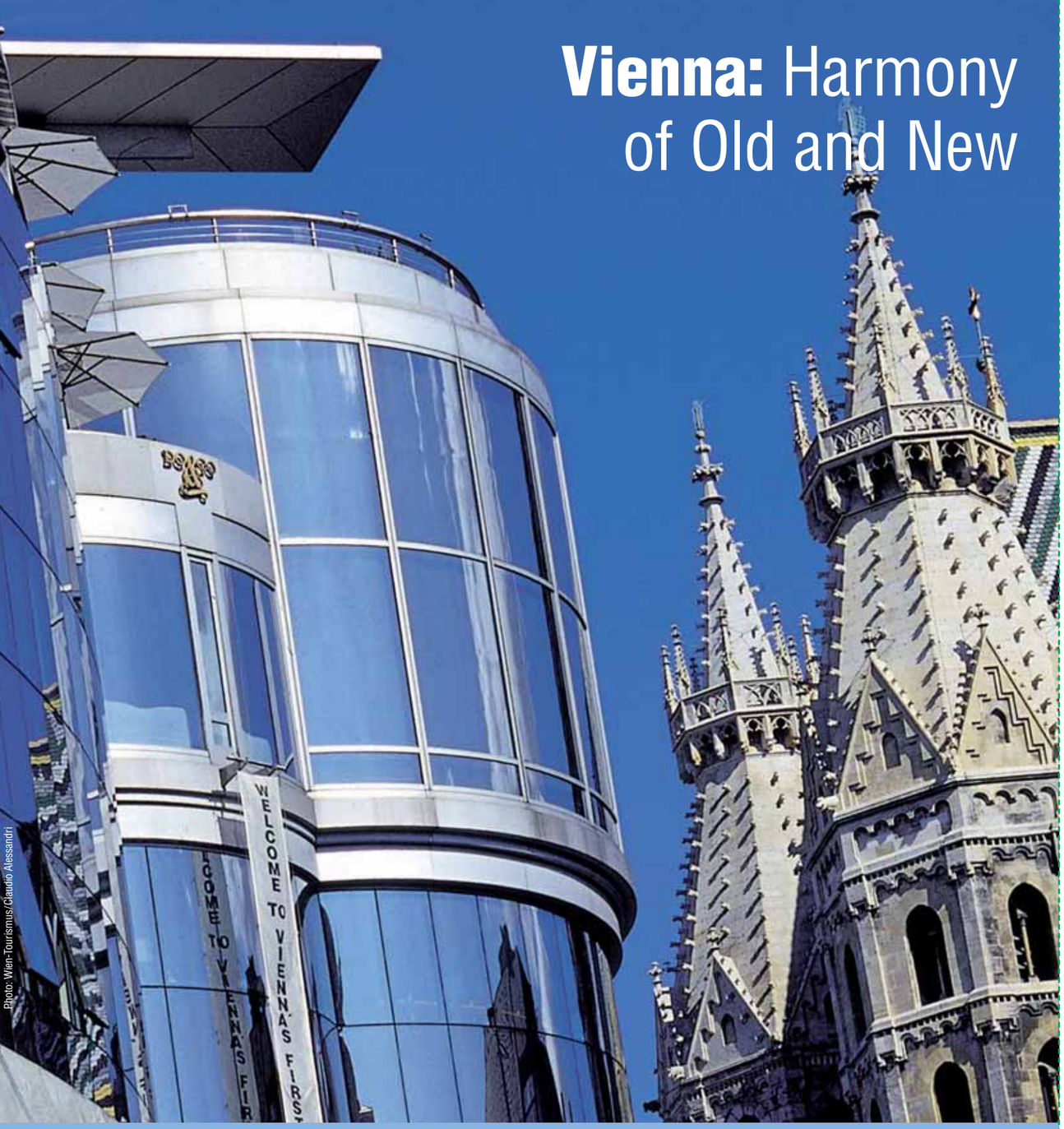



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**About IPI**

The International Press Institute (IPI) is the world's oldest press freedom organization. It represents editors, media executives and leading journalists from around the world dedicated to the furtherance and safeguarding of press freedom, the protection of freedom of opinion and expression, the promotion of the free flow of news and information and the improvement of the practices of journalism.

IPI was formed in October 1950 in the belief that a free press would contribute to the creation of a better world, and has since grown into a global organization with members in more than 120 countries. It holds consultative status with the United Nations and the Council of Europe.

For more information, please visit our website: www.freemedia.at.



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**Cover:** Members of the press protest violence against journalists in Mexico City, August 7, 2010. (AP)

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* Author of this piece requested anonymity because of sensitivity of the topic

** As the Caribbean is composed of many countries, IPI chose to shine a spotlight on the geographically larger island nations and write separate entries on each.

Foreword

# In 'Ostensible Democracies' of the Western Hemisphere, Threats to the Press Loom Large

By Dan Rather

If someone were to have asked me 50 years ago, at the beginning of my career, "What is the biggest threat to the freedom of the press in the United States and around the world?", my answer would have been one word: Government. Whether it was the state-controlled media on the other side of the Iron Curtain, the dictatorships in many parts of the developing world, or even the reluctance of my own government to be completely open and honest with its press corps (and by extension its citizens), the hand of the state - visible or invisible - was often what prevented reporters from doing their job of getting to the truth.

Today, unfortunately, many of those challenges still remain, but the threats to press freedom are much more complicated and oftentimes much harder to see. That makes combating them all the more vital. There was a time when fighting for the freedom of the press was largely a question of making governments more open and accountable. Now, the battlefield is more spread out. Increasingly, it can be found in corporate headquarters, courtrooms and even the morgues.

New technologies have made the strict government control of the past much more difficult. You can't be part of the world economy and completely control the transmission of information across your borders. We have seen many cases of that recently; in Iran, for example. And I believe the march of technology will continue to make it difficult for a government to cut off information from its people.

Many in the press world are optimistic that the inherent democratic decentralization of the Internet will usher in a much more open exchange of ideas, that more voices will be heard. I share in much of this hope, but since a big role of the press is to challenge the powerful, we would be kidding ourselves if we felt that those with the power and influence could not find a way of adapting to the new realities.

And that's why I think that the Western Hemisphere, of all places, is a good place to consider the challenges of the future. On the surface, it would seem that this is a part of the globe where journalism is in relatively good shape. All the countries, with the exception of Cuba, are ostensibly democracies with some sort of a free press enshrined in law. Furthermore, these are not isolated nations. They are largely economically integrated in the world economy and their borders are open. This is a diverse hemisphere in terms of wealth, ethnicity and size. And I think that three of the biggest emerging challenges to the press can be found here.

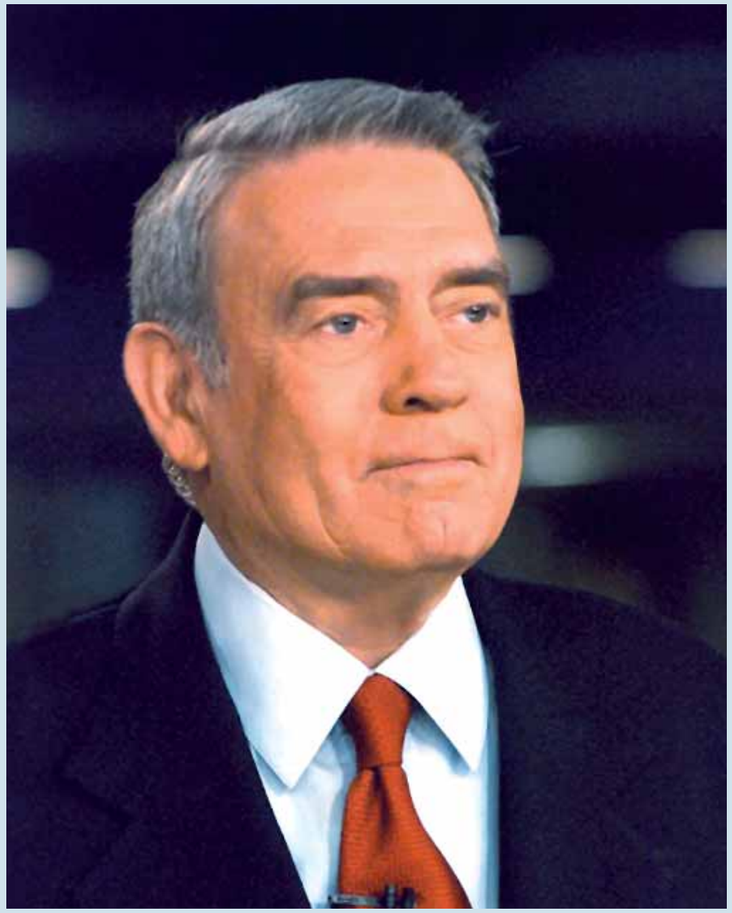
Two of these are not exactly new, but are, I think, of increasing concern. One is violence. Journalism has always been a dangerous profession, and not just in war zones. But, from the border towns in Mexico to the civil strife in Colombia, journalists are increasingly targeted. Beyond the individual tragedies of murders like these, there is a strong element of terrorism at work. And this cannot be considered only as a local form of terrorism. Since new technology allows reporters to share their stories with the world, when one of them is silenced we all lose an immediate eyewitness. Journalism has the power to change policy and draw attention to the darkest corners of our societies. Those who are killing these journalists know that. We must call them the terrorists they are and pursue them with the vigilance with which we pursue any other sort of terrorist.

The second challenge is the use of courts to silence the press. Laws have always been a tool for governments to control the free flow of information, but the Americas are currently seeing a crackdown on legitimate news outlets, even as (or perhaps because) effective government control of information is becoming increasingly difficult. Press freedom was enshrined in the United States Constitution specifically, even beyond the free speech rights that accrue to every American. Still, in courtrooms across the country, as well as in Latin America, that freedom is under attack.

In the two regions, it tends to take different forms. In Latin America, most notably of late in Peru, criminal libel laws frequently are used to silence critics of the powerful. In the United States, the Obama administration has continued the Bush Administration's pursuit of government whistleblowers. The Department of Justice also re-issued a subpoena for a *New York Times* reporter to reveal a source used in a book on the CIA. And, most chillingly to the press, it appears the administration is looking at invoking the vaguely-worded 1917 Espionage Act, which criminalizes releasing anything the leaker (or, perhaps, journalist) has "reason to believe could be used to the injury of the United States". The issue is Wikileaks, and whatever one thinks of this case, the nature of the act does not distinguish between controversial groups like Wikileaks and respected institutions like *The New York Times*.

The third major challenge doesn't confront the press with the immediacy of the other two, but I fear its effects will be more far-reaching. The economic threat to journalism, as we know and cherish it, is real and it's only getting worse. Newspapers are being driven out of business. And there is a consolidation of media companies, often owned by corporations that have no interest in the noble ideals of challenging the powerful and following the truth no matter where it leads. In fact, many of these corporations have just the opposite motivations: They are concerned about maximizing shareholder value and not offending government entities in charge of their regulation.

What this means is fewer reporters covering everything from local zoning boards to national legislatures. It means fewer investigations and coverage of foreign stories. The head of the United States Federal Communications Commission, Michael Copps, recently said: "We have to reverse that trend, or I think we are going to be pretty close to denying our citizens the essential news and information that they need to have in order to make intelligent decisions about the future direction of their country." Yes, the Internet has opened up many avenues of expression, but the primary currency of the press is information, not opinion.



Dan Rather - Photo by John Filo

Journalism is, by nature, a mixture of optimism and skepticism. We believe in its power to improve governance and the human condition, even as we are taught to question authority and what we're being told. We are now presented with new challenges and opportunities, and we must be honest about the impediments but be determined to continue the fight.

**Dan Rather** served as anchor and managing editor of CBS Evening News from March 9, 1981 to March 9, 2005, the longest such tenure in U.S. broadcast journalism history. In 2006, he founded the company, News and Guts, and became anchor and managing editor of HDNet's "Dan Rather Reports," which specializes in investigative journalism and international reporting. Rather began his career in journalism in 1950 as an Associated Press reporter in Huntsville, Texas, and worked for several radio and television stations in Houston before joining CBS News in 1962 as chief of its Southwest bureau in Dallas. During his 44 years with CBS News, Rather helped found the programs, "48 Hours" and "60 Minutes II." He was a correspondent for "60 Minutes" from 1975-81, and again in 2005-06, and a correspondent for "60 Minutes II" from 1999-2005. His regular contributions to CBS News Radio included "Dan Rather Reporting," a weekday broadcast of news and analysis on the CBS Radio Network, from 1981-2004. Rather held many other prestigious positions at CBS News, including anchor of the documentary series "CBS Reports" and the weekend editions of the CBS Evening News. He also served as the CBS News bureau chief in London and Saigon and was the White House correspondent during the Johnson, Nixon and Ford administrations. Over his long career, Rather has covered virtually every major news event of the past 50 years. He has interviewed every U.S. president from Dwight D. Eisenhower to Barack Obama, and virtually every major international leader of the past 30 years. He has received numerous Emmy and Peabody Awards.

# As Press Freedom is Buffeted Across the Globe, the Killing of Journalists Spreads

By Anthony Mills

Press freedom across the globe suffered another bleak year in 2010. Although the number of journalists killed, 101, was down, compared to 2009 when 110 died – including dozens in a massacre in the **Philippines** – the final tally was still the second-worst annual figure since IPI's Death Watch began in the early 1990s.

In addition, this year media professionals were killed in more countries than ever before since IPI started keeping track of such deaths, in an indication that lethal threats to journalists are diffusing.

> Pakistan overtook Mexico as the world's most dangerous country for journalists.

As always, impunity remains the damning norm. In the vast majority of cases involving the murders of, or assaults against, journalists in 2010, no one has been arrested, and the weary expectation is that no one will be.

In 2010, **Pakistan** overtook **Mexico** as the world's most dangerous country for journalists, with a total of 16 journalists killed, caught up in a rising tide of violence pitting militants against government forces.

Elsewhere in Asia, **Afghanistan** remained deadly for journalists, with three killed there in 2010.

Although no journalists were killed in **Sri Lanka** in 2010, one reporter who disappeared – and was feared abducted – remained missing at year's end.

In **China**, an investigative reporter died after being subjected to a vicious beating, and in the Philippines little headway was made in bringing to justice those responsible for the murder of 32 journalists in the Maguindanao massacre in 2009. In a stark reminder of how dangerous the country remains, five journalists were murdered there in 2010.

In **Thailand**, days of violence between the army and 'Red Shirt' protestors resulted in the death of two journalists, and injuries to others. One foreign correspondent with whom IPI spoke said he was convinced he had been shot by the army.

The second most deadly country in the world for journalists in 2010 was Mexico, where 12 journalists were killed as drug-related violence continued to rage. There were reports of increased self-censorship as news editors sought to protect themselves and their staff from the brutal drug gang onslaught.

Also in Latin America, **Honduras** held the dubious distinction of being the third most dangerous country in the world for media professionals, with a total of 10 journalists killed there. Violence against journalists has surged in Honduras since a coup in 2009.

Journalists were murdered in other Latin American countries in 2010, including **Colombia**, **Brazil** and **Guatemala**, and the region was rocked by a number of high-profile criminal defamation cases against journalists, with significant jail terms sought, in a stark reminder of the use by the authorities of such laws to stifle independent reporting.



**Left:** A man wears chains around his mouth as he takes part in a march for journalists who were killed or are missing, in front of the Angel of Independence monument in Mexico City August 7, 2010. (REUTERS)

In **Cuba**, a number of journalists were among dozens of political prisoners released under an initiative brokered by the Catholic Church and the Spanish government. Among those freed was Omar Rodriguez Saludes, one of IPI's 'Justice Denied' campaign figures. He relocated to Spain.

The media community in **Haiti** – already under pressure in a violent, corruption-ridden state – was decimated by a powerful earthquake in January, which also caused widespread death and destruction.

In the Middle East, **Iraq** reared its head again as a lethal environment for journalists, with six journalists killed there, most of them following a pull-out of U.S. troops.

Across the Middle East, repressive governments continued to stifle independent reporting: Shutting down media outlets, arresting journalists, and sentencing them to prison terms, often after trials related to criminal defamation. In **Tunisia**, a political revolt began in December, paving the way for a ground change in the media landscape – marked for decades by the authoritarian stamp of a president who was eventually to be unseated.

**Lebanon** remained one of the freer Arab countries for the media, but there, too, journalists were charged with criminal defamation for exercising a right to legitimate criticism or inviting a critical guest on to a television talk show.

**Yemen** remained one of the most repressive media environments in the Middle East, with a number of journalists arrested, and one in particular accused of ties to Al-Qaeda.

In **Iran**, many journalists remained in prison after being rounded up in the months following the disputed re-election of President Mahmoud Ahmadinejad in 2009.

Anarchic, war-torn **Somalia** remained the most dangerous country in Africa for journalists, with three reporters killed there in 2010. IPI contributor and *New York Times* stringer Mohammed Ibrahim was forced to temporarily flee the country after he angered the authorities by interviewing child soldiers for a *New York Times* piece.

> In Iran many journalists remained in prison.

Journalists were killed in six other African countries, including three in **Nigeria**, where sectarian violence erupted.

IPI conducted a press freedom mission to **Zambia**, where there was a debate between the government and the media over regulation. In response to the media's announced intention to set up a self-regulatory body, the government said it was moving towards statutory regulation. The issue had not been resolved by year's end.

IPI also visited **South Africa** where the ruling party caused media uproar by suggesting the creation of a media appeals tribunal answerable to parliament. The ruling party later backtracked.

In **Uganda**, IPI sent a letter of complaint to an editor after his newspaper ran a headline calling for homosexuals to be hanged.

On the European continent, press freedom concerns took a prominent role again as **Belarus** cracked down on the media when allegations of vote-rigging in the re-election of President Alexander Lukashenko sparked demonstrations. A number of the journalists were charged with criminal acts.

In **Turkey**, one journalist was killed and IPI's National Committee highlighted the plight of a record 68 journalists in prison, and thousands more under investigation seemingly due to their work.

Two journalists were killed, and one investigative reporter beaten into a coma, in **Russia**, where 31 journalists have been killed over the last 10 years. As elsewhere in the world, impunity in these cases has been the tragic norm.

In **Azerbaijan**, a Council of Europe member, imprisoned IPI 'Justice Denied' campaign figure Eynulla Fatullayev saw yet another appeal for freedom rejected, despite a ruling in his favor by the European Court of Human Rights.

All was not rosy for the media in Western democracies, either.

IPI conducted a press freedom mission to **Italy**, where the government tried to get a law passed – the so-called "Alfano Bill" – which would have dramatically curtailed the space for investigative reporting. At year's end, the bill appeared stalled.

IPI also visited **Hungary**, where at the end of the year a media legislation package was passed by parliament – in which the country's ruling Fidesz party enjoys a two-thirds majority – which gave a powerful role to a newly-established Media Council, whose head and members are, critics warn, ruling party loyalists. The Media Council now oversees the media's conformity with a media constitution containing vaguely-worded references to, among other things, "balanced" reporting.

In December, 11 newspapers in **Austria** ran an IPI declaration warning about the threat to press freedom in Hungary.

In **France**, there were reports that President Nicolas Sarkozy had set up a secret service unit to identify sources feeding journalists information in political scandal cases. Offices and homes were reportedly broken into.

Finally, in the **United States**, the Daniel Pearl Act was signed, tying U.S. foreign aid to press freedom in recipient countries. This positive news was counterbalanced by frustration in the White House press corps about the nature of interaction between the president and the media, and allegations that the media was being denied access to information – and to public coastal areas – following the Gulf of Mexico oil spillz.

# The Americas

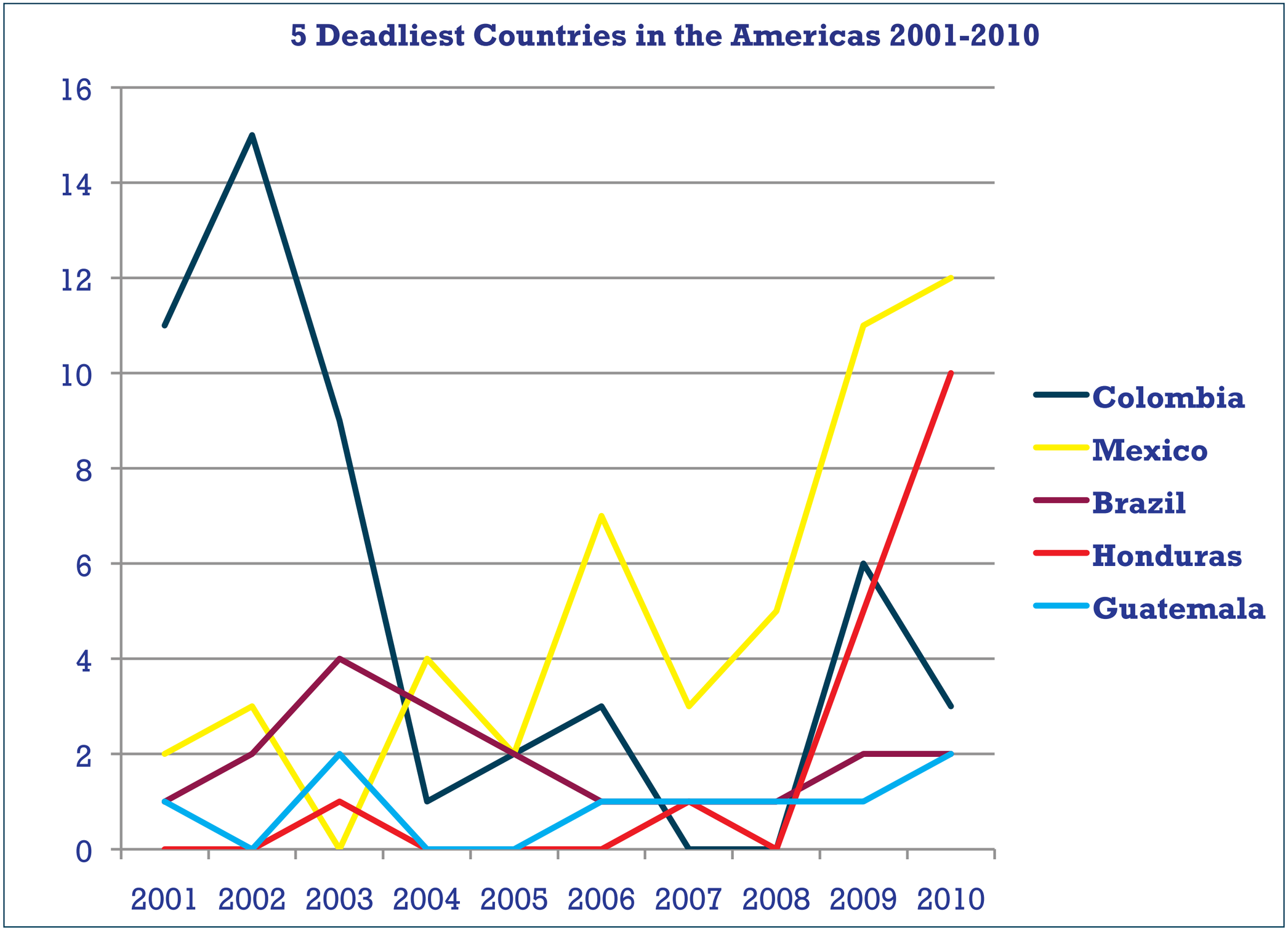


# The Caribbean




*** Countries that impose criminal penalties for defamation**

# Death by Numbers



# The Americas Overview: A Deadly Toll

By Alicia Versteegh

In 2010, 32 journalists were killed in the Americas. **Mexico** and **Honduras** ranked behind **Pakistan** as the second and third most dangerous countries in the world for journalists in 2010, with 12 and 10 reporters killed respectively.

For several years, Mexico was the most dangerous country in which to work as a journalist. This year, it dropped to number two but continues to reign as the most perilous country for journalists in the Americas. Those who dare to report on corruption, drug trafficking or criminal activity are at risk of being threatened, tortured, kidnapped and ultimately killed. As a result, self-censorship is prevalent. Security forces, police and drug gangs have the power to intimidate and control the members of the media, who live in fear for their lives and the lives of their families.

> Most victims were shot dead, many were tortured and one had his throat slit.

Twelve journalists were killed in Mexico this year. Most victims were shot dead, many were tortured and one had his throat slit. Several others were kidnapped, and some TV stations were forced to broadcast messages on behalf of the drug lords. At least 13 journalists have reportedly been abducted this year alone. Fights between rival drug cartels and the military have raged on the border region between Mexico and the U.S., making it one of the most violent areas in the world.

A lack of sufficient investigations into most cases leaves it unclear whether or not journalists were specifically targeted for their work. The remains of Rodolfo Rincón Taracena were discovered this year. The investigative crime reporter, who had been missing since 2007 and was one of IPI's 'Justice Denied' cases, had been dismembered and burnt in a metal drum.

In an effort to combat impunity, President Felipe Calderón pledged in September 2010 to make crimes against the media a federal offense. IPI called on the Mexican government in a meeting in Mexico City in September to provide adequate resources and authority to the Office of the Special Prosecutor for Crimes against the Media (FEADP) in an effort to bring perpetrators to justice. However, tangible results have yet to be revealed.

After the military coup in June 2009, which ousted President Manuel Zelaya, Honduras suffered a surge of violence and lawlessness. Since the election of Porfirio "Pepe" Lobo Sosa as president in November 2009, at least 10 journalists have been murdered with total impunity.

High levels of self-censorship subsist within the press in response to intimidation and sabotage, particularly towards those who criticize the post-coup regime. Journalists have been kidnapped, tortured and shot to death. Radio stations have been shut down and media equipment confiscated and destroyed as a consequence of speaking against the government. Abuse of authority by powerful officials and businessmen who control commercial media, mixed with a corrupt police force and military regime make Honduras the deadliest country in which to practice journalism in Latin America.

Despite the fact that the Honduran government sought the help of the U.S. Federal Bureau of Investigation to help solve the murders, none of the investigations have resulted in any convictions.



**Above:** A friend of television journalist Jorge Orellana looks at his coffin in San Pedro Sula, April 21, 2010. Orellana was shot dead in northern Honduras, the sixth murder in 2010, amid escalating violence exacerbated by disputes between drug gangs. (REUTERS)

In March 2010, former IPI director David Dadge wrote an open letter to President Lobo requesting that the authorities fully investigate the killings and bring the perpetrators to justice. IPI has not received any response.

In the **United States**, the release of classified diplomatic cables by the four-year-old whistleblower website, WikiLeaks, roused significant controversy amongst the news media. Furious debate ensued regarding self-proclaimed editor-in-chief Julian Assange's credibility as a journalist and whether WikiLeaks can be considered legitimate news media. Assange's fate has yet to be determined, but the online media phenomenon has once again proven its influence.

The BP oil spill in the Gulf of Mexico led BP officials and U.S. institutions, including the Coast Guard and the Federal Aviation Administration, to bar journalists and photographers access to the scene of the spill. Officials and police allegedly forbade media entry to areas surrounding the spill in an effort to limit public information and avoid international outrage. This action seriously impinged on the spirit of the First Amendment, which guarantees the media's right to publish news in the public interest without government interference.

Another concern affecting the nation's stance on press freedom is the stalling of a U.S. federal shield law that would protect journalists from revealing their sources. Media practitioners have also criticized the lack of access to the White House and President Barack Obama's general neglect of the press.

In a significant step forward for press freedom, two weeks after World Press Freedom Day in May, President Obama signed the Daniel Pearl Freedom of the Press Act, which requires the U.S. State Department to increase its scrutiny of restrictions on the media as part of the U.S.'s annual review of human rights in other countries. IPI fully supports the signing of this law and anxiously awaits concrete action.

Journalists were also targeted and murdered in **Argentina**, **Brazil**, **Colombia**, **Ecuador** and **Guatemala**. The majority of these killings were committed with impunity.

> In Argentina, journalists reporting on controversial issues continued to be harassed and assaulted.

Corruption, including within the judiciary system, and administration ties with military groups and thugs continued to afflict journalism this year in Colombia. Illegal phone tapping accompanied with acts of intimidation and aggression by powerful political leaders are only a few of the ways in which the Colombian government has cracked down on freedom of expression in the country. As in Mexico, drug gangs and security forces have the power to censor the media.

Events in **Venezuela** this year led international organizations to criticize the state of free press and human rights in the country. In an effort to intimidate journalists, President Chávez has taken measures to regulate Internet content, enforce criminal defamation laws and censor radio stations and print media. The new Law on Social Responsibility, amended in December 2009, is habitually used as a tool to shut down critical news media. IPI has repeatedly expressed concern over Chávez's rule, identifying it as a motivating factor for attacks against the media.

More protection is needed for media practitioners covering sensitive issues such as organized criminal activity or human rights abuses. In Argentina, journalists reporting on controversial issues continued to be harassed and assaulted. Criminal defamation laws, as well as controversial laws passed as a means to consolidate government control continue to be an obstacle to press freedom in **Bolivia**, Brazil, **Peru**, **Panama** and Ecuador. Lawsuits involving exorbitant amounts of money serve as a tool of intimidation to control the media.

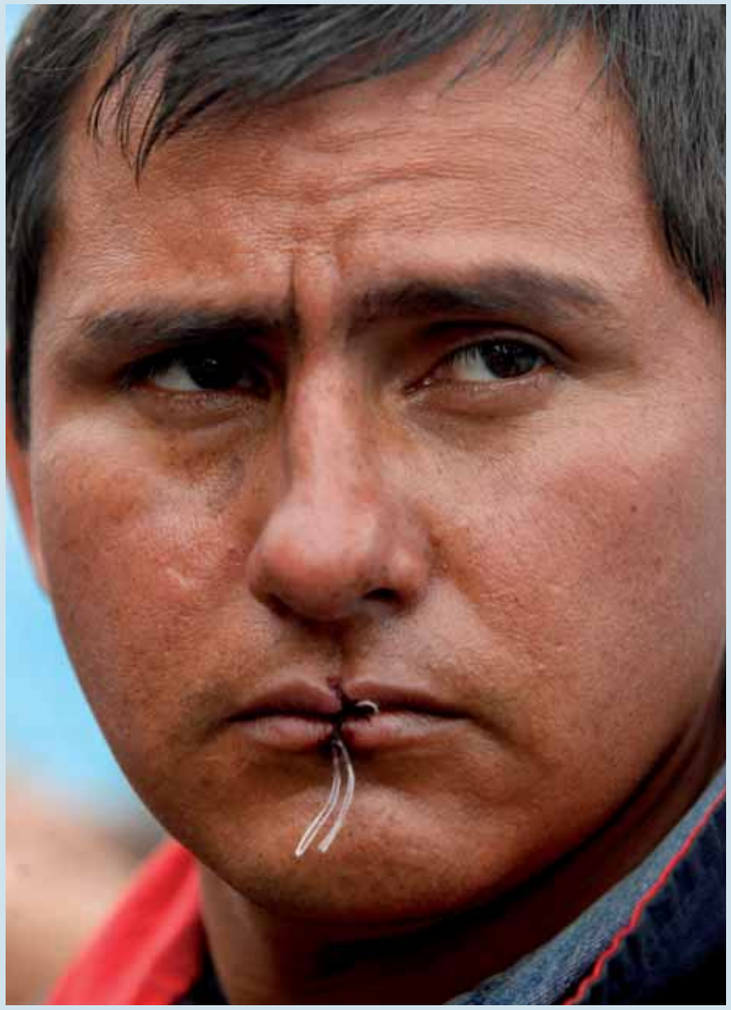
Government administration and police have been accused of corruption in several nations, preventing investigative journalism through threats, outdated laws and intimidation through verbal and physical harassment. Political and judicial harassment, as well as neglect regarding Laws on Access to Public Information have continued to be the greatest obstructions to press freedom in the Americas.

In particular, the inability to access files of hundreds of disappearances in various military regimes continues to be an issue in several countries in the Americas. In May, the Bolivian army finally decided to declassify the files of the dictatorship (1980-1981) thereby allowing for the identification of those involved in human rights violations. In **Uruguay**, the press continues to battle against obstructions with refusals from soldiers to open up past crimes committed during the military regime, despite laws passed requiring the Judiciary to report on shelved cases.

While no journalists were attacked or jailed in the Caribbean in 2010, the region still experienced setbacks in press freedom. Although **Jamaica** continued to be a shining beacon for free expression, radically outdated criminal defamation laws, and an Official Secrets Act exist as a means of crippling media organizations. The high levels of crime and violence conspire to make living difficult for all citizens, including journalists who are victim to police brutality and abuse of power.

The January 12 **Haiti** earthquake destroyed the country's capital Port-au-Prince, and took the lives of over 300,000 people. The national catastrophe devastated the media and no less than 26 journalists were killed. Dozens more lost their homes or jobs.

Journalists in Haiti face threats, widespread corruption, desperate poverty and exile. Under these conditions, journalists have struggled to practice their profession to its full potential. IPI has contributed to the Haiti News Project, in an effort to promote and rebuild the shattered media institutions.



**Above:** Hernando Lopez, who says he has been displaced due to violence caused by Colombia's ongoing battle with rebels from the Revolutionary Armed Forces of Colombia (FARC), has his mouth sewn as he is nailed to a makeshift cross during a protest in Bogota, August 19, 2010. (REUTERS)

> Journalists in Haiti face threats, widespread corruption, desperate poverty and exile.

**Cuba** has the most restrictive press freedom laws in the Americas. The government vigorously prohibits free journalism or speech under the pretext of protecting state security. The constitution forbids private media and incorporates laws for those who speak against the socialist government. Those accused of "collaborating with the enemy's media" are subject to the 1997 Law of National Dignity, which provides for up to ten years in prison. It is virtually impossible to work independently from state-owned media without being detained and intimidated by state officials, often being charged with disrespect or distributing enemy propaganda.

There are currently 55 prisoners of conscience detained in Cuba, most serving for criticizing the Cuban government and campaigning for human rights. Among these detainees there are several independent journalists.

Although the Internet is completely controlled by the government, some bloggers have managed to access the Internet illegally in order to post independent ideas. This is a small victory for those who have braved the laws and put themselves in danger to fight for their right to a free flow of information. Blogger Yoani María Sánchez Cordero was named one of 60 IPI World Press Freedom Heroes in 2010 for her blog Generation Y – which stirs powerful debate over the repressive climate in Cuba.

Although the world commended the release of more than 50 jailed dissidents, including 29 journalists, IPI called on President Rául Castro to release the remainder of those detained in 2003 and sentenced to terms between six and 28 years. Among those journalists released was Omar Rodríguez Saludes for whom IPI ran a 'Justice Denied' movement over the past several years. Saludes, along with the others released, now lives in Spain.



# North America

# Canada

By Sophie Nicholls

The year marked a significant development for free expression in Canada.

On May 3 – World Press Freedom Day – the first "Canadian Free Expression Review," an annual report on the health of free expression in Canada was launched by Canadian Journalists for Free Expression (CJFE).

The organization, which raises awareness and understanding about free expression issues, decided to publish the review after noticing that Canadian free speech issues and cases were on the rise.

A restrictive Access to Information process, violent attacks on representatives of the ethnic press and the rights of citizens and media compromised at major international events are but a few examples of what CJFE describes as a "disturbing trend" for free expression in Canada. Furthermore, in 2009, Canada slipped six spots, from 19th to 13th place, in the global press freedom rankings.

Canada is no longer the 'go-to' country when it comes to delivering advice on how to implement and run Freedom of Information systems. In fact, its Access to Information process has come up against severe criticism, both nationally and globally, in recent years.

A new Freedom of Information study, conducted by two British academics from University College London, ranked Canada last for international freedom of information laws in comparison to that of four other parliamentary democracies.

The study, which compared Australia, New Zealand, Ireland, the United Kingdom and Canada, considered a number of factors including statistics on appeals, court decisions and delays, which affect the processing of information requests and the release of government information.

But this is not new news. In 2008, the Canadian Newspaper Association determined that Canada's Access to Information Act performed below status quo in comparison to other countries, including its neighbor to the south, the United States.

Canada is criticized for having an out-of-date model that prevents users from submitting requests and payments electronically, which deters people from using the system. Some critics say there are too few requests and too few lobby groups fighting to change this archaic system. Chronic processing delays and a censoring of government material are also sources of scrutiny. For example, in 2010, 56 per cent of requests were responded to within the 30-day statutory limit outlined in the Access to Information Act, compared to 70 per cent a decade ago; while of the 35,000 requests filed in 2010 only 16 per cent fully disclosed the information requested, compared to 40 per cent a decade ago.

Currently, under the Access to Information Act, which came into effect in 1983, citizens can request government information for a $5 fee, but the application includes a number of exemptions, leaving a loophole for censoring material. For example, in 2010, the Canadian Press submitted a complaint to the Information Commissioner of Canada after the Public Works Department delivered a censored version of a real-estate portfolio more than two months late. Currently, there are at least three government departments under investigation for allegedly interfering with the information release process, and a 2007-2008 Report Card from Canada's information commissioner gave several government departments just two out of five stars for their incompetent adherence to the Access to Information Act.

Several of Canada's information commissioners have criticized the system, attributing its decline to a lack of resources, backlog of requests and the commissioner's lack of authority to order the release of documents. Despite political pressure, the conservative Government of Canada has failed

to deliver on promises to reform the Access to Information Act since it came into power in 2006. A broadening of the number of federal institutions covered in the act has been the only progress made.

Based on these national and global observations, Canada's Access to Information Act requires a review and perhaps a complete overhaul in order to fully engage and adhere to the rights of its citizens. Only then will this country once again become a pillar to other nations working towards implementing an adequate and just Freedom of Information system of their own.

After receiving an 'A' on the 2009 Report Card on Canada's state of free expression performance, Canada's Supreme Court rulings continued to show progress.



**Above:** A statue outside the Supreme Court of Canada is framed with the Peace Tower on Parliament Hill in Ottawa, January 29, 2010. (REUTERS)

In 2010, the Supreme Court determined that journalists should be able to protect confidential sources if they can prove it is in the best interest of the public to do so. Resolutions must be determined on a case-by-case basis.

In June 2010, this ruling proved advantageous for a *Globe and Mail* newspaper reporter, Daniel Leblanc, who refused to identify an anonymous source he used in a series of stories about Canada's sponsorship scandal. The Supreme Court sent the case back to the Quebec Superior Court for review with guidelines on how to resolve the issue.

Additionally, former *National Post* newspaper reporter, Andrew McIntosh, refused to give police an envelope which contained information received from a confidential source. The envelope was of interest to police because it was believed to contain forged information linking former Canadian Prime Minister Jean Chrétien to financial conflict of interest. In May 2010, the Supreme Court voted against journalists having the exclusive right to protect their sources, but did state an exception could be made in circumstances where the media can prove more harm than good would result by disclosing a source's identity.

Free expression and media organizations believe these are significant steps made by the Supreme Court of Canada.

Conversely, in June, Canada's judicial systems showed a general lack of transparency after the Supreme Court upheld publication bans that exist during bail hearings. This means that the reason behind why a judge grants bail cannot be released to the public until the trial has concluded, which could be years later. Whether an individual is released back into a community is of direct interest to the public and should therefore be known and open to scrutiny. This decision is a setback for free expression in Canada.

Though rare, attempts to intimidate ethnic media outlets have threatened free expression in Canada. In February 2010, the office of *Uthayan*, a Scarborough, Ontario-based newspaper that has represented the local Tamil community for 15 years, was vandalized. The editor received a phone call from an unknown source telling him to visit the office to retrieve a message. When the editor arrived, he found a window smashed. The editor believes the act was in retaliation for a meeting that took place between members of the Tamil Diaspora and the Sri Lankan President Mahinda Rajapaksa. Other violent attacks on members and media property of Canada's Tamil community occurred in the 1990s when newspapers accused of criticizing the Liberation Tigers of Tamil Eelam (LTTE) were shutdown and a Tamil journalist was assaulted. Though *Uthayan* continues to publish, these acts directly intimidate and threaten to silence the voices of Canada's ethnic communities.

> In fact, its Access to Information process has come up against severe criticism, both nationally and globally in recent years.

A report released in June 2010, resulting from an inquiry into the 1985 bombing of Air India Flight 182, which killed 329 people, including 280 Canadian citizens, determined that a series of errors by the Government of Canada, Royal Canadian Mounted Police (RCMP) and Canadian Security Intelligence Service (CSIS) hindered the investigation process and therefore justice being served.

Former Supreme Court Justice John C. Major conducted the inquiry and wrote the report – Air India Flight 182: A Canadian Tragedy – connecting the attempted and eventual murder of journalist Tara Singh Hayer – a key witness in the Air India Case – and the skeptical investigation process.

Hayer, the former editor of the *Indo-Canadian Times*, wrote numerous controversial editorials condemning violence that was taking place in the Sikh separatist community. He received several threats to his life including anonymous phone calls and a bomb left on the newspaper's office steps. In 1988, he was shot in the spine at his office, leaving him partially paralyzed. Hayer continued to criticize the violence of the separatist movement and was eventually shot to death at his home in Surrey, British Columbia in 1989.

At the time of the shooting, Hayer was set to testify as a key witness to the Crown in the trial of Ripudaman Singh Malik and Ajaib Singh Bagri – two of the main suspects in the Air India case. Because of his death, Hayer's accounts were no longer admissible in court. Subsequently, in 2005, Malik and Bagri were acquitted.

The report details Hayer's role as a key witness in the Air India case, detailing "unacceptable negligence" on behalf of the RCMP and CSIS in protecting and ensuring the safety of Hayer and his family. Both the RCMP and CSIS are accused of failing to share key information and making procedural mistakes. For example, CSIS erased surveillance tapes of suspects and installed faulty video cameras at Hayer's residence, which recorded useless footage the night of his murder. Over a 12-year period, Hayer's attempts to inform the RCMP of the numerous threats to his life were dismissed or ignored. Subsequently, Hayer's safety was compromised, his life taken and his evidence inadmissible.

In the words of Major: "Tragically, the murder of Tara Singh Hayer, while he was supposedly under the watch of the RCMP, not only snuffed out the life of a courageous opponent of terrorism, but permanently foreclosed the possibility of his assistance in bringing the perpetrators of the bombing of Flight 182 to justice."

> Though rare, attempts to intimidate ethnic media outlets have threatened free expression in Canada.

Prior to and during the Vancouver 2010 Winter Olympics, there were several incidents which threatened free expression reported in Canada. According to the CFJE, two *Toronto Sun* journalists were assaulted while reporting the torch relay in Ontario. One required hospital treatment after he was thrown to the ground by security officers. In November 2009, U.S. journalist and host of Democracy Now!, Amy Goodman, was stopped at the border of British Columbia and Washington state. Her vehicle was searched and she was interrogated about whether she planned to criticize the Olympics during a speech she was scheduled to deliver. Restrictions were also placed on the amount of time she could reside in the country.

> There is still much work to be done to reverse what has been described as a "disturbing trend" for free expression in Canada.

In addition, on February 6, 2010, an American activist and part-time journalist, Martin Macias Jr., was denied entry to Canada after being interrogated by custom officials at Vancouver's airport. Macias, a known critic of the Olympics who participated in protests during Chicago's bid for the Olympic Games, was accused of withholding information and was given the choice to leave Canada voluntarily or face detention until trial.

An anti-graffiti bylaw in Vancouver was also used to force an art gallery to remove works of art which depicted five rings, four depicting unhappy faces. This was viewed as "an attempt to stifle anti-Olympic sentiments".

In response, the CJFE issued an "Olympic Watch" to monitor and report any incidents threatening free expression leading up to the Winter Games.

On the weekend of June 26, 2010, the city of Toronto revealed a face unseen by its citizens before.

All eyes were on Canada's largest city as it played host to a major international event – the G20 summit.

But as political leaders gathered in private to discuss pressing international issues on the inside, the powers that be took protection and authority to the next level on the outside. Thousands of police officers were brought in from all over the country for security purposes; many of them formed barriers with their bodies and lashed out at anyone that attempted to cross them during, what were predominantly, peaceful protests.

Many citizens reported being harassed by these officers, including dozens of journalists, who argue they were just trying to do their job – capture and report upon a major news event. Instead they were stopped as rubber bullets were fired, cameras and credentials were seized, beatings ensued and dozens of arrests were made. Some individuals reported being detained in cages and denied food, water, proper washroom facilities or legal assistance for up to 20 hours. In an online survey conducted by CJFE, 30 individuals – most of whom were journalists representing mainstream, alternative or small media outlets – recounted their experiences, sharing similar stories of verbal and physical abuse, intimidation and harassment. Not only were their press credentials dismissed, but their overall rights were denied.

The actions of these police officers during the G20 Summit are an example of how, even in countries hailed for democracy and free expression, the rights of citizens can be challenged and compromised.

In 2010, CJFE awarded the Citizen Lab with the Vox Libera Award for its anti-censorship activities.

Based at the University of Toronto since 2001, the Citizen Lab monitors cases of cyber-espionage and Internet censorship across the globe. Employees track malware, software that is used to take over a computer's system without permission. The team also works to prevent governments and companies from censoring online information and material.

The tool, Psiphon, was also created to provide Internet service to individuals who don't have access. For example, a computer in Canada would be set up to provide Internet access to a computer in Iran or China, where censorship prevails. Through its various projects, the Citizen Lab aims to make the Internet open and available to everyone. Labeled a pioneer of "hacktivism" and champion of free speech by CJFE, the Citizen Lab is helping Canada lead the way in halting and punishing the perpetrators of cyber-censorship.

The incidents and situations described above reveal the overall state of free expression in Canada. Though there have been significant developments including the launch of an annual freedom of expression review, award-winning anti-censorship activities and progressive Supreme Court rulings, there is still much work to be done to reverse what has been described as a "disturbing trend" for free expression in Canada.

### Recommendations

- The government should adhere to its promise of reforming Canada's Access to Information Act.
- Canada's out-of-date Access to Information system should be revamped.
- The government should ensure that all departments remain transparent and open, responding to all access to information requests within the 30-day statutory limit currently outlined in the Access to Information Act.
- The Supreme Court should review the ruling that upholds publication bans during bail hearings.
- The Supreme Court should ensure that all journalists are given the opportunity to defend and protect their relationships with confidential sources.
- The Royal Canadian Mounted Police (RCMP) should renew the investigation into the killing of Tara Singh Hayer based upon the "Air India Flight 182: A Canadian Tragedy" report's findings.
- The government should review how the legal system handles protecting and ensuring the safety of witnesses.
- Communication between the RCMP and Canadian Security Intelligence Service (CSIS) should be reviewed and improved.
- An inquiry should be conducted into the behavior and actions of the police officers who provided security at the G20 Summit in Toronto.
- The government should recognize the anti-censorship activities conducted by the Citizen Lab and understand the importance of Canada becoming a global leader in this endeavor.

### Canada in Brief

**Population:** 33.7 million

**Domestic Overview:**
Canada is a parliamentary democracy and a constitutional monarchy with Queen Elizabeth II as its head of state and Prime Minister Stephen Harper as its head of government.

Canada's economy resembles the U.S. in its market-oriented system. It is dependent on natural resources (logging and petroleum industries) and a strong bilateral trade relationship with the United States, backed by the 1989 U.S.-Canada Free Trade Agreement. The two countries share the world's longest undefended border and are each other's largest trading partners, with Canada being the U.S.'s largest foreign supplier of energy.

Canada is also one of the world's largest suppliers of agricultural products such as wheat and canola.

**Beyond Borders:**
Canada is one of the world's wealthiest countries. It is a member of the G8, NATO and the Organization for Economic Cooperation and Development (OECD), an association of 34 countries committed to promoting democracy and economic progress. The country is also one of the world's leading peacekeepers, maintaining a leading role in UN peacekeeping efforts.

The Department of Foreign Affairs (DFAIT) is responsible for Canada's international relations, led by Lawrence Cannon, Minister of Foreign Affairs. The Canadian International Development Agency (CIDA) distributes foreign aid.

Canada maintains strong ties with the United Kingdom through its membership in the Commonwealth of Nations. The nation's close relationship with the United States is of extreme importance to both countries. Canada is also a member of the global community of French-speaking governments, Francophonie, an international organization that promotes relations among French-speaking communities.

### IPI Contributor



**Sophie Nicholls** is a former journalist currently working in the field of International Development. Born and raised in Canada, her career as a journalist began after graduating from Ryerson University's journalism program in 2001. Over the last decade, she has worked as a newspaper reporter with Sun Media Corp. and as a freelance writer for various Canadian publications. A desire to live and work abroad led Sophie to Ghana in 2007, where she was a journalist trainer with the non-governmental organization, Journalists for Human Rights (JHR). This experience sparked an interest in overseas development, motivating her to pursue a post-graduate International Development degree at Toronto's Humber College. Embracing a passion to evoke sustainable change at a grassroots level, Sophie is focusing on programming and grant coordination in the international development field.





# Mexico

By Barbara Trionfi

With at least 12 journalists killed in 2010, according to IPI's research, and two who have disappeared - most likely dead - since April this year, Mexico was the second most dangerous country in the world for journalists in 2010.

Mexican journalists, who report on drug trafficking and other criminal activities, or expose the corruption of local political leaders, face different forms of danger. Violent killing - often after kidnapping and torture or by gunshots on the streets or in front of journalists' offices and houses - is only one of many threats with which journalists are confronted in Mexico. Mexican journalists this year have been kidnapped and, in some cases, released, after the kidnappers' demands were met, their offices have been ransacked, and equipment has been stolen. Threats, in the form of written notes sent by post or by text message, are common for those who cover a broad array of sensitive issues.

In some cases, newspapers that have already lost some of their journalists and continue to receive threats have chosen to withhold coverage of criminal activities and even carry information requested by the local criminal groups. Self-censorship is widespread and the ability of the media to expose wrongdoing, investigate criminal activities and even keep their readers informed about issues of public concern is, in some parts of the country, greatly challenged.

Following a joint official visit to Mexico, the special rapporteur for freedom of expression of the Organization of American States (OAS), Catalina Botero, and on the promotion and protection of the right to freedom of opinion and expression of the United Nations (UN), Frank La Rue, issued a report stating that, since the year 2000, Mexico has been the most dangerous country on the continent in which to practice journalism.

> Between January 2000 and July 2009, 64 media people were murdered.

The Mexican National Commission on Human Rights reported that between January 2000 and July 2009, 64 media people were murdered; a further 11 have been missing since 2006.

A preliminary report issued by the UN and OAS rapporteurs noted: "the full enjoyment of freedom of expression in Mexico faces grave and diverse obstacles, including, most notably, the murder of journalists and other very serious acts of violence against those who disseminate information, ideas and opinions, and the widespread impunity in these cases."

Alongside the violence against journalists, the report also highlights two elements that hinder press freedom and are often overseen by observers in view of the pressing danger related to the physical attacks against journalists.

First of all, the rapporteurs expressed concern about "the existence of legislation at the federal level and in a significant number of states, which contemplates the application of criminal sanctions to the exercise of freedom of expression".

Furthermore, the "high concentration of ownership and control of mass media outlets" in the broadcasting sector threatens diversity and pluralism.

During a meeting in Mexico City in September this year, IPI, along with journalists and press freedom groups, called on the Mexican government to combat impunity in the cases of crimes against journalists, by providing adequate resources and authority to the Office of the Special Prosecutor for Crimes Against the Media (FEADP), which was established in 2006, and has so far failed to bring perpetrators to justice.

Furthermore, the organizations urged the government to pass legislation that would make crimes against the media federal offences, a reform which Mexican President Felipe Calderón pledged in September 2010, but which had yet to be implemented at year's end.

The federalization of crimes against the media is expected to reduce the levels of impunity - which is generated in part also by the corruption of local governments and public prosecutors - as well as to send a strong signal that the federal government will not tolerate such crimes. Observers have noted that federal authorities are generally better trained, subject to greater scrutiny, and have greater resources than their local counterparts.

Mexican news outlets and press freedom groups have reported the murder of at least 12 journalists in 2010.

> Mexican news outlets and press freedom groups have reported the murder of at least 12 journalists in 2010.

Valentín Valdés Espinosa, a reporter with the Mexican daily *Zócalo Saltillo* in the country's northeastern state of Coahuila, was kidnapped, tortured and shot several times by unidentified assailants on January 7. His body was then dumped outside a local motel along with a note, addressed to "everyone," warning that "this will happen to anybody who does not understand".

*Zócalo Saltillo* stated that unidentified assailants in two vans stopped Espinosa at around 11 pm, as he left work in Coahuila's capital city, Saltillo, with two colleagues from the newspaper. The aggressors forced the three journalists out of the vehicle, and kidnapped Espinosa and one of his colleagues. While Espinosa's unnamed colleague survived – his captors beat him severely but then released him – Espinosa's body was recovered in the early hours of January 8.




**Above:** A man hangs a banner with a picture of slain photojournalist Luis Carlos Santiago on the wall of *El Diario de Juarez* newspaper in Ciudad Juarez on October 12, 2010. The banner reads "Whom can we ask justice from?" Journalists from *El Diario de Juarez* staged a protest outside the premises of the newspaper to demand justice from President Felipe Calderón on the murders of their two colleagues, and for the 6,700 people that have died in drug killings since the army arrived in early 2008. (REUTERS)



Similarly, to other newspapers in the region, *Zócalo Saltillo* had received threats and been the target of attacks in the past.

On January 16, police found the body of José Luis Romero, a crime reporter at Radio Linea Directa, who was abducted at gunpoint outside a restaurant in Los Mochis on December 30. Romero's body was wrapped in a black bag near Los Mochis city, in Sinaloa province. Bullet wounds were found in his head and shoulder, and his hands and leg were broken, news reports said.

Two journalists were killed within two weeks in the southern state of Guerrero, which has seen a surge in drug cartel-related violence.

Jorge Ochoa Martínez was killed on the night of January 29 by a gunshot to the head, outside a restaurant in the municipality of Ayutla de los Libres, Guerrero.

Ochoa Martinez was the editor and owner of two publications, *El Sol de la Costa* and *El Oportuno*, which covered local issues. He was shot in the face while leaving a party for a local politician in the town of Ayutla de los Libres. He was hit with several bullets from a .38 caliber weapon.

> Lack of thorough police investigations into any of the murders of journalists.

Ochoa's body was found after an anonymous call was received by police at 10:15 p.m. saying that there was a body in a car parked between the Mina and Plan de Ayutla streets near the El Charco de las Ranas restaurant in Ayutla. Police said that the car in which the body was found did not belong to the editor.

Less than two weeks later, on March 12, Evaristo Pacheco Solís, a reporter for the Mexican weekly *Visión Informativa*, was found shot dead in Chilpancingo, the state capital of Guerrero. Pacheco was reportedly shot several times with a small caliber pistol.

Journalists Juan Francisco Rodríguez Ríos and Maria Elvira Hernández Galeana were also killed in Guerrero state. On June 28, the two journalists - husband and wife - were shot dead by two unknown gunmen inside an Internet café that they owned in Coyuca de Benitez, a town located near the resort city of Acapulco, reports said. Their eight-year-old son, who was also in the café at the time of the attack, survived.

Ríos worked for the newspaper *El Sol de Acapulco* and for *Diario Objetivo de Chilpancingo* as well as for the National Union of Press Editors, according to a report in La Vanguardia. His wife Galeana worked as a freelancer and also accompanied her husband as a photographer.

Columnist Enrique Villicana Palomare was murdered in Michoacan, another crime-ravaged province in central Mexico. The journalist's body was found in the city of Morelia, capital of Michoacan, on April 9, five days after the columnist was reported missing by relatives. His throat had been slit. Villicana wrote for the daily newspaper *La Voz de Michoacan*, and also covered attacks by armed groups against the indigenous Purepecha group of which he was a member.

Journalist Hugo Alfredo Olivera Cartas was killed in the province of Michoacan. The owner and editor of *El Día de Michoacán* newspaper, director of the ADN news agency and a correspondent for La Voz de Apatzingán, Olivera was found dead in his truck early in the morning of July 6. He had been shot three times in the head. CPJ reported that unidentified individuals broke into the offices of Olivera's newspaper shortly after the reporter was found dead, and took away computer hard drives and flash drives.

Olivera had been the victim of a previous attack. On February 18, federal police attacked Olivera Cartas while he was on his way to cover a shooting in Chiquihuitillo, Michoacán state, according to news reports. The newspaper *Cambio de Michoacán* said that police pushed Olivera to the floor and beat him. Olivera filed a complaint with the National Human Rights Commission.

Radio journalist Marco Aurelio Martinez Tijerina with the La Tremenda radio station in the town of Montemorelos in Nuevo Leon state was found dead on July 10, twenty-four hours after he had been abducted, according to news reports. He had been shot in the head and his body showed signs of torture.

Martinez was the head of the news program "Informativo 800" at XEDD Radio La Tremenda, and had previously worked for other news shows at XERN 950AM, TV Azteca, Grupo Multimedia and W Radio, according to the EFE news agency.

Two more journalists were murdered in the last months of 2010 in a region near the U.S. border, in which a violent stand-off between rival drug cartels and the Mexican military has turned into one of the regions of the world with the highest murder rate.

Luis Carlos Santiago Orozco, a photographer with the daily *El Diario de Juarez*, was only 21 years old when he was shot at in his car on September 16. He died of his injuries. Photographer Carlos Manuel Sanchez Colunga, who was travelling in another car, was also shot at but survived the attack.

Following Santiago's death, *El Diario de Juarez*, the leading newspaper in Ciudad Juarez, issued an editorial suggesting it would reduce its coverage of the drug violence in an effort to keep its journalists safe.

Carlos Alberto Guajardo, a reporter with *Expreso* newspaper, was shot dead on November 5 in Matamoros, a town across the U.S.-Mexican border from Brownsville, Texas.

Guajardo was travelling in a pick-up truck to report on an eight-hour shoot-out involving the army, the navy and gunmen working for the Gulf cartel - one of Mexico's major drug-trafficking organizations. A leader of the powerful Gulf drug cartel - Antonio Ezequiel Cardenas Guillen, also known as "Tony the Storm" – had been killed in the clash.

> At least 13 journalists were abducted in Mexico this year.

According to the National Defense Secretariat, the journalist was shot and died in his pick-up truck while the military was trying to fight off an attack from a group of people who were traveling in eight vehicles. The Secretariat did not specify if Guajardo was caught in the crossfire or was directly targeted.

The lack of thorough police investigations into any of the murders of journalists has made it difficult to establish which of the attacks were in connection with their work as journalists and which may have had other causes. The frequency of threats issued to media outlets in connection with their content suggests that the lion's share of the attacks against journalists may be in connection with their work.

In some cases, this connection is not immediately visible. In other cases, reports about journalists' deaths are vague and contradictory as a consequence of the widespread self-censorship and external pressures on media outlets reporting on crime.

The circumstances behind the death of Jorge Rábago Valdez, a journalist with Radio Rey and Reporteros en la Red, and the Reynosa-based daily *La Prensa*, have yet to be clarified. According to local authorities in Reynosa, Rábago died of natural causes as a consequence of a diabetic coma. Other sources say that the journalist was abducted on February 19 as he left a party and was found on February 23, after he had been dumped on a highway in Matamoros. The sources say that the journalist was found alive but unconscious and with signs of torture. Rábago was delivered to a hospital, where he died on March 2.

Two journalists have been missing since April 2010, joining the more than 10 journalists who have disappeared in Mexico since 2003, according to local press freedom groups.

Ramón Ángeles Zalpa, a correspondent for the newspaper *Cambio de Michoacán*, was last seen on April 6 at 1 pm, when he left home by car to go to the National Pedagogical University, where he teaches, according to the newspaper *La Jornada*. In his over ten years' experience as journalist, Ángeles reported on politics, crime and environmental issues. Ángeles had recently covered an attack by an armed group against a local family in Michoacán.

Evaristo Ortega Zárate, the editor of the weekly paper *Espacio* in the town of Colipa, Veracruz, has been missing since April 20. Ortega, who was also a mayoral candidate for the town of Colipa, sent an SMS message to one of his sisters saying that he had been abducted in a police car. Ortega was known for his reporting on crime and investigations, and for criticizing the local authorities. His reporting helped turn *Espacio*, founded in 2004, into a successful local newspaper.

Over eight months after the journalists' disappearance, Mexican authorities have not given any information about their fate.

At least 13 journalists were abducted in Mexico this year, according to reports, and later released. However, the number of abductions may be greater, as in many cases news outlets chose to keep the abductions confidential and deal with the abductors, to save the journalists' lives.

Four journalists were abducted in Durango State in July. The abductors demanded press coverage of videos they had made in exchange for the reporters' release. The four journalists were released after being held for six days.

Ulises González García, the editor of the weekly *La Opinión de Jérez*, was kidnapped from his home on July 29 and released on August 9.

Eight journalists were abducted in separate incidents between mid-February and early March, according to local press freedom groups. They were all released, in some cases after the abductors' requests were met.

Attacks against journalists and media outlets in Mexico also took many other forms, and organized crime groups were not the only perpetrators. In many cases, police and state authorities manhandled journalists who were covering public protests or at crime scenes. In some cases their equipment was destroyed by authorities to prevent coverage.

Finally, attacks against the premises of media outlets are common and often serve as warnings or threats of greater attacks if the outlets do not submit to the demands of local criminal groups or individuals.

### Recommendations

- Combat impunity by providing adequate resources and authority to the Office of the Special Prosecutor for Crimes against Journalists, of the Office of the Attorney General of the Republic, and to local prosecutors´ offices.
- Amend legislation to make crimes against freedom of expression a federal offense.
- Create a national system dedicated to the protection of journalists and guarantee the participation of journalists and civil society organizations in its planning, operation and evaluation.
- Repeal criminal defamation laws.
- Implement legislation regulating the allocation of radio and television frequencies in a fair manner, and thus limit concentration of media ownership in the broadcasting sector.

### Mexico in Brief

**Population:** 110.6 million

**Domestic Overview:**
Mexico has the second largest economy in Latin America. However, poverty remains endemic, with approximately 47 per cent of the Mexican population living below the poverty line.

The government is based on a federal system and it includes 31 states and one federal district (Mexico City).

Crime and violence are widespread, mostly in connection with powerful Mexican drug cartels that control some areas of the country. It is reported that over 28,000 people have died in drug-related violence since 2006. The areas near the U.S. border are the most dangerous. But violence has also ravaged other parts of Mexico.

**Beyond Borders:**
Mexico is a major drug producer and a transit nation for drugs produced elsewhere. In 2008, the U.S. and Mexican government signed into law the Mérida Initiative, involving security cooperation between the United States, Mexico and other states in Central America and the Caribbean. The Initiative aims at combating trafficking of drug and weapons, transnational organized crime and money laundering, as well as at strengthening the Mexican police force and the rule of law. The assistance includes training, equipment and intelligence.



## North America

# United States of America

By Timothy Spence

Throwing a lifeline to dissident journalists and bloggers, U.S. Secretary of State, Hillary Clinton, in early 2010, defended unfettered access to the Internet as a basic right and condemned countries that restrict the flow of information on the Web.

Clinton, speaking at the Newseum in Washington on January 21, said the U.S. was committed to protecting freedom of expression in old and new formats.

"This freedom is no longer defined solely by whether citizens can go into the town square and criticize their government without fear of retribution," Clinton said. "Blogs, e-mails, social networks and text messages have opened up new forums for exchanging ideas, and created new targets for censorship. Both the American people and nations that censor the Internet should understand that our government is committed to helping promote Internet freedom."

> Prosecuting publishers of classified information threatens investigative journalism that is necessary to an informed public debate about government conduct.

But the tables appeared to turn quickly in a year marked by successive disclosures through the WikiLeaks Internet portal. The site published classified videos, documents and cables exposing apparent U.S. combat misconduct in Iraq and Afghanistan, bungled military operations, and potentially damaging diplomatic dispatches about friends and foes alike.

Within months of Clinton's Newseum speech, the Obama administration branded the document releases "illegal," while U.S. Attorney General, Eric Holder, confirmed that an "active, ongoing criminal investigation" was under way at the end of the year. *The Washington Post* reported that WikiLeaks founder, Julian Assange, could face charges under the Espionage Act, a law dating to the First World War. There were also news reports that U.S. agencies had ordered their employees not to read the WikiLeaks site on their workplace computers.

Criticism of WikiLeaks also came from other quarters. Some members of the U.S. Congress have sought to exclude bloggers and groups like WikiLeaks from legislation that would protect journalists from being forced to reveal confidential sources in court. Threatened with enquiries by Senator Joseph Lieberman of Connecticut, then-chairman of the Senate's homeland security panel, the Web-based retail giant Amazon dropped WikiLeaks from one of its Internet service sites. In December, WikiLeaks was forced to shuffle servers in the face of withering hacker attacks.

Hina Shamsi, who heads the American Civil Liberties Union's National Security Project, warned that government threats to prosecute WikiLeaks could undermine the Constitution's First Amendment-protection of speech and a free press. "Prosecuting publishers of classified information threatens investigative journalism that is necessary to an informed public debate about government conduct, and that is an unthinkable outcome," she said in a statement on December 1.

The harsh reactions to WikiLeaks followed the publication of secret files, beginning in April with the release of a 2007 video filmed from an American Apache helicopter, in which the crew gunned down 12 people in Baghdad, including two Reuters journalists. Subsequent releases of thousands of documents on the Afghan and Iraq wars, in July and October respectively, and on November 28, more than 250,000 U.S. diplomatic cables, also sparked threats from government officials.



**Above:** U.S. President Barack Obama signs the Daniel Pearl Freedom of Press Act in the Oval Office of the White House in Washington, May 17, 2010. Alongside Obama are members of murdered journalist Daniel Pearl's family including his wife Mariane (2nd L) and their son Adam Pearl (far L). (REUTERS)

Washington has not shied from denouncing other governments for threatening Web-based commentators, journalists and forums for their reporting and disclosures. Clinton's Newseum speech mentioned China, Egypt, Iran, Tunisia and Uzbekistan as nations that trample on cyber-expression. U.S. officials have also criticized governments that seek to restrict Web content and pressure Web providers, such as Google, to block sites deemed politically sensitive.

Much of the U.S. criticism focused on WikiLeaks and its controversial Australian founder rather than on news organizations - including *The New York Times*, Britain's *Guardian,* the Parisian daily *Le Monde*, and the German newsmagazine *Der Spiegel* - that reported on the leaks and had privileged access to the documents before they were posted on the Internet site. Officials in the Obama administration and U.S. Justice Department indicated that investigations were targeting WikiLeaks officials, as well as government employees, who may have leaked the war documents and diplomatic dispatches, some of which contain damning details about policies and actions that occurred before Barack Obama became president in 2009.

One person, Army Specialist Bradley Manning, was facing charges that included disclosing classified defense information and transferring classified data onto his personal computer. Manning, who was 22 at the time of his arrest on June 6, faced a court-martial.

Some media analysts say WikiLeaks' fuzzy status - essentially a middleman between journalists and sources - and its use of servers in European countries with strong shield laws, provide protection for news organizations that republished the leaked documents. Kelly McBride, a media ethics expert at the Poynter Institute in St. Petersburg, Florida, says if the documents had originally been published by a newspaper like *Times*, "it's very possible that government agents would have raided *The New York Times* and confiscated information to determine who the source was. So the international nature of WikiLeaks and the sort of multinational nature of it makes that less likely to happen, but obviously that doesn't mean that anyone who provides information to WikiLeaks is somehow immune from the reach of his or her own government".

> Officials in the Obama administration and the U.S. Justice Department indicated that investigations were targeting WikiLeaks officials.

The WikiLeaks case has been a bittersweet one for journalists and media advocates, who on the one hand praise the site's exposure of important policy issues and decry the government's threatened legal actions as a move to stifle the flow of information, but reel at the unedited release of the documents. The raw documents published by WikiLeaks include names and other details about civilians who could face reprisals, and violate many news organizations' standards on privacy and protections against exposing people to peril.

McBride told World Press Freedom Review on December 3 that the WikiLeaks disclosure raises questions about how to define a journalist in an era of bloggers and activist websites. "In fact, I think that the information that WikiLeaks posts - the leaked cables and other documents - do function like journalism in that they provide transparency where there was none and they explain international events in ways that we have not had those explanations provided to us, and they hold powerful governments accountable. So I think the information functions like journalism even though WikiLeaks itself is not considered to be journalistic."

Outside the WikiLeaks scandal, press freedom advocates won some victories in Washington in 2010.

President Obama signed into law the Daniel Pearl Freedom of the Press Act, strongly backed by both parties in a convulsively partisan election year. Named for the *Wall Street Journal* reporter who was kidnapped and murdered in Pakistan in 2002, the law is mainly symbolic and follows similar legislation on religious freedom. The Pearl law requires the State Department to strengthen its monitoring of press freedom around the world, and its reporting on governments that suppress free expression.

In signing the legislation on May 17, President Obama said it "sends a strong message ... that we are paying attention to how other governments are operating when it comes to the press.

"The loss of Daniel Pearl was one of those moments that captured the world's imagination because it reminded us of how valuable a free press is, and it reminded us that there are those who would go to any length in order to silence journalists around the world," Obama said at the White House.

In another victory, the State Department in July reversed a decision to deny a visa to Colombian investigative journalist Hollman Morris, recipient of a one-year fellowship at Harvard's Nieman Foundation for Journalism. U.S. officials cited the television reporter's purported links to terrorism in initially rejecting the visa.

U.S. authorities reversed their decision following appeals from IPI and other organizations. IPI sent a letter on July 7 urging U.S. Assistant Secretary of State Arturo Valenzuela to reconsider the decision on Morris, who attended IPI's World Congress in Belgrade in 2008. The Colombian journalist was granted a visa to attend Harvard later that month.

Morris' tough reporting did not win friends in the Colombian government. His television show Contravía reported heavily on alleged human rights abuses under former President Alvaro Uribe, who won U.S. support for battling drug gangs and the rebel Revolutionary Armed Forces of Colombia, or FARC, which Washington has branded a terrorist organization.

The visa denial was made under the 2001 Patriot Act, which strengthened the application process and barred entry for those believed linked to terrorist groups. Morris denied any link to FARC other than contacts he made as a journalist. The Colombian journalist had traveled to the United States before and interviewed U.S. officials on his country's controversial human rights record.

In an e-mail message sent to IPI and other groups that supported him, Morris said after the U.S. Embassy reversed its visa decision: "I'm really happy and I know that none of this would have been possible without you and all organizations that supported me."

Despite the Daniel Pearl law and the successful lobbying effort on Morris' behalf, 2010 marked another setback for efforts to achieve the approval of a shield law that would protect journalists from having to reveal confidential sources before federal courts. Nearly 40 years after the Supreme Court ruled that journalists do not have a constitutional right to shield anonymous sources, the Free Flow of Information Act was waylaid in the Senate after winning approval in the House.

Media advocates have long pressed for a federal statute to guard against attempts to compel journalists to reveal their sources, although most of the 50 states already have shield laws. The cause gained urgency following several high-profile cases, including the gaoling of *New York Times* reporter Judith Miller in 2005 over her refusal to identify confidential sources in reports on the Iraq War.
Also in 2010, relations between a president who came to office vowing unprecedented transparency and the White House press corps grew chilly over questions of access. Five months into his second year as president, Obama had not held a full-fledged press conference, despite epic legislative fights, mid-term elections, and an economy in the dumps. Obama's ubiquitous presence on newscasts belied the scant access the press corps had to ask questions in a White House that is assiduous about scripted messages.

In late May, more than five weeks after the Gulf of Mexico oil spill, Obama held his first press conference since July 22, 2009. Fox News reported that the 308-day interval exceeded the taciturn President George W. Bush's 204-day record. The White House has also restricted reporters and photographers' access to some White House events, afterwards releasing video and photos.
Meanwhile, relations between the media and the White House grew more strained over the occasional badgering of some news organizations. One running battled involved Fox News, whose television commentaries were routinely critical of the administration and allied Democrats. Obama's communications director at one point called the cable channel "an arm of the Republican Party."

American journalists also faced restrictions on access to the Gulf of Mexico cleanup following the explosion of a BP oil rig on April 20. The U.S. Coast Guard and Federal Aviation Administration both threatened reporters and photographers with fines and arrest if they breached the cleanup area, which grew as did public attention toward one of the country's worst ecological disasters.

Fisherman whose livelihoods were spoiled by slicks were hired by BP to help with the cleanup, but with a catch: they had to agree not to talk to reporters. Media organizations condemned the corporate and government restrictions, including *USA Today*. In a June 14 editorial, the national daily said: "The public will be living with the effects of this catastrophe for many years. Neither BP nor the government should be getting in the way of what the public sees as events unfold."

### Recommendations

- Enact a federal shield law to protect journalists from being forced to reveal anonymous sources.
- Use the new Daniel Pearl Freedom of the Press Act to more forcefully pressure foreign governments to end intimidation of journalists and permit independent media.
- Avoid threats against individuals and organizations that leak public documents.
- Ensure that freedom of the press is also honored by all educational institutions.

## United States in Brief

**Population:** 310 million

**Domestic Overview:**
The United States is a constitution-based federal republic with a deep-rooted democratic tradition. President Barack Obama has served as both chief of state and head of government since January 20, 2009. As President, Obama is also Commander in Chief of the armed forces and has ultimate authority over foreign policy.

The U.S. has the largest economy in the world, mostly fueled by natural resources.

**Beyond Borders:**
Backed by a $14 trillion economy, the U.S. exercises powerful influence throughout the world. The U.S. Secretary of State, Hillary Rodham Clinton, is the foreign minister and principal conductor of diplomacy in foreign nations.

Canada is the United States' largest trading partner and main provider of oil. The Canada-United States free-trade agreement of 1988 (FTA) eliminated tariffs between the two countries, and the North American Free Trade Agreement (NAFTA) expanded the free-trade zone to include Mexico in the 1990s.

The United States has intensified security at the Mexican border, collaborating with both Canadian and Mexican governments to eradicate illegal transport of persons, drugs and guns across the borders, which continues to be a serious concern.

The U.S. is a permanent member of the United Nations Security Council, with New York City the headquarters of the United Nations. The nation is also a founding member of NATO, the largest military alliance in the world.

## IPI Contributor



**Timothy Spence** is a freelance journalist based in Maastricht, the Netherlands.

# Press Freedom in the U.S.

By Eugen Freund

If the publication of official documents that are off limits to the public is a crime, does reading them also constitute criminal behavior? This may sound a tad ludicrous, but who knows?

By the end of December it was not yet clear if the government of the United States would prosecute Julian Assange, the founder of Wikileaks. But it had made clear, in no uncertain terms, that it regarded Mr. Assange as a criminal for publishing diplomatic documents - a couple of thousand pages, from a trove of about 250,000, by the end of 2010. While no official indictment has yet been presented, Mr. Assange could face charges of espionage which, if he were convicted on them, could send him to prison for at least ten years. In letters to the U.S. government, freedom of expression organizations assailed this intention. President Obama and U.S. Attorney-General Eric Holder were urged not to prosecute Mr. Assange. This would inflict "grave damage to the First Amendment's protections of free speech and the press", CPJ argued.

In this context, the announcement, on the day Mr. Assange was arrested in Britain on charges unrelated to his profession, that the U.S. would hold a "Press Freedom Day" on May 3, 2011, was seen by some as an affront to all who regard freedom of the press as an indivisible right. It is not bereft of irony that *USA Today*, in reporting on President Obama's signing of the Freedom of the Press Act, quoted Obama as saying: "It puts us clearly on the side of journalistic freedom."

That was a cue for reporters in the room.
"Speaking of press freedoms," began Chip Reid of CBS before launching into a question about the Gulf Coast oil spill.
Obama didn't bite. "You are free to ask them," Obama said. "I'm not doing a press conference today."

But who could blame him. As no other president before him, Barack Obama must have been feeling the forces of the media like an unending Hawaiian surf wave. While as a presidential candidate he was mostly pampered by the press, the onslaught during his first two years as president, in particular by the media owned by Rupert Murdoch, the U.S.-Australian media czar, became relentless. Glenn Beck of Fox News went so far as to declare: "This president ... hates white people ... He is a racist!" Other 'ist's' – from "socialist" to "Communist", from "Stalinist" to "National Socialist" - have all been uttered in the same context, without any reprimand.

> 'I'm not doing a press conference today.'

But not everybody got off the hook so easily: the most egregious case of a journalist meeting the boundaries of press freedom involved Octavia Nasr. The Lebanese-born journalist encountered the wrath of her company, CNN, after she made a brief comment over the death of a Grand Ayatollah in Beirut.

Octavia Nasr was one of the most knowledgeable experts on Middle East politics in the U.S. media. She came to CNN via its "World Report" program, a brainchild of Ted Turner, who founded the news channel in 1980. The concept of "World Report" was to give international reporters a worldwide audience, with reports that were aired over CNN unedited and without editorial comment by the U.S. broadcaster. Ms. Nasr was one of the first contributors and, after moving to the United States, she slowly climbed through the ranks of CNN, eventually becoming its Middle East editor.

Sayyed Mohammad Hussein Fadlallah was a Grand Ayatollah in Lebanon and closely affiliated with Hezbollah, a movement that, depending on one's viewpoint, was either a purveyor of hatred and violence or a benevolent organization which builds and runs hospitals, schools and kindergartens. She wrote in her blog: "Sad to hear of the passing of Sayyed Mohammad Hussein Fadlallah. One of Hezbollah's giants I respect a lot." 'Respect' and 'Hezbollah' in the same sentence cannot be accepted, not in the U.S. Even though Nasr had not commented on air, to a world-wide audience, only twittered to her fans, CNN was merciless. Right away, Octavia Nasr acknowledged what she termed "her mistake", but to no avail. CNN called her in to see her bosses. According to an internal memo which *The New York Times* had access to, one senior manager was quoted as saying: "We have decided that Nasr had to go." The memo added: "At this point, we believe that her credibility in her position as senior editor for Middle Eastern affairs has been compromised." There is no doubt that members of Hezbollah have committed atrocious crimes, but for many Lebanese the group also serves as an important provider of social services, from ambulances to hospitals, from kindergartens to schools. However, none of this was taken into consideration. Instead, the matter was apparently viewed in starkly 'black and white' terms. In a statement, Nasr's employer did not confirm the wording of the internal memo; it said only that her tweet "did not meet CNN's editorial standards". Nasr was fired, finished - freedom of expression another victim of powerful forces.

Another woman, or in Octavia Nasr's term, "another giant I respect a lot", Helen Thomas, the longest-serving White House correspondent, also ended her career with a bang. Ms. Thomas had covered every president since John F. Kennedy and had won a number of prestigious journalism awards. She was as feisty as she was outspoken.

"Israel should get the hell out of Palestine," was the remark that cost her dearly. She did not write it in one of her columns; she was answering a question posed by Rabbi David Nesenhoff, who happened to have a camera with him. It was an innocent question – "Any comments on Israel?" – that triggered her outburst, which included the more than questionable recommendation that Jews "go home" to Germany, Poland or America. Just like Octavia Nasr she apologized. Mark Knoller, one of the longest-serving White House correspondents who has known Thomas for many years, commented afterwards that as a columnist Ms. Thomas felt free of any objectivity and he called some of what she said "embarrassing". Even though she gave up her coveted front row seat in the White House press room of her own volition, it became clear that the anti-Israel stance she had vigorously pursued in recent years had become too much to bear.

In 2010 it became obvious, for two courageous female journalists in the U.S., that they were not breaking the glass ceiling, but rather sinking as the ice under their feet was cracking.

**IPI Contributor**



**Eugen Freund** has been a familiar face on Austrian TV for more than 25 years, most prominently as bureau chief in Washington D.C. (1995 to 2001). In recent years, he has mainly served as Special Correspondent and political analyst of international affairs. Mr. Freund also was a long-time contributor to CNN World Report and, more recently was a freelance correspondent for America's National Public Radio (NPR). He has contributed op-eds to *The Washington Post*, and articles by him have also appeared in the German weekly *Die Zeit*, the Swiss *Weltwoche* and *The New York Times*. His book "Mein Amerika" (My America, 2001) made it to the Austrian best-seller list. In November 2008, he published "Präsident Obama - der lange Weg ins Weisse Haus" (President Obama: The Long Road to the White House), and in 2010 "Brennpunkte der Weltpolitik" (Flashpoints of World Politicsz).



**Above:** U.S. President Barack Obama holds a news conference in the Brady Press Room of the White House in Washington, December 7, 2010. (REUTERS)

# Belize

By Gianluca Mezzofiore

Journalists who criticize the financial disclosures of government officials may be jailed or fined.

Prime Minister Dean Barrow's troubled relationship with the media in Belize started in 2009, after a wave of corruption scandals that shook the political scene. During that year, the Minister of Human Development and Social Transformation Juan Coy was suspended for abuse of power and Belize City Mayor Zenaide Moia was arrested on charges of public funds' misappropriation.

However, it was the government's controversial takeover of Belize Telemedia, the country's largest telecommunications company, which prompted the harshest public criticism. Lawmakers had amended the Belize Telecommunications Act to allow the bid, which was subsequently denounced as illegal and unconstitutional by several business groups and organizations in the country.

The Belizean Constitution generally provides a series of guarantees for freedom of the press. Nonetheless, in 2000, a minister publicly threatened the editor of the *San Pedro Sun* for criticizing the government's environmental policy. Weekly magazines in the country reach a wide audience, and private television stations - along with private commercial radios (privatized in 1998) - are generally independent and free. Politics play a large role in the country's publications.

Journalists who criticize the financial disclosures of government officials may be jailed or fined, but this law has not been applied in recent years.

The government has engaged in a tough fight against Channel 5, the TV station owned by British billionaire Lord Michael Ashcroft, since the United Democratic Party's (UDP) landslide victory in national elections in 2008.

In December, Barrow suspended normal relations with Channel 5, preventing government representatives of any ministry or department from giving any official individual interviews, or making any individual appearances on its TV programs.

The government claimed that Channel 5 had violated the terms of its license by not airing the government's current affairs program Belmopan Weekly. It also said that Channel 5 "had sacrificed the principles of objectivity, fair play and balance in its news reporting and other programs". The TV station rejected the allegations, although it considers Belmopan Weekly a UDP party political propaganda program.

Several news and non-governmental organizations - including the Citizens Organized for Liberty Through Action (COLA), the Caribbean Broadcasting Union, the opposition party (PUP), the PNP, CTV-3, and Belizeans for Justice - gave their support to Channel 5 and openly condemned the government's action. Also, the U.S. government issued a statement, through its embassy in Belmopan, expressing concern over the issue. Under international and domestic pressure, Barrow's cabinet reconsidered the decision and lifted the ban, normalizing relations with the TV station.

**Recommendations**

- The government must remove all forms of criminal defamation from existing legislation.
- The government must refrain from interfering in the media.

### Belize in Brief

**Population:** 312,900

**Domestic Overview:**
Belize gained independence from the UK in 1981, though Guatemala refused to recognize it until 1992. Despite its independence, the English monarch is still the chief of state, represented locally by a governor general. The government has since changed hands a number of times, alternating between the center-right United Democratic Party (UDP) and the center-left People's United Party (PUP).

**Beyond Borders:**
Belize has always had strong ties with Britain and the U.S., but recently has become closer to Venezuela, joining its Petro Caribe program in 2006. The border dispute with Guatemala could be solved in 2011, when the two countries might hold referendums on whether to submit the issue to the International Court of Justice.





# Costa Rica

By Alicia Versteegh

Costa Rica, one of the oldest democracies in the world, has a relatively strong press freedom record in Central America. The Inter-American Court of Human Rights, the continent's highest jurisdiction is located in the capital, San José. Former president, Oscar Arias declared May 30 as "National Journalist Day" as one of his final actions. The day marks a memorial for the three journalists killed and a dozen others injured when a bomb exploded at a press conference on the border of Nicaragua and Costa Rica on that day in 1984.

Although there have been some reports of pressure from state officials in apparent efforts to manipulate media, the press is generally free from government interference. Public and commercial broadcast outlets are accessible, and Internet access is unrestricted.

Despite Costa Rica's recent progress regarding the modernization of libel and defamation laws, media representatives still see room for improvement.

This year, significant steps were taken towards decriminalizing media offenses, giving press organizations reason to celebrate.

On February 11, 2010, the Costa Rican Supreme Court overturned a law included in the 1902 Ley de Imprenta (Printing Press Law), which imposed sentences of up to 120 days for media practitioners found guilty of defamation and "insults."

The resolution to repeal this law was passed while the court was reviewing a defamation case against reporter Luis Jiménez Robleto, of the *San José Diario Extra*. Jiménez was sentenced in March 2004 to 50 days in prison after having been accused of defamation by a former Costa Rican official over a news story on suspected embezzlement. On December 18, 2009, the court overturned the sentence, declaring there had been an "implied repeal" of the pertinent segment of the criminal code since its sanction in 1971.

The court's decision to repeal the 108-year-old law was described as an "historic" step by the daily newspaper *La Nación*.

Another press freedom victory occurred in late February, when the constitutional court ruled in support of two journalists of the newspaper *La Teja*. The Costa Rican Soccer Federation had accused the paper of publishing "demeaning" caricatures of national players and in retaliation denied the paper access to further soccer matches.

*La Teja* won its appeal against the soccer Federation when the Constitutional Court demanded that the Federation pay damages to the paper for promoting censorship and restricting free expression. The president and secretary of the Federation were also ordered to refrain from similar retorts and punishment in the future.

Despite Costa Rica's recent progress regarding the modernization of libel and defamation laws, media representatives still see room for improvement. According to a survey conducted by the Institute for Press and Free Expression, 49 per cent of Costa Ricans consider the country's laws restrictive to freedom of expression. While prison sentences have been abolished, harsh punishment still exists for those convicted of defamation, including excessive fines. According to the Committee to Protect Journalists (CPF), those who are accused of libel can be placed on an official list of convicted criminals. Press organizations are hoping for total elimination of such defamation laws in the future.




**Above:** People cheer for Costa Rican President Laura Chinchilla during her inauguration ceremony in San José, May 8, 2010. Chinchilla, is the first woman president of Costa Rica and the 54th dating from 1848. (REUTERS)

**Recommendations**

- The government should remove criminal defamation provisions from the penal code.
- Political officials should deal with the media with greater transparency.
- Individuals, organizations and institutions should refrain from retaliatory actions against critical journalists.

## Costa Rica in Brief

**Population:** 4.5 million

**Domestic Overview:**
Costa Rica boasts a long-established electoral democracy, with no standing army. Since 1949, power has alternated relatively peacefully between the National Liberation Party (PLN) and the Social Christian Unity Party. Laura Chinchilla, of the PLN, became the first woman president when she won the election on February 7, 2010. Chinchilla served most recently as Vice President and Justice Minister in the cabinet of President Oscar Arias. As a legislator, she helped pass the latest bill concerning libel and defamation laws.

Costa Rica enjoys a relatively stable economy, with tourism being the prime industry, bringing in U.S. $2.2 billion per year. Economic growth is threatened by high inflation and national debt.

Although the quality of life in Costa Rica is generally high, there are growing concerns about public security, crime and drug trafficking. Organized crime networks and corruption have infiltrated police and political institutions.

**Beyond Borders:**
Costa Rica is an active member of several international organizations including the continent's highest jurisdiction, the Inter-American Court of Human Rights, which is headquartered in the country's capital, San José.





# El Salvador

By Gianluca Mezzofiore

When El Salvador's Legislative Assembly finally approved the Access to Public Information, after 17 months of debate, many press freedom organizations welcomed the new bill, stressing the importance of filling a gap that had existed for far too long. El Salvador is one of the last Central American countries without rules on access to information, and features one of the most corrupt and inefficient public sectors of Central America. Although an Ethics Law was approved in order to combat corruption in the state, El Salvador was ranked 73 among 178 countries surveyed in Transparency International's 2010 Corruption Index.

A study has found that despite a pledge to promote greater transparency in government, President Mauricio Funes' office was the least transparent in the administration during his first year of presidency. However, thanks to a pivotal role played by civil society, with the LTAIP (Group for the Transparency and Access to Public Information Law) providing technical assistance for the elaboration of a draft law, the new legislation includes many progressive measures, which mark an unprecedented step towards more press freedom in the country. An independent Information Commission, for instance, will have the power to impose sanctions and monitor violations on the public sector. President Funes has just sent the bill back to the Legislative Assembly asking for modifications and clarifications. The opposition parties criticized his proposal of a 12-month period before the law goes into effect, instead of the 30 days suggested.

A former TV journalist for the Spanish service of CNN and leader of the once-guerrilla Leftist group Farabundo Marti Liberation Front (FMLN), President Mauricio Funes faced major economic challenges after his election in 2009, inheriting a multi-million budget deficit and a situation of instability and violence across the country. Sitting "on the other side of journalism", as the *El Faro* newspaper quipped, Funes raised many eyebrows in his first two years as president, mainly over insecurity and safety issues.

> Poveda was gunned down in a San Salvador suburb on September 2, 2009.

Death threats to Radio Victoria, a community radio station that sided with environmental activists in their resistance to a Canadian company's local gold-mining operations, were frequent throughout the first half of 2010, and the police failed to conduct thorough investigations. Before the threats, three environmentalists had died, but the National Civilian Police labeled the murders as "routine criminal activity", raising concerns among NGOs in El Salvador and elsewhere.

Another cause for concern were the latest developments in the investigation into the murder of journalist and documentary filmmaker Christian Poveda, one year after his death. Poveda was gunned down in a San Salvador suburb on September 2, 2009. His precious insights into the country's local gangs, called Maras, which he followed closely from the inside for several months, resulted in a documentary, "La Vida Loca", which premiered in France just two weeks after his death. Although 33 suspects, all from the Mara 18 gang, were detained by police, the authorities have yet to establish exactly what happened and what role each member of the gang allegedly played in the shooting.

The Salvadoran Supreme Court decision over the constitutionality of article 191 of the Penal Code sparked a debate on the limits of freedom of expression. The Court declared unconstitutional a section of the penal code that de-penalizes media, reporters and owners for defamation. Although some newspapers pointed out that

the ruling maintained a sort of protection for journalists' right to express their own opinions and critics, others depicted a gloomier future. An editorial by *El Faro* claimed: "If the ruling of the Court does not prompt a debate in Congress to create new legislation, then we will be at the mercy of a judge deciding when it is defamation and when it is criticism."

### Recommendations

- The authorities must fully and promptly investigate death threats against journalists, and must follow up more thoroughly on the Christian Poveda murder.
- There must be full legislative approval of The Public Information Access Law.
- All forms of criminal defamation must be removed from existing legislation.

### El Salvador in Brief

**Population:** 6.2 million

**Domestic Overview:**
After a bitter civil war in the 1980s, a UN peace agreement brought peace to El Salvador in 1992. Mauricio Funes' election victory in March 2009 marked the first left-wing government in 20 years. Previously, the conservative Arena party held the strings of power in the country. Funes' FMLN (Farabundo Marti National Liberation Front) transformed itself from a Marxist-guerrilla group to a legitimate political party in 1992. Maras, the street gangs that spread violence and terror in the country, are among the most common causes of one of the highest crime rates of the Americas.

**Beyond Borders:**
President Funes' first decision was to re-establish diplomatic ties with Cuba, after a break of 50 years. However, he describes himself as a moderate, and he expressed his admiration for U.S. President Barack Obama. He also backs the economic policies of Brazil.

**Below:** A member of the Farabundo Marti National Liberation Front (FMLN) holds a poster during a demonstration in support of Ecuador's President Rafael Correa in San Salvador on September 30, 2010. (REUTERS)






## Central America

# Guatemala

By Alicia Versteegh

Throughout the year, the Association of Guatemalan Journalists (Asociación de Periodistas de Guatemala-APG) and the Inter American Press Association (IAPA) reported numerous cases of violence and harassment against journalists in Guatemala.

Although free speech is protected by the constitution, journalists who investigate corruption, organized criminal activity, or human rights abuses committed during Guatemala's 36-year-long civil war can face serious persecution. The release of a report exposing human rights violations in March led to the abduction and torture of the wife of human rights prosecutor Sergio Morales.

> The Guatemalan administration often uses pressure and intimidation to prevent journalists from reporting critically on government officials.

In general, wealthy businessmen own broadcasting outlets and newspapers. Mexican businessman Angel Gonzelez owns a monopoly of television stations and significant assets in radio stations. Most newspapers have moderate or conservative editorial positions.

Guatemala is one of the most violent countries in Latin America, with 6,451 homicide victims alone in 2009, including two television reporters. The level of violence, which has now grown to 20 murders a day, has exceeded the government's ability to contain it. The country will have its next election in September 2011, and there is fear that the vote could provoke attacks and criticism from government officials against the media. The 2007 elections saw more than 50 candidates, activists, and their relatives slain.

On September 27, 2010, businessman and journalist Victor Hugo Juarez was found murdered at the house of a friend, Byron Davilla Diaz, just outside the capital. News agency Centro de Reportes Informativos sobre Guatemala (CERIGUA) said that both men were tortured and strangled to death. Juarez owned two online news sites: Wanima News and Guatemala Empresarial. He had reported for the daily *Siglo XXI* and for the sports section of *Nuestro Diario* newspaper. Although his murder has not officially been linked to his work as a journalist, Juarez had received numerous death threats preceding his murder and the perpetrators have yet to be apprehended.

In addition, the managing director and journalist of the radio chain, Emisoras Unidas, was shot in the head on April 8 in Guatemala City. Although the attack was officially branded an attempted car robbery, Ileana Alamilla, director of CERIGUA, noted that the three shots fired were intended to kill the journalist, and the car was not actually stolen.

The Guatemalan administration often uses pressure and intimidation to prevent journalists from reporting critically on government officials. The federal government maintains a strategy that uses official advertising to penalize television stations and newspapers that criticize it, specifically the printed press.

In March of this year, Mayor of Guatemala City and former President Álvaro Arzú, along with current President Álvaro Colom, waged a smear campaign against newspapers ardent on exposing corruption and irregularities regarding the new public transportation system. The president and the mayor had flyers distributed and used spots on open television to deny the accusations, changing news reports in order to set the people against the media.

*ElPeriodico* and *Prensa Libre* newspapers reported on March 12 that leaflets discrediting their reports were being handed out on street corners. The mayor specifically targeted columnists Mario Antonio Sandoval and José Rodolfo Pérez for reporting on the inconsistent manner in which the concession of the new transportation system had been completed. Both newspapers also reported that municipal security staff prevented them from taking pictures of those handing out the leaflets.

The most recent case of government intimidation involved the host of critical television program Libre Encuentro, businessman Dionicio Gutiérrez. After a meeting with the president and his wife, in which he criticized the current administration, Gutiérrez announced his retirement from the program due, amid other things, to harassment and death threats.

Reporter Marvin del Cid, of the daily *elPeriodico*, has received numerous death threats and his home has twice been raided by people who stole his computers and files relating to his investigations. When the robberies occurred, at the end of September, he was working on sensitive stories involving irregularities in a government arms acquisition, alleged corruption in a government solidarity fund and a drug-trafficking case. During a previous break-in at del Cid's home on June 24, the words "You are going to die" were left on his bathroom mirror. Authorities have not yet identified those responsible.

Luis Ángel Sas, a journalist for *elPeriodico* also began receiving death threats on November 16 in reference to a piece he wrote about stolen weapons and explosives from the army that wound up in the hands of the "Los Zetas" criminal organization in Guatemala.

Several other news correspondents in Inland Guatemala, who also cover issues relating to drug trafficking and corruption, have found themselves threatened. Journalists often fear for their lives and those of their families, and the authorities often do not deliver on offers of protection.

> Several other news correspondents in Inland Guatemala, who also cover issues relating to drug trafficking and corruption, have found themselves threatened.

On August 26, several shots were fired at the home of journalist Edin Rodelmiro Maaz Bol in the city of Cobán, Alta Verapaz. According to Maaz Bol, who works for Video Prensa, this is not the first time he and his family have been under attack. Both his brothers, who are also journalists, have been assaulted. On September 10, 2006, one of the brothers, Eduardo Heriberto Maaz Bol, was shot dead. On August 18, 2009, homemade bombs were thrown at the house of the second brother, Félix Waldemar Maaz Bol. Maaz Bol believes that all of the attacks were linked to the brothers' work as journalists.

Finally, reporter Aníbal Archila of Noti 7 was killed by volcanic stone rain while covering a story on the eruption of the Pacaya volcano on May 27.




**Left:** A man walks his dog past a banner painted with the faces of former military leaders during the "Day of the Martyrs and Heroes" march in Guatemala City, June 30, 2010. (REUTERS)

**Recommendations**

- The government must implement policies and legislation to ensure that those who attack and kill journalists do not benefit from a climate of impunity.
- The government must take measures to ensure that the police treat journalists professionally, and understand the vital role and rights of the media.
- The government should respect the Law on Access to Information that provides for free access to information, as stated in the Constitution.
- The authorities must investigate all cases involving threats to journalists.

### Guatemala in Brief

**Population:** 13.5 million

**Domestic Overview:**
The government's inability to control organized crime and police brutality continues to be a great concern in Guatemala. President Álvaro Colom himself was accused of involvement in an embezzlement scandal and the murder of lawyer Rodrigo Rosenberg in May. Furthermore, the government's use of the military to maintain internal security runs counter to 1996 peace accords.

Famine conditions claimed the lives of roughly 460 people in 2009, with approximately 80 per cent of the population living below the poverty level. The country ranks high on inequality statistics, with about 63 per cent of gross domestic product in the hands of only 20 per cent of the population. According to a report published by Freedom House, Guatemala also has the highest rate of child labor in the Americas.

**Beyond Borders:**
Guatemala is a party to the Dominican Republic-Central American Free Trade Agreement (DR-CAFTA) with the United States. This agreement maintains mutually beneficial trade and commercial relations. Agriculture dominates the Guatemalan economy, which employs over half the available work force. In an effort to fight impunity and corruption, President Colom extended the mandate of the UN-backed International Commission against Impunity in Guatemala (CICIG) through to September 2011.

Violence related to drug trafficking has spilled over from Mexico. Drug gangs operate freely in the jungles of northern Guatemala, which serves as a transit point for cocaine shipping to the United States.



## Central America

# Honduras

By Louise Hallman

In June 2009, Honduran President Manuel Zelaya was ousted in a military-backed coup after attempting to hold a referendum on removing the constitutional one-term limit to his presidency. Since the golpe, deemed "bloodless" by supporters, and the subsequent election of Porfirio "Pepe" Lobo Sosa as president in November, journalists both for and against the coup have been murdered in increasing numbers – and with complete impunity. In 2010, at least nine journalists were killed in the Central American state, with a number of others also fleeing for their lives, making it the second most dangerous country in the world for journalists this year. Prior to 2009, only two journalists had been killed since 2000.

President Lobo has publicly expressed his commitment to freedom of the press and freedom of expression. However, there has been little evidence of such a commitment. Immediately following the coup, the media faced censorship with acts of sabotage and threats against journalists in an attempt to ensure support of the golpistas. *Diario Tiempo*, the only national daily to oppose the coup, has been victim of acts of sabotage and commercial harassment, according to press freedom observers. With most of the national press owned by a small group of business magnates, who also have political interests, much of the Honduran print media, including daily newspapers *La Tribuna*, *El Heraldo* and *La Prensa*, together with HRN radio and the Televicentro media group, have staunchly supported the coup, calling it a "presidential succession." Freedom House also expressed concerns about the level of self-censorship in the media.

Attacks on the media continued in 2010 with January seeing the ransacking of and arson attack against local radio station Faluma Bimetu or Radio Coco Dulce, which served the Afro-Caribbean Garifuna community in the Atlantic-coast town of Triunfo de la Cruz. The station had faced numerous threats due to its opposition to the coup. According to Reporters Without Borders, the station was unable to broadcast for a week.

In February, two cameramen, Manuel de Jesús Murillo and Ricardo Antonio Rodríguez from Globo TV and Mi Nación respectively, who worked for former president Zelaya, were kidnapped and tortured, allegedly by plainclothes policemen. Press freedom advocates have reported that they have since fled to Nicaragua after being released.

In the first fatal attack of the year on a journalist, on March 1, Joseph Hernández Ochoa, 24 - a journalism student at the University of Honduras, and a former entertainment presenter on the privately-owned Canal 51 TV station - was travelling with fellow journalist Karol Cabrera, when their car was fired on 36 times by men in another vehicle on an unlit road in the capital, Tegucigalpa. Hernández died at the scene, after being shot more than 20 times in the chest. Cabrera, an outspoken supporter of the coup, was believed to be the main target of the attack, having received several death threats and survived a previous attempt on her life in December 2009 when her pregnant teenage daughter was shot and killed while driving Cabrera's car. A presenter for the state-owned Canal 8 TV station and the privately-owned radio station Radio Cadena Voces (RCV), Cabrera was live on air via telephone when the gunmen opened fire on her vehicle. RCV's listeners were able hear her shouts for help during the shooting. She suffered a broken arm and ribs. Cabrera sought asylum in Canada in June.

> Attacks on the media continued in 2010.

Less than two weeks later, David Meza Montesinos, a reporter at radio station El Patio for more than 30 years, was killed while driving home in the coastal city of La Ceiba on March 11. His car was shot at from another vehicle, causing Meza, 51, to lose control and crash into a house, near his own home. According to local sources,




**Above:** Journalists protest against the murderers of their counterparts outside National Congress in Tegucigalpa, May 3, 2010. (REUTERS)

Meza had received death threats three weeks before the shooting because of his coverage of drug traffickers.

> Despite strong reaction from the international press freedom community, the violence continued.

Three days later, Nahúm Palacios Arteaga, 36, the news director for television channel Canal 5 in Aguán and host of a news program on Radio Tocoa, was shot dead on March 14 in Tocoa, Colón, in northern Honduras. According to local media reports, the car was riddled with 42 bullet holes, another person traveling in the car with him was severely wounded, and a cameraman riding in the back was grazed by a bullet. According to the Honduran daily newspaper, *El Heraldo*, Palacios was killed instantly and his body was found dead in the street. The Inter American Press Association (IAPA) reported that Palacios had received death threats in the weeks leading up to his death. Amnesty International reported that in July 2009 the Inter-American Commission on Human Rights had requested that Honduras take steps to protect him, but the authorities took no action. Palacios had been a vocal opponent of the coup.

Following the murder of three journalists in as many weeks, on March 17, IPI wrote an open letter to President Lobo calling on him to publicly denounce the killings, and requesting that they be fully investigated and that the perpetrators be brought to justice. In the letter, former IPI director David Dadge warned President Lobo: "Failure to stem a worrying tide of impunity in Honduras will embolden the killers of journalists." IPI did not receive any response to the letter.

Despite strong reaction from the international press freedom community, the violence continued: José Alemán, a reporter for Radio América and the *Diario Tiempo* newspaper, fled the country after a murder attempt on March 25, and on March 26 radio journalists José Bayardo Mairena, 52, and Manuel Juarez, 55, were driving from the city of Catacamas after hosting a radio program when their vehicle was ambushed by unidentified gunmen near Juticalpa in the eastern province of Olancho. The gunmen reportedly sprayed the car with bullets, and then shot the journalists dead at close range. According to ARTICLE 19, Bayardo Mairena opposed the 2009 coup d'état and was known for his sympathy for the resistance movement.

A month later, Radio W105 presenter Luis Antonio Chévez Hernández, 22, was gunned down in San Pedro Sula, the country's business capital, on April 11. Although it was not confirmed that Chévez was murdered for his work, the police ruled out robbery, as a sizable sum of money was found in the victims' belongings.

Also in April, Jorge Alberto Orellana, host of the program En Vivo con Georgino at private local television station, Televisión de Honduras, was leaving his office on April 22 after his show when he was shot once in the head by an unidentified gunman, who then fled on foot. Local chief prosecutor for San Pedro Sula, Rafael Fletes blamed a contract killer for the murder.

Other journalists – Ricardo Oviedo, a reporter for the cable TV station Channel 40 in the city of Tocoa, and Jorge Ott Anderson, a journalist and owner of the cable TV station La Cumbre in the town of Bonito Oriental, Colón state – also reported receiving death threats in April. An anonymous caller rang into a live call-in session at the station to threaten Anderson, while Oviedo's teenage daughter was threatened outside her school, the Committee to Protect Journalists (CPJ) reported.

A climate of impunity against the media also continued to grow: On April 12 a criminal court in Tegucigalpa acquitted four officials with the National Telecommunications Commission (Conatel) on charges of abuse of authority for ordering the closure of Radio Globo and Canal 36 for 22 days in October 2009 and seizing their equipment, despite Article 73 of the Honduran constitution forbidding any confiscation of equipment from a news media outlet or any interruption of its work.

In June, approximately 300 police and military officers raided the community of Puerto Grande and attempted to shut down La Voz de Zacate Grande, a community radio station, for its reporting on an ongoing land dispute in the Pacific-coastal region. Television station Canal 19 director Luis Arturo Mondragón Morazán was shot dead by two gunmen as he left the station's studios in El Paraíso, on June 14.

July saw a new surge in attacks against the media, particularly radio. On July 8, July 16, and August 31, Radio America's transmission wires in Tegucigalpa, Marcala, and Olanchito were cut off.

On August 24, gunmen kidnapped veteran Radio International reporter Israel Zelaya Díaz in the northern city of San Pedro Sula. His body was found hours later in a sugar cane plantation near the city of Villanueva. Zelaya had been shot three times in the head.

Radio Globo journalists Carlos Paz and Oswaldo Estrada were attacked, beaten and had their equipment smashed up by police in the capital, Tegucigalpa, on August 27 while covering the forceful dispersal of a demonstration by teachers. Radio Uno, an educational station in San Pedro Sula that had repeatedly criticized the post-coup regime, was forced off air August 30 following an act of sabotage. Press freedom observers reported that Radio Uno's staff had repeatedly been the target of violence and acts of intimidation including, on one occasion, the release of toxic gas inside its premises.

On September 14, Luis Galdámez Álvarez, a journalist for Radio Globo, was the target of an assassination attempt carried out by unidentified individuals who were hiding near his home in the capital. On September 15, Radio Uno was attacked again when hundreds of soldiers and police officers launched tear gas bombs and violently suppressed several dozen people who were protesting outside the station. According to the Comité por la Libre Expresión (C-Libre) Arnulfo Aguilar, the director of Radio Uno, called the incident "an attack on freedom of expression and on the media".

Several other journalists have reported receiving death threats and other threats against them, their organizations and their families. Some human rights activists, particularly those who supported the ousted Zelaya, have accused the state of targeting journalists in an attempt to silence its critics. Politicians have repeatedly refuted the accusations, and have also denied that most of the journalists' deaths were linked to their work, blaming instead the general lawlessness of the country.

Foreign journalists were not exempt from harassment: seven journalists working for foreign outlets were detained at their hotel in Tegucigalpa on June 29 by armed military personnel and subsequently taken to an immigration office; however, they were released shortly afterwards. In a separate incident, a group of Venezuelan journalists working for the left-wing television network Telesur and the state-owned station Venezolana de Televisión (VTV) left Honduras in July after being harassed at their hotel and detained at a Tegucigalpa police station.

> Several other journalists have reported receiving death threats.

None of the nine murder cases has so far resulted in any convictions, although Honduran Security Minister Oscar Álvarez claimed that the authorities had "solved 90 percent" of the five murders of journalists in March, according to C-Libre. Speaking to the press in April, Minister Álvarez advised journalists to "be careful" and "to not go to dark and remote places," the press freedom organization said.

Marking the one-year anniversary of the coup in June, IPI Director Alison Bethel McKenzie said "One year after the coup and the situation in Honduras has significantly worsened. We urge President Lobo to increase his efforts to bring these killers to justice, reinstate the rule of law in Honduras and end this growing sense of impunity. President Zelaya was supposedly removed as he was an obstacle to Honduran democracy, but if President Lobo wants Honduras to develop into a fully functioning democracy, he needs to ensure the press is free to act without fear of attack."

> None of the nine murder cases has so far resulted in any convictions.

In November, following the Universal Periodic Review (UPR) of Honduras, an evaluation of the country's human rights record by members of the United Nations Human Rights Council (UNHRC), the Honduran authorities made a number of commitments including finally pledging to investigate the murders of the nine journalists and promising to modify its telecommunications legislation, so that it will recognize community media. Access to information was also agreed to be "a fundamental part of exercising and enjoying freedom of expression".

### Recommendations

- The authorities must rigorously investigate all attacks on journalists.
- The authorities must combat impunity by prosecuting those who threaten and attack journalists.
- The government must implement all recommendations made in the Universal Periodic Review by the United Nations Human Rights Council (UNHRC), including those relating to freedom of expression and freedom of the press.

### Honduras in Brief

**Population:** 7.6 million

**Domestic Overview:**
Corruption, crime and military rule have made Honduras one of the most dangerous and underdeveloped nations in Central America.

Economic inequality and low wages are also major issues in Honduras, with a large wealth gap dividing the people. Fruit is the country's main export, and Honduras is Central America's second largest producer of coffee.

Porfirio "Pepe" Lobo Sosa of the National Party won the presidential election in November 2009 following the military coup of 2009, which ousted President Manuel Zelaya Rosales.

**Beyond Borders:**
Honduras is a member of the UN, the World Trade Organization and the Organization of American States (OAS). In 2005, Honduras signed the CAFTA (Free Trade Agreement with the United States), which helped to build a strong commercial relationship between the two nations.

Thousands of Hondurans leave the country for the U.S. each year in order to provide a solid income for families back home.

Honduras has unresolved maritime border disputes with El Salvador, Jamaica and Cuba. The country is also a transshipment point for drugs and narcotics.

### IPI Contributor



**Louise Hallman** is a freelance multimedia journalist and media consultant with a particular interest in international affairs and media development. English, but based in Scotland, Louise, a former IPI press freedom advisor, has experience working in the UK, continental Europe and the Middle East. Right now, she is working for the World Association of Newspapers and Publishers (WAN-IFRA) on a project researching the current use and future viability of mobile news in Africa. She also manages the news aggregator YemenWatch.

# Nicaragua

By María Haydée Brenes Flores and Mariela Hoyer Guerrero

Nicaragua is sharply divided into two factions: one blindly supporting President Daniel Ortega and the other radically opposing him. The polarization of society is also evident in the press, and Ortega has branded some media outlets as the country's enemies. He has admitted that his party, the Sandinista National Liberation Front (FSLN), is planning a battle against the independent news media and, as a result, press freedom suffers more every year.

According to Freedom House, the press has seen increasing political and judicial harassment since 2007, after the Ortega administration's efforts to obstruct and discredit critics in the media. Journalists have received death threats and some have been killed in recent years, with a number of attacks attributed to FSLN sympathizers. Although the 2007 Law on Access to Public Information requires public entities and private companies doing business with the state to disclose certain information, it preserves the government's right to protect information related to state security. "The constitution calls for a free press but allows some censorship", Freedom House notes.

At the beginning of 2010, privately owned Telenica Canal 8, one of Nicaragua's most popular broadcasters, was purchased. Shrouded in mystery, the transaction details and the sum paid remains unknown. It finally came to light that the new owners have connections with the presidential family and Ortega's son represents the new channel, now an affiliate of the Telesur consortium. It is now the third television channel related to the governing family.

> Many independent reporters fear that the guild implements censorship

Carlos Fernando Chamorro, one of Nicaragua's most influential journalists and a critic of Ortega, hosted two investigative programs for Canal 8, but he canceled them for ethical reasons. "We will never legitimate a sham in this television channel now controlled by Ortega", he stressed. The Nicaraguan Center for Human Rights (CENIDH) and the Inter American Press Association (IAPA) warned that with more broadcasters under the government's control and the Sandinist faction, independent journalism is being affected.

In Nicaragua, if a journalist wants to enter a journalists' association, he will find Sandinist and non-Sandinist factions. Independent reporters are respected, but they are normally not related to the different alliances. Because of this situation, the guild is not strong enough.

At the creation of the Sandinist Journalists' Forum in 2009, Daysi Torres, a former reporter and now mayor of Managua, stated "There are two types of journalists in Nicaragua: those who are here and those who are not. All the ones committed to the people are here, and those who are not are with the oligarchs and imperialists". While this group is constantly having meetings, the Journalists' National College remains divided. As its president, Leonel Laguna, is close to the government, members of the board of directors resigned in 2010, and, in an extraordinary session in June, fresh elections took place. However, not all of the journalists were allowed to vote. Many independent reporters fear that the guild implements censorship, as a polemic Ethics Committee has announced that it looks forward to journalism converging with national interests. It suggests that journalists who resist such a development could find their right to work in the profession, or to remain registered with the association, terminated.

In Managua, according to IAPA, the closure of nearly 20 news radio stations was reported; and further inland the situation is worse. "News radio stations are disappearing little by little. However, while a group of stations is struggling to survive, the official broadcasters are enjoying huge investments and their programs are aired full of official announcements", stated IAPA. With the suffocation of the media by economic means, the diversity of news is diminishing.




**Above:** A university student with his face painted with national colors holds the Nicaraguan national flag during a march in Managua for the defense of national sovereignty, November 16, 2010. (REUTERS)

The 22-year-old program Revista Informativa y Musical, hosted by the journalist Celso Martínez, from Matagalpa, was one of those affected by the lack of official advertising. The program had to cease transmitting in September because the pro-government media was absorbing all the advertising. Radio Gueguense, Cultural Heritage of the Nation since 2009, had to close in October after 53 years of broadcasting, since the resources promised by the government were not included in the official budget.

A representative of the World Association of Community Radio Broadcasters (AMARC) for Nicaragua confirmed to IPI that during 2010 licenses for broadcasting were not renewed. "It is true that the government has encouraged the creation of many community radio stations, even supplying the equipment, but no broadcaster, pre-Ortega or new, has a transmission license," the source, who asked to remain anonymous, said. "Without that, press freedom is impossible, because at any moment, as a result of any form of criticism, the broadcaster could be closed."
An example of this occurred in the North Atlantic Autonomous Region, inhabited by the Misquitos ethnic group. Hector Williams' radio program had to be taken off the air in February because the indigenous Wihta Tara used that airtime to urge the tribe to avoid participation in pro-government activities. After being threatened with the possibility of the station's closure, its director decided to end the program. Television channels with expired licenses have also decided not to contradict Ortega in order to stay on the air.

One of the most severe obstructions of press freedom in Nicaragua is the denial of access to information. Since March 2010, it has become common practice not to invite independent media to the state institutions' press conferences or, if invited, they are not allowed to enter the event. Only pro-government outlets receive information about sensitive subjects - such as health and education - over which the president's wife, Rosario Murillo, has control. Without her authorization, no official in the executive branch will talk to the media.

> One of the most severe obstructions of press freedom in Nicaragua is the denial of access to information.

During the announcement of the Autonomous Regional Authorities of the Caribbean Coast election results in March 2010, the Supreme Electoral Council did not allow the entry of accredited journalists from *La Prensa*, *El Nuevo Diario* and Canal 2 television into the National Vote-Counting Center. The censorship extended to the coverage of a press conference held by the Health Ministry and officials of the United States Embassy about the vaccination campaign against swine flu, and, among other events, also to the press conference in which presidential and National Assembly general elections for 2011 were called.

A similar situation occurred during an opera presentation in the National Theater, in which Ortega's son participated. Even the patron saint's day parties, celebrated in August, were affected by censorship. Daysi Torres, mayor of Managua, only allowed access to some events to pro-government media.

IAPA reported that in October there was a very slight opening up of official information about the Leptospirosis epidemic, which had cost the lives of 16 people. "The government continues to try to strangle the independent media, discriminating against them in the placement of official advertising, and intimidating reporters, editors, executives and owners of media with constant verbal attacks, threats and discrediting remarks; it sets up forums of paid journalists to defame democratic and independent news men and women. The government is continuing to expand its own news media using not very clear methods. All this added to the economic and financial crisis that has brought a falloff in commercial advertising, resulting in a general loss of quality in news coverage and worsening the overall state of press freedom", the organization stated. The problem is not new. The Committee to Protect Journalists (CPJ) dedicated a 2009- special report to the president's media war. "Ortega has made himself an isolated and secre-

tive figure: He has never given a press conference, his political agenda is virtually unknown, his government's officials are inaccessible, and his health is apparently a state secret", CPJ wrote.

The government is using all its branches for intimidation. Between September 2009 and February 2010, the Labor Ministry and the Nicaraguan Social Security Institute inspected the independent newspaper *La Prensa* nine times. Its news editor, Eduardo Enriquez, revealed, in an IAPA session in February, that he had been requesting a replacement for his stolen ID card since July 2009, but that after seven months and many letters his petition had not even been answered. He considered this development to be a form of political retaliation.

Since *La Prensa* decided in August to rescind the contract of several distributors, members of the National Labor Front (which supports Ortega) have gathered outside the building - and recently in front of the homes of members of the board of directors - brandishing loudspeakers, and demanding the rehiring of the distributors. The protests have blocked the newspaper's distribution.

Another episode was the sabotage of the transmission towers of Radio Corporacion to prevent the airing of critical views. Police alleged that individuals were stealing the cables to sell them.

In order to focus attention on the president, TELCOR, the institution that regulates Nicaragua's telecommunications, modified an administrative regulation to force all broadcasters, even those transmitted by cable or satellite services, to communicate Ortega's "cadenas", or messages to the nation. Rule 009-2010, published on September 30, commands that in emergencies relating to the security and defense of the nation, to economic or social situations or to any natural catastrophe, the subscription operators will put their installations and services at the disposal of the government. "Those who carry licenses must abstain from introducing programs with content different from those which require attention. If this disposition is not followed, it will be considered a severe infraction of the license contract".

### Recommendations

- The government, and authorities, must cease to employ degrading language to discredit critical journalists and media outlets.
- All media must be allowed access to press conferences and official information.
- The authorities must regularize the broadcasting licenses situation, so that the lack of official permission can no longer be used as an instrument of intimidation.

> The government continues to try to strangle the independent media, discriminating against them in the placement of official advertising, and intimidating reporters, editors, executives and owners of media with constant verbal attacks, threats and discrediting remarks.

### Nicaragua in Brief

**Population:** 5.7 million

**Domestic Overview:**
Nicaragua is the second poorest country on the continent, after Haiti, according to the World Bank. It has been affected by natural disasters, political conflicts and a civil war. Between 1934 and 1979, the authoritarian government of the Somoza family led it the nation, but in 1979, the leftist rebel group Sandinista National Liberation Front (FSLN) overthrew the dictatorship. The United States financed the opposition forces, which led to a civil war that left around 150,000 victims. In 1990, after signing a peace treaty, Violeta Barrios de Chamorro won the elections. For 16 years, rightwing presidents governed the country, and in 2007, the leftist, Daniel Ortega, won the elections. He reformed the electoral law in order to allow him to be a candidate again in 2011. Ortega has been accused of corruption, nepotism and having disregard for the principle of separation and independence of the branches of the government.

**Beyond Borders:**
The administration of President Daniel Ortega is very close to Venezuela, Cuba and Iran. It is part of the Bolivarian Alliance for the Americas (ALBA), a regional economic association through which the Venezuelan government provides Nicaragua with 10 million barrels of oil annually. Ortega has created a network of private businesses under the auspices of the ALBA. The funds generated from the resale of Venezuelan oil are dedicated to social projects but administered directly by the president's office. This has raised concerns that the money could be allocated in a corrupt or politicized manner.

In 2010, a border dispute between Nicaragua and Costa Rica was taken to the Organization of American States (OEA) due to the dredging of the Rio San Juan. Costa Rica argued that Nicaragua's presence was affecting its sovereignty because it was Costa Rican territory. The conflict has not been resolved yet.

### IPI Contributor



**María Haydeé Brenes Flores** is a Nicaraguan journalist with 10 years of experience. She currently writes for the Sunday section of the newspaper *La Prensa*. She has also worked at the newspapers *El Nuevo Diario* and *Hoy*. She was part of the Balboa Program for Young Ibero-American Journalists, of the Dialogos foundation (2009). She received the National Award for the Rights of Children and Adolescents, from UNICEF and the Universidad Centroamericana (UCA) in 2010. The mother of two sons, she is convinced that freedom of expression is the cornerstone of democracy.

### IPI Contributor



**Mariela Hoyer Guerrero** is a Venezuelan journalist with six years of experience at the *El Nacional* newspaper and other national and international publications. She co-authored the book "Barrio Adentro, Historias de una Misión", an investigative report about a health program created by Venezuelan President Hugo Chávez with the help of Cuban doctors. In 2009, she was awarded an internship to represent Venezuela in the Balboa Program for Young Ibero-American Journalists, in Spain. During her six months in Madrid, she studied, and worked for the *Cinco Dias* newspaper.



## Central America

# Panama

By Saurabh Sati

There was good news in 2010 for press activists in Panama as two journalists sentenced to jail for defaming officials were pardoned by President Ricardo Martinelli. At the same time, though, the pardon served to emphasize the central problem Panama faces when it comes to defamation laws and their impact on freedom of the media.

The law in Panama safeguards freedom of the press and there are few cases of violence directed at journalists.

There are a large number of private players in the media market with many radio stations and TV networks. Over 28 per cent of the population accesses the Internet and the growth of online media has followed trends around the world. In this positive environment, it is threats of official or judicial abuse by authorities that troubles the press corps.

On September 28, Sabrina Bacal, TVN Canal's news director, and reporter Justino González had been sentenced by an appeals court to a year in jail and barred from carrying out journalistic activities for a year because they aired a story in 2005 accusing Panamian officials of involvement in human trafficking. Confronted with criticism from local media and press activists, President Martinelli offered a pardon, which was welcomed, but journalists are still calling for a revision of the laws that they feel hinder freedom of expression.

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On October 8, the TV channels and radio stations went off the air for 30 seconds in protest against these regulations. The evening saw the journalists in front of the Supreme Court, protesting and demanding a repeal of the laws. Their actions highlight a problem that has been underscored over the years. Earlier in the year, Carlos Núñez López – a veteran journalist –spent 20 days in prison for allegedly defaming a property owner in a story dealing with environmental damage.

Tension between the media and the authorities also came to the forefront when the government tried to expel Spanish journalist Paco Gómez Nadal. Throughout the latter half of 2010, Nadal was living under the threat of having his residency revoked because he was working to defend the country's indigenous peoples.

Equally contentious was a high court judgment ordering the newspaper *La Prensa* to pay U.S.$ 300,000 in damages to a former public prosecutor, because the newspaper had published official reports highlighting problems under the prosecutor's watch.

February saw the National Assembly of Panama facing a bill that would establish a national agency to look after the self-regulation of the news media.

The end of the year was no different in regard to friction between the authorities and the media, with journalists in uproar over the government's decision to grant asylum to María del Pilar Hurtado, the former head of Colombia's intelligence agency – the Administrative Department of Security (DAS).

Under the two presidential terms served by Uribe, the DAS committed several actions that ran contrary to freedom of the press – from illegal phone taps to sabotage. The targets of these actions included journalists

who wrote critically about the Uribe regime, as well as human right activists, members of the judiciary and politicians.

Hurtado was later subjected to sanctions, but only those arising from illegal phone tapping. Subsequently, President Martinelli offered Hurtado asylum, saying that it was for the sake of "regional stability" – with media activist disputing the notion that political considerations should lead to a complete overlooking of basic legal principles. And so the year ended in Panama – just as it had begun – with the government and the media holding diametrically opposite views on topics related to media freedom. These differences need to be overcome if the concept of press freedom is to be fully embraced in the country.

**Recommendations**

- The government must revise the laws relating to defamation.
- More protection must be offered to journalists working on issues pertaining to indigenous peoples.

## Panama in Brief

**Population:** 3.5 million

**Domestic Overview:**
Revenues from cash crops, especially bananas, are vulnerable to tariff changes. Panama has a reputation as a drop-off point for drugs entering the United States. Social inequality is a major problem, along with money-laundering.

**Beyond Borders:**
As a strategically vital location, Panama has been vulnerable to external intervention. The United States invaded in 1989 to depose Manuel Noriega and subsequently took control of the Panama Canal till 1999.



**Below:** Members of the media tape their mouths as they protest in Panama City against the arrest of journalists, and a lack of press freedom, October 20,2010. (REUTERS)



# South America

# Argentina

By Saurabh Sati

Despite the existence of 150 newspapers, hundreds of radio stations, a burgeoning network of television channels and an Internet penetration rate of 64.4 per cent, Argentina continues to be a challenging environment for journalists. The Argentinean constitution guarantees a free media but threats and harassment against journalists are a regular concern. Inter American Press Association (IAPA) President Alejandro Aguirre has noted "We continue to be concerned at the attacks by the Argentine government on news media, attacks that have multiplied in number since the controversial enactment of the Law on Audiovisual Services".

The Audiovisual Services Law aimed at breaking up monopolies, reducing the number of broadcast licenses one company can hold, and reserving a third of the television and radio spectrum for non-profit organizations, labor unions, and other elements of civil society. The other two-thirds of the spectrum were to be divided between private companies and state broadcasters. In addition, the new law forced companies that own both broadcast networks and cable channels to choose only one type of holding, and set quotas for locally produced music, films and programs. But the implementation of the law has been a long time in coming. Immediately after its approval by the legislature last year, the law was challenged in court by Argentina's largest media group, Grupo Clarin, and at the end of 2009 it remained suspended due to several judicial injunctions.

While some experts hailed the new law as a significant step toward the democratization of broadcasting and pluralistic access to information, others pointed to provisions that could be manipulated for political purposes.

While some experts hailed the new law as a significant step toward the democratization of broadcasting and pluralistic access to information, others pointed to provisions that could be manipulated for political purposes, such as an article that creates a new broadcast regulatory body. The seven-member commission would have two members appointed by the president, three by Congress, and two by a federal council made up mostly of governors and some representatives of civil society. Critics argued that the regulator's lack of autonomy could allow the government to control content and revoke broadcast licenses based on vague definitions in the legislation. The Argentine Association of Journalistic Entities (AEPA) claimed that the new media law was an attempt to silence dissenting voices and break up Grupo Clarin, with which President Cristina Fernández de Kirchner had sustained a bitter feud for over a year.

Despite the protests, in September 2010 the spokesperson of the Federal Authority for Audiovisual Communication Services, Gabriel Mariotto, confirmed that the Law of Audiovisual Communication Services was to come into effect. Mariotto stressed that it's "a very important day because we can finally apply the law of democracy". He added that Article 161, which refers to the divestment of large media groups, "indicates that those groups that have too many licenses and dominant positions in the media that are not permitted under the law, have little less than a year to comply with the new restrictions."

The timing of the move was not the best. A few days before the law was implemented, the administration of President Fernández made accusations against Argentina's two leading newspapers, *Clarín* and *La Nación*, prompting claims that the government was attempting to control the press, and stirring




**Above:** Hebe de Bonafini (L), leader of the human rights group Madres de Plaza de Mayo, arrives for a rally in Buenos Aires on April 29, 2010. Bonafini led a symbolic "court of justice", making an ethical judgment against journalists and media companies who, according to her organization, openly defended the 1976-1983 military dictatorship in Argentina. (REUTERS)

up a heated debate on the state of freedom of expression in the country. The administration alleges that the papers colluded with a military regime more than three decades ago to force the sale of a newsprint supplier.

A few days after the implementation of the law began, unidentified assailants stabbed reporter Adams Ledesma Valenzuela to death in an impoverished neighborhood in Buenos Aires. The motives behind the attack remain unclear.

> The overall level of press freedom has remained unchanged.

Argentina had begun taking steps to diversify broadcast media ownership and decriminalize libel in 2009. However, the overall level of press freedom has remained unchanged. Observers have argued that the new regulations unfairly targeted government critics.

In a rare positive development, though, the legislature approved a law to eliminate imprisonment as a punishment for libel and slander by journalists.

Throughout the year, journalists and news organizations were targeted in several acts of violence. In 2009, the Argentine Journalism Forum (FOPEA) counted 147 cases of aggression against journalists and threats to freedom of expression in 2009, including pressures imposed by advertisers, media owners, directors and employees of public agencies. On an interactive map, FOPEA found that the 147 incidents included 52 cases of physical aggression, 19 attempts against private property and against the broadcast or publication of information, 15 cases of censorship and 12 death threats. The most frequent perpetrators were public officials.

While Argentina has sometimes censored search results to protect the privacy of celebrities, there were no new reports of government restrictions on the Internet in 2010.

**Recommendations**

- Revise the Law on Audio-Visual services.
- Grant more protection and freedom to journalists' working on sensitive issues.
- Protect media outlets, especially radio stations, against vandalism.
- Ensure that bill regarding the Right to Information is passed.

### Argentina in Brief

**Population:** 40.6 million

**Domestic Overview:**
Despite being rich in resources and possessing a well-educated work force, Argentina has faced the problems of a boom and bust cycle. 2001 was the year of the economic collapse and despite a recovery, poverty and unemployment remain a problem.

**Beyond Borders:**
The relations with Uruguay are troubled by an argument over paper mills. The claim over Falklands has not made it popular in the UK either.





# Bolivia

By Randall Corella Vargas

In 2006, Reporters Without Borders ranked Bolivia as the Latin American country with the greatest degree of press freedom: The Andean nation was ranked 16th in the world. However, four years later the situation has changed dramatically. In 2010, the country's Reporters Without Borders ranking was 103 out of 178 countries assessed on five continents. This represented a fall of eight positions compared to 2009.

> The attacks, which included threats, transmission prevention, reprisals and legal action infringing on freedom of expression, affected a total of 93 Bolivian media outlets.

Violence, intimidation and blockades generating a climate of political polarization for the media were cataloged by the international organization as the causes of the critical situation faced by Bolivia and other Andean countries.

"The fact is that it is more and more risky to be a journalist in Bolivia and that fewer young people want to be journalists, due to the political situation. We should join together more as an association to fight for a common cause," the general secretary of the Federation of Press Workers of Bolivia, Patzi Osman, told the newspaper *La Prensa*.

It is likely that Bolivia's press freedom ranking will drop further in 2011, due to an anti-racism law promoted by the government that has mobilized thousands of journalists in recent months.

According to statistics from the National Press Association (ANP), 148 Bolivian journalists were targeted between January and November 2010. Of these, 61 were victims of verbal aggression, 22 suffered physical aggression and 33 were prevented from covering a story.

The attacks, which included threats, transmission prevention, reprisals and legal action infringing on freedom of expression, affected a total of 93 Bolivian media outlets.

According to the ANP, most of the journalists were singled out by public officials or by the government, mobs of protestors, police, the military, judicial officers, or by the president, Evo Morales.

In February, the media requested access to files from military dictatorships in an effort to shed light on 156 disappearances and murders between 1980 and 1981, including the killing of journalist Marcelo Quiroga Santa Cruz - but the army prosecutor rejected the request.

Finally, on May 31, Bolivian armed forces decided to declassify the files of the dictatorship, thereby allowing the identification of military personnel involved in gross violations of human rights.

On March 13, the host of the local TV show Sin Letra Chica, Carlos Valverde Bravo, broadcast images of a beating he had received days before in Santa Cruz de la Sierra. Valverde accused the organizer of the Miss Bolivia beauty contest, Gloria Limpias, of masterminding the attack. The journalist said he was assaulted by two of Limpias' brothers, as retaliation for his comments about the presence of several female candidates in the election campaign of the official party.

On June, also in Santa Cruz de la Sierra, a group of street vendors attacked several journalists with sticks and stones. The vendors, who were protesting against the local municipality, surrounded the building and then attacked reporters covering the events.



**Right:** Bolivian journalists protest in front of the presidential palace in La Paz, October 5, 2010. (REUTERS)

Many people were injured, including Jesus Vaca, a cameraman for Channel 13, Network One, Luis Arias, Felix Limache, Bismarck Avila and Roger Ramos, Unitel's cameramen and journalists, and the photographers Ricardo Montero, from the daily *El Deber* and Regis Montero, from the newspaper *El Día*.

Nine days later, supporters of the suspended mayor of Sucre, Jaime Barrón, attacked Channel 7 reporters Saíd Ugarte, Jorge Auza and Alejandro Rojas with blows, stones and firecrackers, and hurled insults at them. University students tried to take a camera away from Auza, who, along with the other reporters, had to leave under police escort.

On July 9, a mob attacked a group of journalists covering a police operation in Tackoloma. After confronting the police, the attackers surrounded the journalists, beat five of them and stole two cameras from the Univalle and the ATB channels.

In early September, the ANP sparked controversy by warning of a threat to freedom of expression through two articles in a draft law against racism and all forms of discrimination.

> On July 9, a mob attacked a group of journalists covering a police operation in Tackoloma.

Article 16 of the draft law imposes economic sanctions and the suspension of operating licenses on media "that authorize or broadcast racist or discriminatory ideas"; article 23 foresees prison sentences of up to five years for workers or owners of media involved in the same 'transgressions'.

The possible adoption of the law sparked protests from journalists across the country. Journalists demonstrated and went on hunger strike in cities like La Paz, Santa Cruz, Cochabamba and Tarija.

On October 7, 17 newspapers across the country published a blank front page with the message: "There is no democracy without freedom of expression". On the same day, in a letter to Legislative Assembly President Álvaro García Linera, 24 International Freedom of Expression Xchange (IFEX) members expressed their concern about the articles. However, the law was approved a day later. The Inter American Press Association (IAPA) also sent a letter to President Evo Morales and sent a delegation to Bolivia from October 18 to 19.

On November 30, Bolivian journalists called on Parliament to annul Article 16 and to revise Article 23 of the Law against Racism, in a letter signed by over 32,000 citizens. The government of Morales protested against this action, began a media campaign, and in December the President claimed that he was planning to establish a Media Law in 2011.

### Recommendations

- The authorities must seriously investigate all alleged attacks against journalists.
- The government should revise recently-passed legislation in accordance with free media observers' suggestions.
- The government must ensure that media professionals are free to gather and distribute information without fear of harassment and attack.

## Bolivia in Brief

**Population:** 9.7 million

**Domestic Overview:**
Located between the Andes and the Amazon, Bolivia is one of the poorest countries in the Americas (according to the World Bank), and has one of the most unequal distributions of wealth in the region. Rural and indigenous populations are victims of economic and political exclusion. In 2006, Evo Morales became the first elected indigenous president of the country. His campaign was based on increased participation of poor people and a redistribution of the country's natural wealth. Since then, Morales has pushed profound constitutional reform aimed at empowering excluded groups and promoting greater decentralization. The hydrocarbons sector and others have been nationalized and state enterprises have been created to promote the development of various productive sectors.

**Beyond Borders:**
Since the accession of President Evo Morales to power, Bolivia has established strong ties with the member states of the ALBA-TCP (Venezuela, Cuba, Nicaragua, Dominica, Ecuador, Honduras, San Vicente, the Grenadines and Antigua and Barbuda). Bolivia is also a member of the UN and other international organizations such as the OAS, the Andean Community of Nations, UNASUR, the Non-Aligned Movement, the UIP and the WTO.

The government has also been allied with Brazil, Peru, Russia and Iran on different issues such as the war against drugs, hydrocarbons and nuclear power. Bolivia's bilateral relations with the United States have been marked by complaints by the Bolivian government about alleged American interference in Bolivia's domestic affairs.

## IPI Contributor

**Randall Corella Vargas** is a Costa Rican journalist who has worked in print media since 1998. He has written for the weekly magazine Universidad and the newspapers *Prensa Libre* and *Al Día*. Before finishing his studies, he worked for several sections of *La Nación* newspaper. Since July 2004, he has been a journalist for Proa, a Sunday magazine. He is also active in the domains of Internet and social networks. He is also a caricaturist, blogger and an enthusiast of 'infographics'. In 2009, he was selected as a member of the Balboa Program for young journalists and, as part of that experience in Madrid, he worked for the EFE news agency.



# South America

# Brazil

By Saurabh Sati

The biggest media market on the continent is thriving with innumerable radio stations and TV channels and active debate on all topics. A free media is guaranteed by the constitution and there is a large, receptive audience eagerly awaiting the latest installment of the latest reality and game shows. Yet Brazil remains a dangerous environment for journalists to ply their trade in, with two journalists killed as a direct consequence of their work in 2010 and a radio station burned down.

Crime reporter Francisco Gomes de Medeiros was gunned down outside his home on October 18, 2010. Medeiros, who worked for Radio Caico, had received several threats after he broke a story on alleged vote rigging in the build-up to national elections held on October 3. The story claimed that politicians were offering crack cocaine in order to win over voters. Two days after Medeiros' death the authorities confirmed that they believed that his death was linked to his work. News reports subsequently claimed that a former prisoner had been arrested and had confessed to the crime but the police were continuing their investigations.

Clovis Silva Aguiar, a sports journalist for TV's Capital, an affiliate of Rede TV, was gunned down outside his mother's house in the city of Imperatriz on June 24. Two men on a motorcycle fired three fatal shots before escaping. Aguiar was also the target of an assassination attempt in 2005. Although police believe it was a contract killing, his murder has not been linked to his work as a reporter. One suspect has been arrested.

Earlier in the year, the Brazilian Association for Investigative Journalism (ABRAJI) reported that two armed men burned down a radio station on February 8. The station had recently covered a delay in paying the town's employees and had promised a new show that would cover politics more closely. This is the third time the station has been burned down and the owner claimed that it was targeted each time it reported on the administrative authorities.

The relationship between the media and authorities appeared to have been on the mend when the 1967 Press Law, which allowed the authorities to censor media and seize publications, was repealed in April 2009. But soon after, in a contradictory move, the leading Brazilian daily *O Estado de S. Paulo* was on July 31, 2009 subjected to a court order banning it from covering legal affairs involving Fernando Sarney, the son of Brazil's former president, José Sarney, who is now senate speaker. The newspaper then exhausted all possible avenues of appeal and the ban continues to be in place despite the fact that several flaws have been pointed out in the ruling.

> Crime reporter Francisco Gomes de Medeiros was gunned down outside his home on October 18.

Under the current judicial setup legal proceedings involving defamation (both civil and criminal) can still result in stiff judgments. And lawsuits, some involving a significant sum of money, are becoming a potent intimidation tactic when it comes to the media. *Jornal De Londrina*, a newspaper in Parana state, was recently asked to pay a former mayor $353,000 for "moral damages" – a judgment that has left the newspaper facing closure.

The problem intensifies in smaller towns in which politicians have been accused of using the courts to deter journalists and publishers. Investigative journalism has reportedly been inhibited by these steps.

Press freedom was also a significant issue in the national election. The then-president Luiz Inácio Lula da Silva and the supporters of the Workers' Party often accused the press of acting as an opposition party deter-

> With over 30 per cent of its population accessing the Internet and that number quickly increasing, online media is also growing rapidly.

mined to prevent Lula's successor, Dilma Rousseff, from winning. The journalists responded by stating that their stories accusing Lula's chief of staff, Ernice Guerra, of corruption and nepotism were based on facts. Guerra eventually resigned while Dilma won the presidential polls.

With over 30 per cent of its population accessing the Internet and the number quickly increasing, online media is growing rapidly as well – and clashing with the authorities in the process. Since Google started releasing its "Transparency Reports" Brazil has constantly appeared at the top in regard to the number of government requests to take down or censor content and for information about users. It is possible that these requests are a reflection of a high number of civil defamation suits.

The year, despite its ups and downs, ended on a positive note for press freedom activists with President-elect Dilma Rousseff highlighting the importance of a free media in her acceptance speech in November. "I don't deny that sometimes [the media] spread things that left me sad," she said. "But we are lovers of freedom."

She promised that her government would ensure complete freedom of expression – one can only hope that she follows through on her word.

### Recommendations

- President-elect Dilma Rousseff must deliver on her pledge to uphold press freedom.
- The government must revise laws dealing with defamation, with a view to ensuring freedom of the press.
- The ban preventing *O Estado de S. Paulo* newspaper from reporting on a certain topic must be lifted.

**Brazil in Brief**
**Population:** 195.4 million

**Domestic Overview:**
The continent's superpower, Brazil is an economic giant and a democracy. But economic development has not been smooth, with inflation and foreign debt often creating problems.

**Beyond Borders:**
Brazil has been lobbying for a permanent seat on the Security Council. The relationship with Bolivia has been hit by disagreements over access to Bolivian gas.

**Below:** Journalists protect themselves during an operation at Vila Cruzeiro slum in Rio de Janeiro, November 25, 2010. (REUTERS)





# South America

# Chile

By Saurabh Sati

When 33 miners were freed after being trapped underground for over two months, the Atacama Desert was playing host to over 2000 journalists from across of the world, trying to cover a high-interest story with a low supply of information.

Freedom of the press is enshrined in Chile's constitution and media coverage is usually open, critical and wide-ranging. The country has several local channels that are viewed by an interested audience, along with the American networks, thanks to an extensive cable network. Radio is also a prominent medium for the press, with several commercial stations jostling for listeners. Online media is growing, and, with over 40 per cent of the population already accessing the Internet, it will only grow further. An interesting example of increasing influence of the online media is the daily *La Nación*, which abandoned its print version in 2010 and now only has an online presence.

> Journalists were also subjected to violence in September when trying to cover a street demonstration on the anniversary of the coup against Salvador Allende.

The country has developed a relatively good reputation for media freedom in recent years and coverage of the miner rescue operation underscored this. Cabinet ministers and President Sebastian Piñera, who is also the former owner of TV network Chilevision provided regular media briefings in Spanish and English. As the first rescuer descended, the authorities provided a live feed from the capsule and the underground chamber, allowing for remarkable images. "This rescue operation has been so marvelous, so clean, so emotional, that there was no reason not to allow the eyes of the world, which have been watching this operation so closely, to see it," said Piñera.

Problems have not been completely solved though. The Mapuche conflict remains a sensitive topic to cover, with Marcelo Garay Vergara, a correspondent for El Ciudadano online newspaper, arrested in September for failing to respond to a court summons. The summons pertains to a report Vargas wrote a year ago, about a land dispute in the Mapuche territory.

The high concentration of media ownership is also a concern in Chile.

Community broadcasting is still not protected by any legislation, despite the fact that community radio played a key role in responding to the earthquake that hit Chile in January. In November, the authorities closed down three community radio stations in the municipality of Paine following a complaint by a commercial radio station. Radio Felicidad, Tenación and Radio 24 saw their equipment seized and some employees were detained in an instructive example of how the authorities are able to use criminal law to persecute unauthorized radio stations.

Journalists were also subjected to violence in September when trying to cover a street demonstration on the anniversary of the coup against Salvador Allende. A mob of masked people attacked the journalists - trying to overturn television mobile units and throwing stones at the reporters, forcing them to leave the scene - as the demonstration was drawing to a close. Earlier in May, the documentary maker Jaime Díaz Lavanchy was insulted and his equipment was damaged when he questioned the local mayor about the lack of attention to earthquake victims.

While these events emphasise the improvement that is needed, there were also important steps in the right direction. Elena Varela López, a documentary filmmaker working with the Mapuche indige-



nous people, was finally acquitted in April on charges of criminal association and alleged connections with a terrorist organization pertaining to two hold-ups in 2004 and 2005. López had been arrested in May 2008 while making a documentary on the Mapuche and held for three months before being released.

**Recommendations**

- The authorities must provide protection to journalists covering the Mapuche indigenous people.
- The authorities must uphold the right of community radio stations to operate legally.
- The government must take steps to address the issue of media ownership concentration.

López had been arrested in May 2008 while making a documentary on the Mapuche and held for three months before being released.

**Chile in Brief**
**Population:** 17.1 million

**Domestic Overview:**
The country finally seems to have come to terms with General Pinochet's rule. The strong economy has benefited from the hike in the world price of copper.

**Above:** Chile's President Sebastian Pinera accompanied by Chile's former President Michelle Bachelet, left, and Chile's first lady Cecilia Morel sing their national anthem during Chile's Independence bicentennial celebrations in Santiago, Chile, September 18, 2010. (AP)

**Beyond Borders:**
Chile has an important role in the region but has had strained relations with its neighbors for some time. There are disputes with Peru and Bolivia over territories and a dispute over access to the Pacific Ocean with Bolivia.





# Colombia

By Mariela Hoyer Guerrero

After eight years in power and attempting to secure a third term, Álvaro Uribe relinquished Colombia's presidency on August 7, 2010 to Juan Manuel Santos, a journalist, politician and economist who was the former minister of defense.

Colombia chose a leader that could maintain the security and economic strength created by Uribe, the most popular president in the recent history of the country, but whose popularity and perceived achievements came at the expense of press freedom.

Faced with the new government, Reporters Without Borders stated in June 2010 that, even though there were open investigations against the outgoing administration's public officials, Santos' cooperation with the justice system must be absolute regarding three dark chapters during the period 2003-2010: Illegal phone-tapping (also known as DAS-Gate, or the Chuzadas scandal), politicians' ties with paramilitaries and extrajudicial killings of civilians dressed in rebel uniforms to bolster the propaganda war against the guerrillas – all of which are serious violations of human rights and fundamental liberties, including the right to inform and be informed.

The DAS-Gate scandal is considered by the International Press Institute, the Foundation for the Freedom of the Press (FLIP), Inter American Press Association (IAPA) and Committee to Protect Journalists (CPJ) as one of the most serious threats against press freedom in Colombia. In March 2009, it was revealed that the DAS, the government national intelligence agency, which works under the direct supervision of the Colombian president, had been wiretapping political opponents, magistrates, human rights activists and journalists. The illegal intercepts included thousands of e-mails and telephone conversations. They began in 2004 and may have continued well into 2009. The DAS director and the minister of interior reasserted that espionage was not a state policy, whilst Uribe denied involvement. According to documents viewed by Reporters Without Borders, a total of 16 journalists from a dozen news agencies were among those targeted.

The case prompted CPJ to conduct a mission to Colombia in February 2010 and Reporters without Borders to publish a report in May 2010. Press freedom organizations criticized the fact that the spying was accompanied by acts of intimidation, sabotage, censorship and misuse of the protective measures given to those who had been threatened. They also suggested that confidential sources were now endangered and becoming more reluctant to talk to the media. Another worrying element were Uribe's repeated accusations that journalists were against the government or linked to the guerrillas, which prompted a CPJ and Human Rights Watch letter urging him to put an end to such comments, as such public assertions placed journalists' lives in danger.

As a consequence of the DAS scandal, in February 2010 the Attorney General's Office directly implicated four senior intelligence officials and the secretary-general of the president's office, Bernardo Moreno. By the end of October 2010, four former directors of the DAS, Jorge Alberto Lagos, Jorge Noguera, Andrés Peñate and María del Pilar Hurtado, had been punished. Former deputy director of the agency José Miguel Narváez, already under investigation in another case, remains in custody over the scandal.

In October 2010, the House of Representatives started proceedings that could result in Uribe being questioned about his alleged involvement. And at the end of November, 40 individuals brought charges against the former president. Nevertheless, Reporters Without Borders believes the initiatives to be insufficient.

FLIP counted 116 violations of press freedom, with 144 victims, in 2010. It specified that inhumane and degrading actions towards journalists were the most common transgression, followed by the imposition of obstacles related to their work.

On August 30, Marco Tulio Valencia, director of the newspaper *El Norte* in the region of Tolima, was the target of an assassination attempt. An unknown person shot at him five times while he was on his way home, but he managed to escape unhurt. The journalist had been the victim of threats because of his revelations on micro drug trafficking gangs.

> Due to threats against Castilla's life, since August 2006, he had participated in the journalist protection program.

Not so lucky was Clodomiro Castilla Ospino, editor and owner of the magazine El Pulso del Tiempo and a reporter on the radio program La Voz de Montería. He was murdered on the night of March 19, 2010, while he was reading on the terrace of his home. A man shot him eight times and escaped on a motorcycle with his accomplice. The Córdoba police arrested two suspects that night, but they were later released due to lack of evidence. Two months after the crime, the victim's daughter was forced to flee her hometown after being followed and harassed.

Castilla was a controversial journalist, known for his reports on corruption and paramilitary activity in the region. Due to threats against his life, since August 2006, he had participated in the journalist protection program, sponsored by the Interior and Justice Ministry, and he had been given protection which included a bodyguard. However, in February 2009, he requested that this security be withdrawn. Then in November of the same year, he asked for it to be reinstated, though the program said that he was not in danger. Months later, IAPA expressed concern because on May 19, 2010 the Interior Ministry issued Decree 1740, which regulates the policy of protection of individuals in a vulnerable situation, so media organisations believe it weakens their protection.

> Rodolfo Maya Aricape was the third journalist murdered in 2010.

CPJ noted: "Provincial reporters are particularly at risk and often refrain from reporting on sensitive subjects. Castilla courageously did not practice self-censorship and his murder highlights the need for authorities to show their commitment to protecting the press."

Mauricio Medina Moreno was murdered at his home, in Tolima, on April 11. He was stabbed 25 times with a sharp weapon. He belonged to an indigenous lobby and had been working for the past six years as director of community radio station CRIT 98.0. Authorities said almost immediately that it was a crime of passion. Reporters Without Borders pointed out that such an argument is often used to close a case.

Rodolfo Maya Aricape was the third journalist murdered in 2010. He was at home on October 14 when two men fatally shot him in front of his family. He was an indigenous leader who worked for the Payumat radio station and the incident occurred in the rural area of Caloto, in Cauca. According to council members, the murder was linked to graffiti which referred to the journalist as a member of the guerrilla group FARC (Revolutionary Armed Forces of Colombia).




**Right:** A boy walks past Colombian police officers in the "13 Commune" neighborhood in Medellin, September 3, 2010. The neighborhood has one of the highest rates of urban violence and displacement of its residents due to violence by gangs known as "Combos." The mural reads: "We want to live in peace." (REUTERS)

Representatives from the North Cauca Association of Indigenous Councils told Reporters Without Borders and the World Association of Community Radio Broadcasters (AMARC) during a mission they conducted to that part of the country, that the communities and journalists are caught in a trap between the army and the paramilitaries, on the one hand, and FARC on the other, each one accusing them of supporting the other.

Colombia is in fifth place on CPJ's Impunity Index 2010, after Iraq, Somalia, the Philippines and Sri Lanka. Its ranking improved over the last two years as violence against the press declined. However, the organization asserts that serious problems remain because the press is weaker financially and institutionally.

IAPA has noted advances in the fight against impunity, with five perpetrators of five crimes between 2001 and 2007 convicted in 2010. Nevertheless, it also expressed concern because in 16 years only 24 sentences have been passed in 15 out of 59 journalist murder cases. Alejandro Aguirre, president of IAPA, greeted the efforts made during the last year by the authorities, but pointed out that results are still few.

> Colombian journalists are still strongly affected by death threats.

At the beginning of 2008, IAPA had asked the Attorney General's office to take over 27 dormant cases in the state attorney's offices throughout the country because many of them had been shelved or suspended. Between June and July 2010, officials handed down major decisions in 14 cases. Some of the celebrated rulings were the highlighting of Guillermo Cano's murder (1986) as a crime against humanity in order to avoid limitations in the investigation, and the reopening of Mario Prada Díaz's case (2002). Also, two ex-members of the United Self-Defense Forces of Colombia (AUC) were sentenced for Jaime Rengifo's murder, paramilitaries were charged in the death of Luis Eduardo Alfonso (2003), a former congressman and his son were linked to Orlando Sierra's assassination, a mayor was sentenced for Hernando Salas Rojas's death and José Miguel Narváez, former deputy director of the DAS, was held in custody without bail for the murder of Jaime Garzón (1999).

In contrast, this year the people allegedly responsible for the murder of José Everardo Aguilar (2009) and José Duviel Vásquez (2001) were released from jail.

Colombian journalists are still strongly affected by death threats. The intimidations registered in 2010 were delivered via text messages, e-mails, phone calls and personal visits, and in many cases were extended to journalists' families. For example, Luis Carlos Cervantes, a correspondent for *Teleantioquia Noticias* in Tarazá, was given 72 hours to leave or face death. He received various text messages saying: "If you're looking for those responsible, you are going to die, and your colleagues as well". Javier Gómez Garcés, former presenter with the local television station Telepetróleo, reported that he was threatened by unknown assailants who pointed a gun at him and told him: "Journalist, don't play the brave one, the cemetery is full of brave ones."

FLIP has documented six cases of attacks and intimidation against radio stations in 2010. The most prominent one was on August 12, when a car bomb with 50 kg of explosives was left outside the offices of the national broadcaster Radio Caracol, in Bogotá, and detonated at 5:30 am leaving at least nine people injured. As part of that episode, President Santos went to the radio station and asked the journalists to avoid the terrorists' game.

> Around 10 other bills relate to prohibitions and limitations on publishing polls, electoral advertising and commercial publicity, or require media to promote the value of language and promote national cultural diversity.

Restrictions on access to information, government-controlled advertising and sponsorship, and armed conflict have contributed to self-censorship, FLIP stated. Certain stories are not covered because journalists are afraid for their lives, but media outlets, too, can make decisions that affect freedom of information. One example could be weekly magazine Cambio, closed by El Tiempo News Company purportedly for economic reasons. However, former editors Rodrigo Pardo and Maria Elvira Samper told news media that the decision was due to its editorial stance.

IAPA believes that both government officials and private persons use the courts as a mechanism for silencing and blocking the right to inform; slander and defamation remain criminalized in Colombia. For example, the governor of Casanare sued eight journalists who work for Violeta Stereo for defamation because they reported that he was being investigated and that his development plan had not been completely implemented. In a separate case, the trial of Claudia López, who faces charges of libel and slander stemming from an article she wrote about former President Ernesto Samper, was set to begin in January 2011.

On a more positive note, the conviction of columnist Mauricio Vargas on a contempt charge was overturned, and at a preliminary hearing an investigation into alleged libel by Alejandro Santos, editor of the weekly Semana, was ordered halted. Meanwhile, Alfredo Molano, a journalist and columnist for *El Espectador*, was absolved of wrongdoing in a libel and slander case brought against him over an opinion column.

In the domain of legislation, a preliminary bill that would severely punish news outlets and even shut down media that break the law regarding specific information about teenagers and children was presented, to the consternation of IAPA. The bill covers print and electronic media as a measure to protect the youth, but could, IAPA warned, lead to serious consequences such as direct censorship, since it leaves interpretation at the discretion of administrative officials who will rule on disputes. Around 10 other bills relate to prohibitions and limitations on publishing polls, electoral advertising and commercial publicity, or require media to promote the value of language and promote national cultural diversity.

## Recommendations

- The Colombian government must speed up the investigations into threats against, and the murders of, journalists, and must punish those responsible.
- Colombia's Congress should shelve all projects that may affect press freedom and free speech.
- The Colombian government must accelerate investigations related to illegal phone tapping.
- Slander and defamation must be decriminalized.

## Colombia in Brief

**Population:** 46.7 million

**Domestic Overview:**
Violence has affected Colombia's society during the last 50 years because of conflict between armed groups. On one side are leftist guerrillas, and on the other, rightwing paramilitaries – who are not yet completely demobilized. Both are involved in drug dealing.

International organizations have said that Colombia's justice system remains compromised by corruption and extortion.

Colombia is ranked Partly Free in Freedom House's 2010 survey of political rights and civil liberties. Since 1999, the country has been fighting terrorism and drug trafficking, with the help of the United States, under Plan Colombia.

**Beyond Borders:**
Former Colombian President Álvaro Uribe was criticized by some segments of the international community for allegedly violating human rights during his presidency. Relations with Venezuela worsened during the last month of Uribe's presidency because of Bogotá's alleged tolerating of Colombian rebel activity on Venezuelan territory. In addition, Caracas condemned a pact signed between Colombia and the United States in 2009 granting U.S. military personnel and aircraft increased access to seven Colombian bases.

Ties between Colombia and Venezuela have improved since President Juan Manuel Santos took office. Diplomatic relations with Ecuador – severed following a March 2008 cross-border raid by Colombia - were re-established in November 2010.

# Interview with María Teresa Ronderos – Foundation for Freedom of the Press

Interview by Mariela Hoyer Guerrero

María Teresa Ronderos is the president of the Colombian Foundation for Freedom of the Press (FLIP) and a teacher at the Foundation for the Ibero-American New Journalism (FNPI). She is also a consulting editor for Semana, a prestigious economic and political magazine, which reported on the illegal wiretapping of politicians and journalists between 2004 and 2009, carried out by the Colombian government's national intelligence agency (DAS).

Ronderos answers questions from IPI about press freedom under the government of former President Álvaro Uribe, and comments on her expectations about his successor, President Juan Manuel Santos.

**What is the main enemy of press freedom in Colombia?**
Drug trafficking and politicians associated with this crime are still the main enemy. On one side, we find these politicians trying to cover up their alliances with drug traffickers, and on the other, journalists uncovering these links. As politicians have to preserve their power and names, journalists must be silenced. In addition, a very damaging phenomenon has emerged in Colombia that affects democracy: illegal wire- tapping and threats by agents of the state, particularly the DAS, towards judges and journalists.

**Was the DAS wire-tapping case unique in the region? Had it been seen before?**
It had been seen before in many countries. The difference is that now it happened under a democratic regime, and we have been able to find out about it in detail. It is not the first time that this has occurred in Colombia. In fact, there have been complaints since the 1980s about state agents intimidating or persecuting journalists, but these had never been confirmed through official state documents. This time the scandal was so great, and the work of the press was so accurate, that everything was uncovered.

**How do you evaluate the investigation?**
It is advancing, and there have been some sanctions, but I think it's going slowly. The Prosecutor's Office and the Attorney General's Office are only going to determine the responsibility of some public officials, but what is unclear, and what will be very difficult to know, is whether President Álvaro Uribe ordered or knew about the illegal interceptions, because the president can only be judged by a special Congress' Commission. He has the political responsibility, because he was the head of state when it happened, but it is difficult to determine criminal liability. He has continually denied it. The commission opened an investigation, but these investigations are notoriously unreliable because they have a huge political bias, since the commission is all made up of Uribe's supporters.

**Do you think Uribe favored security over freedom of the press?**
I don't see it that way. Uribe's government pacified the country. As the levels of violence from armed groups significantly dropped, the violence against journalists also decreased. I believe that government spying did not have to do with fighting the FARC. I think it had more to do with the government's attempt to control the opposition. Uribe's government became extremely paranoid and started to consider everyone as an enemy.

**President Santos was a journalist, but still very close to the previous government. What do you think will be his position regarding freedom of expression?**
I think Santos is very different. I never heard a harsh statement against journalists, the media or the courts. The DAS director has given the Prosecutor all documents needed for the investigations. Santos has a more liberal approach; he has been a journalist all his life, and his brother was president of the Inter-American Press Association (IAPA). I do not see history repeating itself. The dangers to the press have to do with violence, and some local politicians, but I don't see Santos beginning a massive phone-tapping campaign.

**How do you read the Radio Caracol car bomb incident, only five days after President Santos took office?**
It is very difficult to know who planted the bomb. Some e-mails apparently referred to it and said it was a plan conducted by the FARC. I think that's still unclear. If the goal was to silence Radio Caracol, then the objective was lost because Caracol and the media did not feel intimidated by it.

**Cambio magazine was closed this year, supposedly for economic reasons. How is Semana surviving; what is its strategy?**
Cambio was part of *El Tiempo* newspaper, which had taken a pro-governmental editorial stance. Cambio had been uncovering scandals about government corruption, so it was becoming uncomfortable. Besides, it wasn't producing money, so they decided to close it. The case of Semana is different because it does not belong to any economic group and that gives it greater independence. Of course, it has been under pressure, some journalists have been monitored, but Semana has been toughened, it has remained independent.

**What are the differences between journalists from the Colombian capital Bogotá and those from regional media?**
Always in Colombia, the great sacrifices for press freedom have been made by regional reporters. They are the ones who have to deal with very brutal powers; many journalists have been silenced. Those from Bogotá are better protected.

**Are the media publishing the stories they want, or are they under government pressure?**
The only pressure is that the regional media depends on local government advertising and if they don't have it, they die. In many cases, the governors or mayors remove advertising when the media is being very critical. Some local governments have been closely linked with corruption, drug trafficking or paramilitaries, and the brutal threat they constitute causes self-censorship. Journalists are afraid to publish the truth because they know that the paramilitaries or the guerrillas are capable of serious retaliation. The pressure is always official, but I don't think the national government will directly pressure regional or local media.

**After the DAS scandal, what was the reaction of the population regarding freedom of expression?**
I think that in Colombia freedom of expression is well-established. People were shocked and critical about the government abusing its power. However, often people do not understand that freedom of expression is the counterpart of their right to be informed. If there was a serious attack against a respected media outlet in Colombia, I'm sure there would be great solidarity.

**When was the last serious attack?**
The major attacks took place in the late 1980s and the early 1990s, when drug terrorism was taking place. The director of *El Espectador* was murdered, car bombs destroyed *El Espectador* and *Vanguardia Liberal*... Still, in recent years there have been attacks. There have been national news media executives who have been forced into exile by threats, like columnist and news director Daniel Coronell.



María Teresa Ronderos

**What would your recommendations be?**
1. Definitely, impunity has to be eliminated. Almost all crimes against journalists remain unsolved, except those in which there were confessions made by paramilitaries. FLIP and CPJ have been pushing for efforts to tackle impunity.

2. The state has to be much more transparent and open with information allegedly implicating journalists in criminal acts.

3. It is essential to promote public awareness of the importance of freedom of expression.

4. Another problem is the role of the police in demonstrations covered by journalists – whom they sometimes attack.

5. The state, in Latin America in general, should establish clear guidelines on how to distribute the official budget, so that it doesn't become a way of silencing or pressuring the media. The rapporteur is designing parameters to avoid this problem. That's another big challenge in Latin America; if we win, the freedom of expression profile in the region will change.

# Ecuador

Since Rafael Correa became president of Ecuador, there has been much debate within Ecuadorean society about whether or not threats to freedom of speech and protests by citizens have increased.

In almost four years of leadership, Correa has made drastic changes in the relationship between the government, the political opposition - including those who are critics of the regime - and also the mass media.

The government, since its inception, has shown that it wishes to keep a firm grip on public opinion and the country's social communications, making sure that its own version of the facts is given overriding exposure. To accomplish that, it has executed a strategy that combines three factors: the creation of a large media power-base; the pursuit of greater regulation of the mass media sector; and the large-scale crackdown on, and discrediting of, any actor, citizen, or non-governmental journalist who criticizes the government.

The government, once on the sidelines of the mass media sector, has become the biggest player in the media industry of Ecuador and its largest advertiser. With a million-[U.S.]dollar investment, the regime created Ecuador TV, the newspaper *El Ciudadano*, the popular journal PP and the international news agency ANDES. In addition, it strengthened the existing state media, like the newspaper *El Telégrafo*, and two radio stations: Radio Nacional del Ecuador and Radio Casa de la Cultura.

On July 8, 2008, Correa's administration took over 12 mass media companies that belonged to the Isaias group, which owed money to the state due to the bankruptcy of its financial subsidiary, Filanbanco, back in 1999. According to the law, the regime was obliged to promptly sell the 12 media companies that belonged to the Isaias group in order to give back the lost deposits to former clients of Filanbanco bank. However, it has been 29 months since the start of the process, and no progress has been made.

At the end of 2010, central government controlled over 19 media companies. In the case of the television channels, most had a national reach and a very large viewer base.

The quest of the government to gain full control of the media has prompted it to become, since 2007, the biggest advertiser in the country, with an average annual expenditure of $15 million, including special discounts for high advertising volume, according to Infomedia. Not counting the discounts, the real amount would have been $40 million.

The Ethos Foundation revealed in a study that the vice-presidency, the ministries and state secretaries have spent $94 million on publicity from 2007 to August 2010. In the period 2003 – 2006, only $1.4 million was used for official publicity. Ethos points out that Ecuador spends more on publicity per capita (GDP) than any other country in South America - even more than Venezuela or Argentina.

This reality, according to the freedom of speech observatory Fundamedios, gives the government overall control - both direct and indirect - of the media sector in the country: "The regime is the major owner of media companies and, simultaneously, is the biggest advertiser and client of the private media."

> Another contentious point is Article 19 of the Constitution, which dictates that the State "...will regulate...content with informative, educative and cultural purposes in the programming of mass media".





**Right:** Ecuador's President Rafael Correa speaks from the balcony of the Carondolet Palace as hundreds of supporters gathered to greet him in Quito, September 30, 2010. (REUTERS)

A second factor that has an influence on Ecuador's freedom of speech is the accelerated legal reforms that the regime has introduced to the communications sector. In October 2008, Ecuador approved a new constitution in which freedom of speech, free access to information and freedom of conscience were guaranteed. However, some measures can be considered a danger. The creation of the Social Communication National System, which is due to work alongside the state-formulated Communication Public Policy, could have a detrimental effect on freedom of speech.

Another contentious point is Article 19 of the Constitution, which dictates that the State "... will regulate ... content with informative, educative and cultural purposes in the programming of mass media and will foment the creation of spaces for the diffusion of national independent productions". Members of the Journalist & Editors of Ecuador Association believe that Article 19 allows the state to directly intervene in editorial stances, and to influence the focus of each media outlet, thus threatening press freedom.

Article 312 of the Constitution excludes the owners and shareholders of financial institutions from the mass media sector. Article 17 claims that the state "won't allow an oligopoly or monopoly, direct or indirect, over the property of mass media and the use of frequencies", despite the fact that central government, as stated before, is the biggest media player in the country.

Most of these articles, with the exception of Article 312, are not being applied yet, due to the lack of a communications law, which, according to pro-government legislators, will guarantee the fulfillment of the new vision that the Constitution contains of the mass media sector, as well as information and social communication. The creation and approval of the new communication law has created an intense debate, due to the fact that the bill, drafted by pro-government congressmen, establishes "state hegemony" over the sector, a trend which is developing in many South American countries. The bill is about to be debated in Congress and includes some contentious issues such as the creation of a Communication Council which will regulate the way public and private mass media work. This includes the establishment of a Mass Media Public Registry, where media organizations must register and declare their editorial stance and operational policies, their social capital composition and their code of ethics. It also obliges the mass media to offer, free of charge, one hour of their daily programming to educational topics that are 'of interest to the citizens', according to the State criteria. It will be mandatory for the mass media to transmit presidential cadenas, or official messages. It would include sanctions of 1 per cent - 10 per cent of media companies' average revenues for the last three months if they break the law, and the obligation to reveal the origin of any news or commentary which is not the direct responsibility of the station.

In August 2010, the Special Commission of Freedom of Expression of the Organization of American States detected 13 shortcomings in the bill. Due to the criticisms, the law's approval has been delayed for more than 16 months.

> By November 2010, Fundamedios had recorded 145 acts of aggression towards journalists.

In spite of the fact that in Ecuador the murder or torture of political opponents and journalists is not common, in 2010 freedom of expression saw a setback in comparison to 2009, according to César Ricaurte, Fundamedios executive director. The government is implementing a new way of dealing with its opponents, with increased levels of intolerance, insults and harsh media responses to critics. This policy of discrediting its critics, which includes the use of hundreds of national radio and television cadenas, and the president's speeches every Saturday, has turned the Ecuadorian people and the mass media, including interviewers and journalists, into political targets.

One example in 2010 was when three people were imprisoned, accused of insulting the president in the street in various circumstances. Pedro Almeida, Carlos Julio Solano and Paul Mena were treated the same way as five others who, in 2007, were temporarily imprisoned for the same reason. The climate of hostility towards media outlets not under the government's control, and also towards the political opposition, has reached new levels.

The government has not hesitated to mobilize all its forces to divide the opposition, using advertising, national cadenas, economic resources, and laws and sanctions against its critics. According to the foundations Ethos and Fundamedios, Rafael Correa's government broadcast 233 national cadenas via radio and television in 2009 and 150 from January-June 2010. "These cadenas have been used to counter any comments made by anti-government commentators. We will end 2010 with a number of national cadenas much higher in number than in 2009", says Fundamedios Executive Director Ricaurte.

By November 2010, Fundamedios had recorded 145 acts of aggression towards journalists, whereas in 2009 this number was 103. Of the total number of assaults, 45 per cent were allegedly at the hands of government employees. "A great portion of the attacks – 32 - took part during the revolts of September 30, 2010 and came especially from policemen," Ricaurte stated. Among the journalists attacked were Hernán Higuera from Ecuavisa, Ana Maria

Cañizares from Teleamazonas, and Ramon Bravo of Public Radio and Ecuador TV, whose facilities were targeted.

On September 30, as the police and a segment of the armed forces rose up against President Correa, the government forced all broadcasters, from midday, to bow to an official, indefinite cadena, which did not permit autonomous work by journalists and meant that the people only knew the government's version of what was happening. In spite of condemnation from organizations such as the Inter American Press Association (IAPA), the regime justified the measure, saying it was due to a national state of emergency.

> On the night of December 17, 2010, more than 30 elite policemen, stormed the head office of Vanguardia magazine in Quito.

In July, the publisher of *El Universo* newspaper, which counts the second-highest circulation in the country, almost ended up in prison for three years, after the president of the state-run National Financial Corporation accused the journalist of slander because of an opinion article which criticized him. Just before a sentence was to be passed, Samán dropped the case.

Meanwhile, journalist Guido Manolo Campaña, also of *El Universo*, stated that in December 2010 strangers kidnapped and held him for almost seven hours, after he investigated alleged identity theft in connection with Ecuadorian football player Gonzalo Chila. He was intercepted as he returned by bus from the province of Emeralds, where he had been conducting research. He was assaulted and warned that the news should not be published because the player had received an offer from a team in Mexico.

In another incident, a program on Teleamazonas presented by Jorge Ortiz was taken off the air in August. Ortiz is a television interviewer known for his criticism of the government. He stated that he was forced to resign because of governmental pressure against the owner of Teleamazonas.

Another journalist, Carlos Vera, left his position at Ecuavisa in April 2009 for the same reason. Ortiz said that he was leaving voluntarily because the situation with the regime had "become untenable". The government claimed that it had nothing to do with the resignations of Vera and Ortiz.

On the night of December 17, 2010, more than 30 elite policemen, stormed the head office of Vanguardia magazine in Quito, and seized the journalists' computers. The officers said that the action was based on an order of a state entity which administers seized bank assets. The building in which the magazine is located belongs to the bank, and the officers said that Vanguardia had not paid the rent. The magazine's publisher, Juan Carlos Calderón, complained that they were victims of "political action from the government", since the magazine had published several investigations affecting the regime's image.

Calderón, who used to work for the *Expreso* newspaper, uncovered major alleged corruption scandals involving President Correa's brother and multi-million-[U.S.]dollar construction contracts with the state. He also published a book on the topic, prompting a strong response from government representatives and an unsuccessful effort by the secretary of state to get publishing house Paradiso to withdraw the book.

### Recommendations

- The government must understand that the work of the mass media involves analyzing and reporting, using a plurality of information sources and reflecting a diversity of points of view, some of which may be critical of the government.
- The authorities and political figures must cease to employ rhetoric that stigmatizes the non-governmental press, socially legitimizes assaults against journalists and generates media self-censorship.
- The government must promote a plurality of opinion within the public media.

## Ecuador in Brief

**Population:** 14.5 million

**Domestic Overview:**
Ecuador is a country with four regions and a democratic government. President Rafael Correa has ruled since January 2007. Under a new constitution which he promoted, he could be re-elected in 2013 and govern until 2017.

Although Quito is the capital and political center, Guayaquil, the biggest and most modern city of the country, is recognized as its economic powerhouse. The two cities host the country's leading mass media outlets, including the newspapers *El Comercio* (Quito), *El Universo* (Guayaquil) and the TV channels Ecuavisa and Teleamazonas. Starting in 2008, the state seized several media outlets which were formerly the property of bankers. The Ecuadorian government currently owns 20 mass media outlets, including five television channels, three newspapers, several radio stations and a news agency.

The government enjoys support from the majority of Ecuador's citizens. It has made big achievements in its social programs, especially in education and the reduction of poverty, according to reports from the Economic Commission for Latin America (ECLA). Nonetheless, levels of political confrontation in the country have deepened.

**Beyond Borders:**
Ecuador's relations with countries belonging to the Union of South American Nations have become closer, especially since Correa assumed pro tempore presidency of the organization. Ecuador supports closer commercial, diplomatic and political ties with Venezuela, a country with which it has signed a dozen agricultural and petroleum agreements. The Venezuelan government even collaborated in the creation of Ecuador's first public TV channel, EcuadorTV, and is also investing in a multi-million-[U.S.]dollar refinery, which is to be built in the coastal province of Manabí.

Ecuador also enjoys strong relations with Peru, Cuba, Bolivia, Argentina, Brazil, Russia, Iran and, recently, with Colombia – with which it has resumed ties. The U.S. has strongly criticized the close ties between Ecuador and Iran, as bank agreements have been signed between their central banks.





# French Guiana

By Alicia Versteegh

> France applies strict anti-defamation laws, which carry hefty fines for those found guilty.

The Caribbean territory of French Guiana, which sits between Brazil and Suriname, has been an overseas department of France since 1946. Its head of state is therefore Nicolas Sarkozy, President of the French Republic. The French constitution provides for a fairly free media and cases of government censorship and interference are rare. There are no government restrictions placed on the Internet.

Despite the territory's strong press freedom record, some French laws do hinder the practical implementation of this freedom.

France applies strict anti-defamation laws, which carry hefty fines for those found guilty.

As French is the official language, French-language media platforms dominate the industry. *La Presse de Guyane* and *France-Guyane* are two of the daily newspapers printed in the capital, Cayenne. There are also a number of radio stations on the airwaves. Tele Guyane is the public television broadcaster and Canal+ Guyane is available as a pay channel.

"Le Club de la Presse de Guyane" is an association of journalists and other media workers created as a means to facilitate contacts and interaction between its members. The Press Club launched an initiative to support media and journalists crippled by Haiti's devastating earthquake that hit the island in January 2010.

### Recommendations

- The government must abolish criminal defamation laws.
- The government should take more responsibility for its own media affairs.

## French Guiana in Brief

**Population:** 187,200

**Domestic Overview:**
January 2010 saw the inhabitants of French Guiana and Martinique say 'no' in a referendum on greater autonomy from France. More than two thirds of voters in French Guiana came out against a proposal for the local government to have more independence from France. French President Nicolas Sarkozy put forward the motion as a means to repair ties after protests and rioting erupted at the beginning of 2009 regarding unemployment rates, low wages and a high cost of living.

**Beyond Borders:**
Sarkozy operates through a prefect appointed by Paris as the representative in the territory. Two elected councils exercise power locally – the Conseil General and the Conseil Regional. The relationship with the mainland is central to almost everything that happens in French Guiana. The economy is dominated by subsidies from Paris, as well as fishing and forestry exports. In 1964, France established the Kourou Space Center, which has provided the territory with strategic worth as well as high contributions to gross domestic product. French Guiana shares cultural similarities with the French-speaking territories of the Caribbean.



**Right:** French President Nicolas Sarkozy meets Creol people during his visit to the "Eau-Lisette" district in Cayenne, French Guiana, February 18, 2010. (AP)

# Paraguay

By Alicia Versteegh

The Paraguayan media continued to be the target of verbal and physical harassment in 2010. Although the constitution guarantees freedom of expression and the press, the fragility of the country's democratic government after years of military dictatorship has created a climate of insecurity among journalists. The increase in political infighting in the build-up to elections in particular is often a cause for media tension.

Journalists in Paraguay are still subject to defamation of character lawsuits that can result in imprisonment and hefty fines. Political officials commonly use criminal libel laws to intimidate journalists and encourage self-censorship. Furthermore, thugs and security forces have been employed by politicians as a means to threaten the media.

Journalists investigating corruption or drug trafficking in particular face intimidation and harassment from corrupt government officials and criminal leaders.

Although Paraguay has a fairly good reputation in terms of free press, impunity still exists, with the murders of radio reporter Tito Palma in August 2007, and director of community radio station Hugua Ñandu Martín Ocampos Páez in January 2009, still unsolved. Both journalists were reporting on cases of corruption, and press groups speculate that Ocampos Páez was murdered for his comments on connections between local police and drug traffickers.

> According to the Union of Journalists of Paraguay (SPP), three attempts have been made this year to murder journalist Gabriel Bustamante.

According to The Union of Journalists of Paraguay (SPP), three attempts have been made this year to murder journalist Gabriel Bustamante, who works for radio FM Ayolas, and who is a correspondent for the newspapers *La Nación* and *Cronica*.

In July, the Union said, Bustamante endured three assassination threats by the brothers of a power company executive. The attempts were allegedly provoked by critical comments Bustamante made during his radio program, connecting Isidro Vera with corrupt practices. On July 22, one of the brothers showed up at Bustamante's home saying he had come to "kill him," but neighbors and police prevented the attempt. The following day, he went to Bustamante's radio station to "finish the job." Bustamante escaped after being beaten by the perpetrator. The third time, July 24, another brother forced his way into the home of his neighbor, believing it was Bustamante's home. He has since been arrested and is in judicial custody. The other brother has been charged with "attempted grievous bodily harm". He was arrested on August 18 after being on the run.

According to a report by the Inter American Press Association (IAPA) released in 2010 in Aruba, the daily newspaper *Diario ABC Color* has been the target of an intense movement against it. Unidentified pro-government groups are waging a campaign with the slogan "ABC miente;" (ABC lies). A blog has been produced with this same slogan, which calls for people to join the movement to generate "concern, questions, debates and discussions about why ABC lies." Dictator Alfredo Stroessner had previously shut down the newspaper during his rule in 1984.

In March of this year, director and founder of *ABC Color* Aldo Zuccolillo was ordered to pay $50,000 plus 2 per cent interest per month to Carmelo Castiglioni, a member of the judicial branch of the government's Appeals Court. The newspaper had published an article accusing Judge Castiglioni of being politically influenced in a case against former President Luis González Macchi concerning misappropriation of funds. In her decision, Judge Mirtha Ozuna de Cazal stated that although the information was not false, it was inappropriate to state that an opinion was a confirmation. "Freedom of the press is to report on the matter without adjectives," she said. *ABC Color* has filed an appeal, but the issue has not been resolved.

There continues to be considerable controversy between politics and the radio media in Paraguay. Approximately 98 per cent of the radio spectrum is dominated by commercial interests, which determine Paraguay's political agenda, while merely 2 per cent is in the hands of communitarian media. The government has been accused of aiding illegal community radio stations through official advertising placed by the Itaipú and Yacyretá bi-national hydroelectric plants. Alberto Riveros, vice president of the Paraguay Broadcasters Union, estimates that there are between 800 and 1,000 stations operating in non-compliance with legal requirements in the county.

In a manifesto launched at the Fourth Americas Social Forum in Asunción from August 11-15, the SPP responded to the attacks on news media this year. The manifesto promoted at a panel and was entitled "Democratisation of Communications in Latin America and included the participation of SPP General Secretary Pedro Benítez and President of the Federation of Latin American and Caribbean Journalists (FEPALC). The initiative included the promotion of a Law on Communications and Rules for the National Telecommunications Commission (CONATEL). This law would promote "fair and transparent distribution and access to the radio spectrum."

> There continues to be considerable controversy between politics and the radio media in Paraguay.

**Recommendations**

- Seek to combat the harassment and intimidation of journalists by corrupt officials.
- Revoke criminal defamation laws.

## Paraguay in Brief

**Population:** 6.3 million

**Domestic Overview:**
Paraguay is a constitutional republic with executive power exercised solely by the president, Fernando Lugo. Leader of the Patriotic Alliance for Change (APC) coalition comprising of 20 parties, Lugo was elected president in April 2008. Before this, the Colorado Party ruled Paraguay as a one-party state for over 60 years. Lugo's election raised hope for social improvement and economic growth, but after the APC lost its majority in Congress in July 2009 to the Colorados, a conservative party which strongly opposes his reformist agenda, little progress was made in the legislature.

The Supreme Court operates under the influence of the ruling party and military, and critics say it is corrupt. Alleged political interference in the judiciary system, including the blocking of investigations and the intimidation of judges, is a serious concern. With a poverty rate of more than 35 per cent, conflict between wealthy landowners and peasants continued during the year.

**Beyond Borders:**
The Lugo administration signed an historical agreement with Brazil in July 2009 which settled a decades-long dispute over payments for energy produced from the Itaipú hydroelectric dam. The agreement is supposed to triple Paraguay's income from the dam and ease instability on the Paraguay-Brazil border, but improvements have not been made.

Inadequate security in the high-risk tri-border region of Brazil and Argentina has continued to permit organized crime gangs to engage in the smuggling of weapons and narcotics.



**Below:** Paraguayan soldiers stand guard at a checkpoint during military control at Pedro Juan Caballero, which lies near the Brazilian border of Ponta Pora, May 2, 2010. (REUTERS)

# Peru

By Louise Hallman

Press freedom in Peru took a battering in 2010 with dozens of journalists reporting repeated attacks, both verbal and physical. Assailants included not only members of the public but also police and public officials. Besides attacks, the media also faced draconian criminal defamation laws, heavy-handed sentences, removal of licences and debilitating legislation - all of which gives great cause for concern ahead of a 2011 general election.

Critical reporting on politicians and corruption continued to prove extremely dangerous; over 30 Peruvian journalists reported incidents of harassment, death threats and physical attacks during 2010, many of which were allegedly carried out by public and elected officials, electoral candidates or their supporters. Some of the journalists reported receiving death threats because of their work.

In January, mayor of the district of Pachacamac, Ángel Adrián Palomino Ramos, burst into the studio of Radio La Achirina during a live broadcast, hitting host Henry Lovera and damaging his microphone. The mayor had taken exception to a report by Lovera accusing him of using public funds to help his private business.

In a similar attack, in December, Flavio Flores Silva, director of the programme Clave Informativa on Radio La Ribereña, reported that he was insulted and threatened by mayoral candidate Carlos Alberto Ruiz and around 50 of his followers in Bagua Grande, Utcubamba province, in the department of Amazonas. Flores Silva was on air when Ruiz and his supporters broke into the studio angry with the station's reports that Ruiz's party was receiving funding from a Brazilian company. Ruiz apparently tried to pretend the incident was just a joke once he realized the station was still live on air. Flores Silva requested protection from the state following the attack.

In March, an employee of the Provincial Municipality of Urubamba stabbed journalist Ronald Escobar Alegría, after the director of the programme "Vox Populi", broadcast by the radio station of the same name, criticised the mayor, Benicio Ríos Ocsa. Escobar claimed that the mayor had on several occasions sought to bribe him into changing his reporting, but that he had refused.

And in February journalist Amancio Del Águila, a correspondent for the TV station Panamericana Televisión and host of the 90.1 FM radio programme "Voz y Ritmo en la Noticia", received a death threat from José Quiroz Alva, the former mayor of the district of Padre Felipe Luyando-Naranjillo, who blamed Del Águila for the loss of his position.

Besides public officials, electoral candidates and their supporters, at least six of the journalists targeted in 2010 were attacked by police. In one case, in April, two journalists – host Lenin Quevedo and reporter Andrés Velarde from the "Reacción" news programme broadcast on Canal Vía Televisión – were assaulted by police officers when they asked questions at a police station regarding an alleged bribery case in San Martín province, northern Peru.

In another case, also in April, journalist Orlando Rucana Cuba, the editor of *La Revista* newspaper and director of the news programme "ITN" on Channel 27, was knocked unconscious after he was attacked by police officers and security guards in Huaraz, Ancash province, after refusing to stop filming the police violently dispersing street vendors in the area.

Disregard for journalists shown by public officials and law enforcers was highlighted in another case in February when Judge Raúl Rosales Mora, head of Lima's Fifth Constitutional Court, pointed a gun at Caretas magazine photojournalist Carlos Saavedra. At the time of the incident, Saavedra was attempting to take the judge's picture for an article for an upcoming edition of the magazine.

Criminal defamation remained a serious issue with at least four journalists facing




**Above:** People holding posters shout slogans next to the Justice Palace during a protest against the government in Lima, September 16, 2010. (REUTERS)

convictions. On January 12, newspaper editor Alejandro Carrascal Carrasco was sentenced to one year in prison for "aggravated defamation." The heavy sentence stemmed from a 2004 complaint brought against Carrasco, director of the Bagua-based weekly *Nor Oriente*, by the former director of an educational institution following Carrasco's criticism of local authorities following violent clashes near Bagua between indigenous protestors and security forces that left dozens of people dead.

Local media organization the Asociación Nacional de Periodistas del Perú (the National Association of Peruvian Journalists) condemned Carrasco's arrest as "yet another violation of freedom of expression and a threat to the free exercise of journalism." The Instituto Prensa y Sociedad (IPYS), a Lima-based media freedom monitor, quoted journalistic sources close to Carrasco as stating that the verdict was "vengeance" for his newspaper's "line of journalism clearly in favour of the indigenous struggle." Peru's Supreme Court overturned Carrasco's sentence in June and he was subsequently released.

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In June, journalist Oswaldo Pereyra Moreno was sentenced to one year in prison for criminal defamation and fined 10,000 Peruvian soles (US$3,500) after broadcasting a story on "Hora 13", the show he hosted on Radio Macarena, in September 2009 about an illegal abortion allegedly given to an unnamed 14-year-old girl in a local pharmacy. Pereyra was found to have defamed the girl's step-father, who was named in the report.

In March, journalist Herbert Mujica, a writer and political analyst who edits the Páginas Libres website was convicted of "aggravated defamation" and ordered to pay Lima Airport Partners CEO Jaime Daly Arbulú 2,000 soles (approximately US$690) in damages for alleging serious irregularities at Lima's Jorge Chávez International Airport. In May, Daly appealed against the ruling, claiming the damages were too low.

Reporters Without Borders (RSF) expressed concern that such high damages would foster a climate of self-censorship and deter others from investigating similar scandals.

Online journalists also faced heavy-handed legal action. José Alejandro Godoy, journalist and editor of the political blog www.desdeeltercerpiso.com was sentenced to a suspended three-year prison term, a fine of 300,000 soles (approximately US$107,000) and 120 days of community service in October.

The unprecedented sentence was handed down after Jorge Mufarech, a minister during the government of former president Alberto Fujimori and a former congressman during the government of Alejandro Toledo, filed a complaint regarding an article published by Godoy on Mufarech's alleged criminal past.

The media also faced new legal limitations following a court ruling in December which now makes it illegal to publish telephone conversations without permission from those involved or from a judge. The ruling states that media violating it could face criminal charges and describes tape recordings made surreptitiously as "a violation of the reputation and dignity of every person."

Concerns were also raised over a bill proposed in June in the Peruvian Congress to create a "new and special press offense" that would imprison decision-makers of any news medium that publishes obscene or pornographic material. The Inter American Press Association (IAPA) stated that the law could be open to interpretation and be used to "censor, lynch and shut down the media," drawing comparisons with Venezuela's Law on Social Responsibility, described as a simple set of rules for the protection of minors, but which "ended up turning into a tool to shut down news media."

In one of the few positive moves for press freedom in 2010, radio station Radio la Voz de Bagua had its signal reinstated by the Ministry for Transport and Communication, overriding a previous resolution that had resulted in the suspension of the station's license in June 2009 after it was accused of inciting violence following its reports on clashes between police and indigenous residents in the area. Radio la Voz de Bagua's reports had been critical of the local government. Another gain for press freedom came in the decision of the Peruvian judiciary to create a special jurisdiction to deal with serious crimes committed against journalists, a move IAPA described as "of far-reaching importance for the battle against impunity". The tribunals will hear cases of murder, serious injury, kidnapping and extortion involving as victims journalists carrying out their work.

The media also faced new legal limitations following a court ruling in December which now makes it illegal to publish telephone conversations without permission from those involved or from a judge.

**Recommendations**

- Respect journalists and their professional duties and work to end attacks on journalists.
- Remove criminal defamation from the statute books.

### Peru in Brief

**Population:** 29.9 million

**Domestic Overview:**
Peru is a developing country located in western South America. Peru is a presidential representative democracy, with the President Alan Garcia acting as head of state and government since 2006.

Although the country is ranked high on the Human Development Index with an elevated level of poverty, economic growth has been relatively stable and consistent since the 1990s. Peru's economic expansion is driven mainly by agriculture, fishing and mining.

**Beyond Borders:**
Despite occasional tension with Chile over maritime limits in the Pacific Ocean, Peru generally enjoys friendly relations with its neighboring countries.

Peru has been a member of the United Nations since 1949, as well as an active participant in negotiations towards a FTAA (Free Trade Area of the Americas).

Peru's major trading partners are the United States, China and the EU with its major exports being petroleum, gold, copper and coffee.





# Uruguay

By Alicia Versteegh

In general, press freedom violations are rare in Uruguay. The press is privately-owned and broadcasting includes both commercial and public outlets.

In June 2009, Congress approved a bill eliminating criminal penalties for defamation of public officials, marking a significant step forward in terms of press freedom.

For the first time, on July 2 the Appeals Court overturned a defamation sentence imposed on a journalist by applying the Actual Malice Law introduced by the Inter-American Human Rights Court in June 2009. The Court's decision overturned a lower court's five-month suspended prison sentence for journalist Ricardo Morales, editor of weekly newspaper *Tres Puntos*. Morales had published information about the suspected involvement of police officers in drug trafficking.

Uruguayan journalist Alvaro Alfonso was sentenced to 24 months in prison for libel and for his book.

However, in a more troubling decision, Uruguayan journalist Alvaro Alfonso was sentenced to 24 months in prison for libel and for his book Secretos del Partido Comunista (Secrets of the Communist Party) – which was confiscated and banned in what was called "a serious backward step for press freedom" by the Inter American Press Association (IAPA). The criminal prosecutor found Alfonso guilty of having libeled former Montevideo provincial congressman for the Communist Party of Uruguay (PCU), Carlos Alberto Tutzó López.

IAPA President Alejandro Aguirre, editor of Miami-based newspaper *Diario Las Américas*, declared, "judgments of this kind take us back to the worst times that press freedom faced in the Americas, when dictatorships used the confiscation and burning of books as a means of censorship."

In another disturbing case, in February 2010, the Supreme Court ordered two journalists, Ignacio Alvarez and Gabriel Pereira, to pay reparations of U.S.$5,000 to ex-criminal court judge Ana Lima for moral harm. The journalists had contested her decision in a child abuse case five years earlier. The court's decision was made on the premise that Channel 10 used words that it considered "improper" during a 2005 report entitled "The Other Side of Child Abuse." The case mentioned involved a man sentenced to prison by the judge, but then absolved by a higher court after serving only six months. The court did not believe the information presented by the journalists was in the public interest. Channel 10 paid the U.S.$5,000 to support the two journalists.

A government media law intended to regulate the operations of television and radio stations also raised concerns from media representatives this year. Privately-owned stations are concerned the National Telecommunications Directorate will use the new bill as an opportunity to put pressure on the stations through the award or withdrawal of broadcast licenses.

Uruguay's legal right to access public information continues to be deficient.

In late September, the government passed a law that requires the judiciary to report on files of cases that are in proceedings or shelved at the request of any person or institution. On October 26, a report by Cainfo, an NGO devoted to making access to public information transparent, said that half of the country's government offices are still not informing the public about the salaries, compensation and assignment of budgets and audits carried out in their departments, thus failing to comply with the law on access to public information passed in 2008. The judiciary is bound by its obligation of transparency

under the law on access to public information enacted during the 2005-2010 government of President Tabaré Vázquez.

Despite these new laws, the press continues to battle against obstructions from the dictatorship era with refusals from soldiers to open up past crimes. Investigations into the numerous human rights violations committed during the military regime from 1973-1985 are still under way. During those years, the country earned the nickname "The Torture Chamber of Latin America" for incarcerating the largest proportion of political prisoners per capita in the world.

On February 18, Reporters Without Borders (RSF) "condemned as outrageous the refusal by the army chief of staff to give way to a prosecutor's request for access to part of the archives of the military dictatorships on the crucial subject of disappearances." Most of the disappearances took place during the dictatorship of Luis García Meza.

> Despite these new laws, the press continues to battle against obstructions from the dictatorship.

**Recommendations**

- The government must fulfill its obligation of transparency under the law on access to public information enacted in 2008.
- The government and authorities must respect the new bill approved in June 2009, eliminating criminal penalties for defamation of public officials.

## Uruguay in Brief

**Population:** 3.5 million

**Domestic Overview:**
Uruguay is a constitutional democracy with the president serving as both head of state and government. The rival Colorado and National parties have been in a struggle for power throughout most of Uruguay's political history.

José Mujica, of the left-leaning coalition party, Broad Front (FA), was elected president in November 2009. The ruling government maintained its parliamentary majority.

**Beyond Borders:**
Uruguay is the most developed nation in Latin America, with the economy largely based on agriculture. It was the highest rated country on Legatum's 2010 Prosperity Index. Uruguay is also a founding member of Mercosur, an economic and political agreement between Uruguay, Argentina, Brazil and Paraguay set up with the purpose of promoting free trade between the countries.

**Below:** Uruguay's President José Mujica (right) waves to the crowd after his inauguration ceremony in Montevideo on March 1, 2010. (REUTERS)






# South America

# Venezuela

By Mariela Hoyer Guerrero

Throughout 2010, Venezuela received international criticism over legal changes that affected freedom of the press and freedom of speech. Global human rights and press freedom organizations including the International Press Institute, warned that the fields of human rights and media freedom suffered deterioration in 2010. The country was described as "Not Free" in Freedom House's Freedom of the Press 2010 ranking and as "Partly Free" in the organization's Freedom of the World 2010 survey on political rights and civil liberties. In addition, in the Press Freedom Index 2010, published by Reporters Without Borders, Venezuela occupies spot No. 133 among 178 countries. It dropped nine places compared to 2009.

> Throughout 2010, Venezuela received international criticism over legal changes that affected freedom of the press and freedom of speech.

During 2010, the Inter-American Commission on Human Rights (IACHR) of the Organization of American States included Venezuela in a list of countries that do not respect human rights. Its Special Rapporteur for Freedom of Expression, Catalina Botero, remarked that space for political discussion was being restricted with legislation sanctioning anyone who "offends the dignity" of a public official.

RCTV International's broadcasting license was not renewed in 2007 because President Hugo Chávez accused it of supporting a coup against him in 2002. Following this, it began functioning only as a paid subscription channel. In December 2009, an amendment to the Law of Social Responsibility in Radio and Television (Ley Resorte), took the critical TV station off the air for the second time. In January 2010, the government ordered cable networks to stop carrying six TV stations, including RCTVI, and stated that broadcasters with less than 70 per cent of international programming had to air presidential speeches or "cadenas" – which sometimes last for hours or occur daily. Although RCTVI accepted its national status by the end of February, when the other five stations were already broadcasting, a verdict handed down in November prohibited the television channel from broadcasting on cable again.

Reporters Without Borders stated that, in addition to the targeting of RCTVI, the underlying problem was "the government's insistence on broadcasting the president's speeches live on all national terrestrial and cable TV stations at the same time, when one would suffice". At the time, IPI stated: "RCTV has already been targeted in the past because of its critical reporting. The decision to order cable networks to stop broadcasting fits in with a pattern of free media oppression in Venezuela that shows no signs of ending."

The International Federation of Journalists, the International Press Club of Madrid, the European Parliament, the Inter American Press Association (IAPA) and the International Association of Broadcasting (AIR) also criticized the Venezuelan government's actions, warning that they were part of a plan to destroy independent media, so that only official channels could disseminate propaganda. According to Freedom House's Freedom of the Press 2010 report, the government controlled at least 238 radio stations, 28 television stations, over 125 websites and 340 publications in 2010. Parliamentary elections on September 26, 2010, were of crucial importance for Chávez because, since 2006, the National Assembly has been controlled by his party. This allowed him to curb the independence of institutions and granted him authority to legislate. As elected opposition parliamentar-

ians were to take office on January 5, 2011, pro-government parliamentarians made a second change in the Resorte law on December 22, without consulting the involved sectors. They also gave the president special powers to legislate for a period of 18 months, and rushed to modify the Telecommunications law, which now declares television and radio airwaves to be "of public service and interest", shortening broadcast concessions from 20 to 15 years. It prohibits foreign investment in broadcasters and states that the licenses can be taken away from those who violate the legislation more than once.

Chávez began his fight against the Internet in March, after Noticiero Digital, a news website, wrongly reported the assassination of a minister. In a television statement, the president said, "The Internet cannot be a completely free space, where anything is said or done. No, each country must impose its own rules." The new Resorte Law, now called Resortemec because it also regulates electronic media, increases the regime's control. New sanctions include fines of U.S. $3,000 for digital media, and up to 10 per cent of the previous year's gross income for the TV stations. In addition, there could also be 72 hours of suspension of services for providers that break the law, which bans messages that "incite or promote hatred," "disturb public order," "disrespect authorities," "encourage assassination," or "constitute war propaganda". The absence of a concrete definition of these concepts provides the government with absolute power to decide whether or not the law is being broken. According to the Venezuelan National Union of Press Workers (SNTP), the risks of being penalized under the new law will fuel self-censorship among media outlets and citizens.

"These reforms, passed without any debate, are a clear attempt by the Venezuelan government to further its clampdown on critics and independent media," Carlos Lauria, Committee to Protect Journalists' (CPJ) senior program coordinator for the Americas, said at the time. He stated that if the laws were not vetoed, Venezuela's democracy and freedom of expression "will suffer serious setbacks".

Defamation of the Venezuelan president has been punishable by 6 to 30 months in prison, since 2005. But the persecution of Chávez's critics for airing opinions in the media was never as evident as in 2010. Oswaldo Alvarez Paz, a former governor, was the first to be arrested. In March, he said during a TV interview that Venezuela was a headquarters for drug trafficking. He was detained a few days later, and faced 2 to 16 years in prison on charges of inciting crime, conspiracy and spreading false information. Although he was freed after 52 days, he is expected to face trial in January 2011. Similar investigations were opened against reporter Miguel Angel Rodriguez and the president of private business chamber Fedecamaras, Noel Alvarez.

> 'These reforms, passed without any debate, are a clear attempt by the Venezuelan government to further its clampdown on critics and independent media.'

Guillermo Zuloaga, president of Globovision, the only independent television station in the country openly opposing the government, was also arrested in March, and was accused of spreading false news and offending Chávez with remarks he made during a meeting of IAPA. He was released hours later and ordered put on trial, but in June the government ordered his and his son's arrest on charges of usury and conspiracy in a case related to some vehicles found at one of their homes. As they were not in the country, the government sought an international arrest warrant. As part of the government's pressure on Globovision, the channel faces more than 40 legal and administrative charges. Alberto Federico Ravell, the former director of the station, was asked to resign at the beginning of the year allegedly for political reasons. In December, the government seized 20 per cent of Globovision's shares, which belonged to the banker Nelson Mezerhane.

On the print media front, *El Nacional* newspaper, one of the two most influential independent national newspapers in the country, has been censored since August 13, when it published a photograph of Caracas' morgue on its first page. The image showed many corpses piled up as part of a report on crime in the country. Arguing that children's welfare was being affected, the Attorney General's office began an investigation and a judge ordered all print media not to publish, over the next 30 days – which conveniently happened to be in the run-up to an election – any images, information or advertising with violent content, or face a fine of 2 per cent of their gross revenues. After international reaction, the decision was modified. IAPA has denounced "economic sabotage", by Chávez, of the independent press. With devaluation, and the official foreign exchange established several years ago, the government is limiting the provision of dollars needed for newsprint. Furthermore, with the expropriation and nationalization of large companies, private advertising is disappearing. While the government provides millions to promote its media outlets, more than 10 independent media and the same number of programs have been shut down in 2010 because of lack of advertising or legal and administrative actions, many of them initiated for political reasons. Regional newspapers and broadcasters have been targeted by governors and mayors, but even Vale TV, a cultural broadcaster administrated by the church, has been affected - as part of Chávez's battle against the church.

> These events have become opportunities to attack reporters.

According to local human rights organization, Provea, Venezuela has an average of nine protests per day. These events have become opportunities to attack reporters. The National Journalists Guild of Venezuela (CNP) reported at least 120 cases of attacks and threats against journalists and news media in 2010. The National Guard, or police, has fired tear gas, seized equipment and detained reporters in around 10 cases. But bodyguards of the opposition governor of Zulia, Pablo Perez, also assaulted a journalist and ordered him to leave an event. Other cases that left journalists injured in 2010 frequently involved demonstrators hitting, insulting and chasing them. Members of the United Socialist Party of Venezuela (PSUV) were responsible for many of the violent acts against independent journalists.

The violence has also reached the headquarters of the media. Unidentified individuals threw Molotov cocktails at the headquarters of the Cadena Capriles media group. In addition, government supporters damaged Globovision's façade when they painted the building with slogans backing Chávez.

In 2010, the president staged public verbal attacks on three journalists who asked him uncomfortable questions. During the PSUV elections in May, he attacked Televen reporter Adriana Nuñez Rabascall. In September, after parliamentary elections, he offended Andreina Flores, correspondent for Colombian and French broadcasters. Chávez also questioned the integrity of BBC journalist Stephen Sackur. Meanwhile, Vice-President Elias Jaua publicly hit Johnny Ficarella and allowed people to hit Beatriz Adrian in front of him. Both are Globovision journalists.




**Above:** Venezuelan President Hugo Chávez casts his vote during parliamentary elections in Caracas, September 26, 2010. (REUTERS)

The authorities are increasingly ordering journalists to delete photographs. In a number of cases involving the National Guard, journalists were detained for several hours and even assaulted. One prominent incident was the detention of two Colombian TV journalists for three hours in Miranda state, because the authorities said they did not have permission to work in Venezuela, although one of them was Venezuelan and the other carried valid ID. In Apure border state, three Colombian journalists from broadcasters RCN Noticias and Sarare Stereo were also detained by Venezuelan police alleging they did not have documentation.

Accessing information from official sources is becoming increasingly difficult in Venezuela, especially for the independent media. At a press conference held by the Central Bank, for example, officers prevented journalists from Union Radio, RCTV, Globovision, Venevision and Televen from attending the event, alleging it was only for state-run media. The same thing happened during the opposition's primary elections, when members of the armed forces prevented two press teams from having access to voting centers in Tachira state. The Supreme Court of Justice issued in July a ruling that restricts access to public information. Moreover, the National Assembly rendered official in December that which had been happening since January, when television cameras were not allowed into Parliament. From then on, it decreed, only the government ANTV would be allowed to broadcast what happens inside the chamber.

The creation in June of the Situational Study Center of the Nation (CESNA) was not only criticized by the CNP in Venezuela, Human Rights Watch asked for it to be closed for fear of it becoming an office that grants the Chávez administration broad powers to limit public debate. The center's president, appointed by Chávez, has the power to declare that "any information, fact or circumstance" is "reserved, classified or of limited release".

Two police officers were arrested and sentenced for the assassination, in 2009, of Orel Zambrano, the editor of political weekly *ABC* and a columnist for *Notitarde*. The journalist was gunned down after writing about alleged drug trafficking involving the Makleds family. Walid Makled Garcia, allegedly a major drug lord and mastermind of the crime, was arrested in August 2010 in Colombia. He was facing extradition to Venezuela.

Francisco Pancho Pérez, a columnist for three decades at the newspaper *El Caraboheño*, was sentenced in June to 3 years and 9 months in prison, ordered not to engage in politics or journalism, and was fined the equivalent of about 21,000 euros after writing an article accusing Mayor of Valencia, Edgardo Parra, of nepotism. He was released at the end of the year.

Journalists Gustavo Azócar, Leocenis García and José Rafael Ramirez were also released on parole. Azócar had been in jail since July 2009 on charges related to alleged fraud and illegal profit-making. He has been banned from participating in politics until 2012. García had spent two years in prison on charges of illegally carrying weapons and damaging private property. And Ramirez was released after he began a hunger strike because he had been imprisoned for three years without trial.

In 2010, Venezuela was the country with the third-highest Twitter penetration rate. The tool was initially branded as "terrorist and destabilizing", but then came to be perceived as a means to promote the "counter-revolution".

> Two police officers were arrested and sentenced for the assassination, in 2009, of Orel Zambrano, the editor of political weekly *ABC*.

Indeed, on the social network front, Luis Enrique Acosta and Carmen Cecilia Nares were charged with spreading false news and damaging the economy and face up to 11 years in prison. Jesus Marcano was also arrested, for allegedly inciting public hatred in one of his messages.

**Recommendations**

- The government must decriminalize defamation, so that it can no longer be used to intimidate journalists.
- The government must open a debate about the Resortemec and Telecommunication laws with a broad array of stakeholders.
- The government and authorities must ensure access to information without discriminating against independent media.
- The government and authorities must respect plurality and the citizens' right to be informed.

### Venezuela in Brief

**Population:** 29 million

**Domestic Overview:**
Hugo Chávez has been the Venezuelan president since 1999 and his goal is to take the country towards socialism. In his first year of government, he called for a referendum and citizens approved a new constitution. He faced a coup d' état in April 2002 and a general strike from December 2002 to February 2003. In 2004, he survived a referendum after creating social programs with Cuban help. In 2005, the opposition did not participate in the National Assembly elections. There will be presidential elections in 2012 and Chávez could be a candidate again, because in 2009 he won a referendum on the abolition of term limits. Separation of powers is currently nearly nonexistent and Transparency International reports that citizens believe that corruption has worsened.

Venezuela has one of the biggest reserves of oil and minerals in Latin America, but according to the World Bank Business Report 2011, it is the worst place to do business in the region. In the study, which considers 183 economies, Venezuela holds position No. 172. Inflation (around 30 per cent), private company expropriations, and a devaluated and regulated currency are some of the reasons.

**Beyond Borders:**
Venezuela has strong links with Cuba, Iran, Russia, Bolivia, Nicaragua, Ecuador and Argentina. Exchanging oil for services or goods, Chávez is trying to create a block against capitalism. Leftist Latin-American presidents are following his example regarding laws. He is promoting south-south cooperation and has created multilateral groups such as Petrocaribe, Alba and Unasur. Venezuela is a founding member of OPEC and wants to enter Mercosur. The country cut diplomatic ties with Colombia between July and August 2010 because former Colombian President Alvaro Uribe alleged that members of the Colombian FARC rebel group had bases on Venezuelan territory, while, from Caracas, Chávez condemned the construction of U.S. military bases in Colombia.





# Venezuela: Hegemony over Pluralism

By Andrés Cañizález

The right to freedom of thought and expression includes the right to search for, receive and broadcast any kind of information and ideas. This right has both an individual dimension, according to which no one should be arbitrarily banned from expressing his or her opinion, as well as a social or collective dimension related to the people's right to receive information and to know other people's opinions. This dimension is only possible within an environment of plurality in information sources enabling people to be exposed to different ideas and points of view regarding matters that concern them, so that they can have complete freedom of opinion and can freely choose their options in a democratic society. As expressed by the Inter-American Court of Human Rights: "The free circulation of ideas and news is inconceivable without multiple sources of information and respect for the communication media"[1].

The UN, OSCE and OAS rapporteurs for freedom of thought and expression have also affirmed in a joint declaration that "an independent and pluralistic media is essential to a free and open society and accountable government"[2]. The European Parliament has issued several resolutions highlighting the importance of pluralism. In one of these resolutions, it pointed out that "political pluralism is about the need, in the interest of democracy, for a wide range of political opinions and viewpoints to be expressed in the media (…) Democracy would be threatened if any single voice, with the power to propagate a single viewpoint were to become too dominant"[3].

The American Convention on Human Rights, and the European Convention on Human Rights, underscore the obligation to guarantee pluralism, not only by avoiding the penalization of the media for having critical editorial lines, but also through positive, legislative or any other kinds of actions aimed at guaranteeing this important component of the right to freedom of thought and expression. One of the situations that may drastically affect pluralism in the subject of freedom of thought and expression is the existence of public or private monopolies of social communication media control and property.

There are huge challenges for pluralism in Venezuela related to the subject of freedom of thought and expression. Until recently, there was practically a private monopoly over media property and control. Now, the executive power has publically declared that its policies on this subject are not only aimed at creating a balance in the situation, to achieve more pluralism, but they are also intended to advance the consolidation of a government communications and information hegemony[4].

In practice, according to several studies, the Venezuelan government has carried out a series of actions effectively aimed at building a hegemony and has created serious limitations on the right to freedom of thought and expression. For example, the number of televised media administered by the government significantly increased between 2002 and 2009. Traditionally, there was only one public service television channel in Venezuela, Venezolana de Televisión, but six other channels have been added in recent years: TVES, Vive, ANTV, Ávila TV and Telesur (with two signals - one national and one international). Moreover, the government handles three national radio circuits, Radio Nacional de Venezuela, YVKE Mundial and Rumbos, as well as more than 250 community radio stations, most of which are mere relays of the official line, as it has been previously stated[5]. In addition, three newspapers are financed with public funds: *Vea*, *El Correo del Orinoco* and *Ciudad CCS*.

According to different evaluations, these media are clearly biased politically, as indicated by two studies conducted by the Instituto de Investigaciones de la Comunicación de la Universidad Central de Venezuela (ININCO-UCV), in 2004[6] and in 2007[6].

Reporters Without Borders has stated that the Venezuelan government uses the radio and television spectrum "excessively and discretionally". Between February 2, 1999, and December 31, 2008, President Chávez has spoken in nationwide government broadcasts for a total of 1,179 hours, which equals 49 continuous days. During these "nationwide broadcasts", the entire country's radio and television system (private, state and community) is forced to transmit one exclusive message[8].

It has also been stated, that the official policy of moving towards the communicational hegemony has two objectives: on the one hand, to establish an excessive communication machinery conducted by the State and, on the other, to close or neutralize the independent media in different ways[9].

In this sense, a case which had broad international repercussions was the dismissal of an open signal concession granted to the channel RCTV, which was interpreted as punishment for its critical editorial line. The executive power's decision to revoke the licenses of 34 radio stations, allegedly because they did not comply with the regulations of the Law of Telecommunications, can be read in a similar light. Amnesty International suggested that the decision was in reality linked to the editorial line of these media[10]. According to recognized international organizations, the Venezuelan government harasses, intimidates and threatens all independent journalists and media[11], and in doing so helps promote self-censorship, while negatively impacting journalistic pluralism

**IPI Contributor**



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*[1] Inter-American Court of Human Rights, consultative opinion OC-5/85, par. 30, 32 and 33.*
*[2] Joint declaration of 26 November 1999, available in Spanish in HYPERLINK "http://www.cidh.oas.org/relatoria/"http://www.cidh.oas.org/relatoria*
*[4] European Parliament resolution on the risks of violation, in the EU and especially in Italy, of freedom of expression and information, Resolution of April 22, 2004.*
*[5] For example, a high official linked to the Government has pointed out that: "The non-renewal to the concession of RCTV and the purchase of CMT by Telesur (…), the new strategic scene set out, the struggle within the ideological field is related to a battle of ideas for people's hearts and minds. A new plan must be designed, and the one we propose is aimed at the State's communicational and informative hegemony. Interview with Andrés Izarra (President of Telesur and former Minister of Communications), Diary El Nacional, Caracas, January 8th, 2007, p. A/4.*
*[6] Petkoff, T. (2010). "Miedo a los medios", Tal Cual Newspaper, February 2nd, 2010. page 1-2.*
*[7] Cañizález, A. (2008). "Venezuela: El lejano servicio público", In Albórnoz, M. B. y Cerbino, M. (Comp.), Comunicación, cultura y política, Quito, Facultad Latinoamericana de Ciencias Sociales (FLACSO), pages 67-78.*
*[8] Hernández, G. (2007). "Gubernamental TVES", Comunicación: Estudios venezolanos de comunicación, N° 139, pages. 26-31*
*[9] Reporteros sin Fronteras (2009). Referéndum constitucional: un paisaje mediático ensombrecido por la polarización y el exceso de alocuciones presidenciales. February 13th, 2009: http://www.rsf.org/Referendum-constitucional-un.html*
*[10] Amnistía Internacional (2010) El estado de los derechos humanos en el mundo. page 419.*
*[11] Idem.*





# Press Freedom: Latin America in Perspective

By Patricia Santa Marina

Latin America currently faces two profound problems that directly affect the work of the press in the region. The way they combine, interact and are perceived by their societies produce different political outcomes, but ultimately press freedom is diminished. The main issues are fear, and the discrediting of the press as a direct consequence of organized crime and certain government actions.

The statistics of violence towards journalists speak for themselves. Since 1987, there have been a total of 361 murders and 21 disappearances. So far, Mexico and Colombia head the list, and portray the most terrible examples of the cruelty and violence that organized criminals are capable of using to silence the media. Assassinations seem to be unstoppable, and at the same time there is another consequence of the violence: self-censorship.

Self-censorship is a very damaging effect of the fear of the actions and threats of organized criminals. It has been reported that "many news correspondents in rural Guatemala, mainly in areas where there is a strong presence of drug traffickers, are threatened if they cover stories about drug seizures or armed clashes between drug cartels and the armed forces", according to the Inter American Press Association (IAPA) report of 2010. The same report says "the Mexican press has increased its levels of self-censorship and in some parts of the country it does not report on violent acts in which organized crime is involved".

It appears that violence and impunity are becoming permanent problems in Mexico. The federal government, in spite of its rhetoric, has not been able to implement measures that actually stop crimes related to journalism, nor even to clearly investigate murders or attacks. While 65 journalists have died since 2000 at the hands of organized criminals; since 2005 a total of 12 journalists have been reported missing; there have been 16 attacks on news media buildings.

In Colombia, the Foundation for Freedom of the Press reported that from March to October, 2010, there were 30 threats, 22 cases of aggression against journalists and three assaults against the media infrastructure. "The Foundation has observed that in the past years the number of murders of journalists because of their job has diminished, but the self-censorship among them has increased."

Against this backdrop, the future of independent journalism is unclear. Pursuit of the truth is being completely discouraged. Whether governments fail to do enough, or are not capable of properly addressing the problem, violence is suppressing the voice of journalists by taking lives and the very spirit of journalism. And the situation will not change unless drastic measures are taken.

The other issue deeply harming press freedom is the consequence of the continuous verbal attacks on media. Some governments regard the press as a hostile enemy, make aggressive public statements against independent media, and threaten the press in various ways. Usually, they opt to discredit the media organizations and challenge their role. This seems to be a fashionable trend in Latin America.

Despite all their differences, several countries in the region share a common trait: tense relations between the government and the press. The government of Venezuela, Ecuador and Bolivia have serious problems in their relationship with the media.

While shutting down privately-owned TV and radio stations, the Venezuelan president created state-owned media for the sole purpose of distributing propaganda, and bought former private media companies to further propagate his message. He also created laws primarily aimed at controlling content. The attempt to control the media is also apparent in his careful distribution of state-paid advertising, his manipulation of the court system where he has false cases brought against journalists and his attempts at bribing the media, according to Ricardo Trotti, director of IAPA's Press Institute.

In April 2010, the Venezuelan government created what it called the "communication guerrilla movement" with school students, who were sworn in by the communication minister. The government idea was to resist "the numerous attacks against the Revolución Bolivariana", and to foster "a new way to see the world through socialism". The communication minister spoke of "companies that have interests behind them, and pre-established ideologies, that have political intentions and are harassing the Revolución Bolivariana".

It is clear that "the lack of safety and impunity, violations of the rule of law, government policies of persecution, discrimination, exclusion and harassment, along with the serious deterioration in the social ambience" have made it difficult for Venezuelan journalists to work freely, and for Venezuelan citizens to be able to hear different views.

The role played by Venezuela in international politics is having strongly negative effects on press freedom in other countries, particularly those belonging to ALBA (an international political alliance including Antigua and Barbuda, Bolivia, Cuba, The Dominican Republic, Ecuador, Nicaragua, Saint Vincent and Grenadine and Venezuela). Trotti, of IAPA, said that Chávez might have concrete intentions of transforming the regional scene by using the obstruction of press freedom and expression as one of his tools: "ALBA members, in fact, have a common plan to control communications," Trotti said.

In Bolivia, the press has reacted to the apparent attempts to curb media freedom. In one action, all Bolivian newspapers except one published the message "Without freedom of expression there is no democracy". Also, several journalists went on a hunger strike that lasted several days. The response from the government has yet to be seen.

In Ecuador the situation is worsening. The president has publicly said that the government "unfortunately" does not control all of the media, while harassment of the media continues in various forms – including public statements by the president - and the use of state advertising to either punish or bolster certain media. For example, the newspaper Hoy, based in Quito, received, in writing, information regarding an official ban on advertising in Hoy by all public companies and government entities. The ban was allegedly ordered directly by the secretary of communication of the presidency.

The national assembly is currently studying a communications law that regulates not only state-licensed media (radio and TV) but also print media.

There is also the case of Argentina, where President Cristina Fernández de Kirchner strongly supported a Law of Services of Audio-visual Communication, which replaced the Media Law created during the last military dictatorship (1976-1983). This law imposes limits on media property, forcing some media holdings to reduce their number of business units and preventing others from growing. This law was approved as the confrontation between the media and the government intensified, straining the social and political climate within the country.

The new law remains controversial, as some media regard it as a direct attack on press freedom, while others welcome it as support for new or smaller media seeking a broader following. There are, though, clear and serious press freedom setbacks.

Discrimination in government advertising and attacks on media holdings by different sectors (unions and political groups claiming to be close to the current government) are far from positive signs. "Nonetheless, the communications media have not been distracted from their mission of defending freedom of expression and promoting a climate that fosters the harmonious development of a society in conflict and its co-existence with an independent press", the 2010 IAPA report stated.

Societies in these countries may be on their way to losing respect for the media as a social institution. Government accusations against the media are producing grave harm: not only are these countries not enjoying the benefits of a free press, but there are also terrible long-term consequences for the notion that a free press is crucial. Societies are divided: Who to trust? The politicians for whom they have voted, or the media by which they are informed.

**IPI Contributor**



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# Caribbean Overview: Media Struggles with Defamation Laws, Economic Challenges

By Wesley Gibbings

Challenges to press freedom in countries of the Caribbean span a complex variety of direct and insidious phenomena. These include overt state hostility toward media enterprises, a heritage of restrictive legislative environments, the commandeering of content by commercial and special interest groups, and the corrosive effects of systemic self-censorship. Accidents of history, size and geographical location are often cited as proximate cause and, in many instances, the pursuit of development in the face of social and economic challenges emerges as a default defense for the derogation of free expression and freedom of the press.

For the most part, the tiny British and Dutch dependencies and semi-autonomous states constitute relatively small media environments with heavy reliance on overseas content. The French Departments of **Martinique** and **Guadeloupe** provide a more vibrant private media landscape governed by French media law. Dutch law likewise governs media law in the **Netherlands Antilles**. With the exception of **Anguilla**, **Bermuda**, **British Virgin Islands**, **Cayman Islands**, **Montserrat**, **Turks and Caicos Islands** and **U.S. Virgin Islands**, the other small English-speaking Caribbean islands are all independent states with their own media laws.

> In many countries, the work of government ghost writers is often published in newspapers with close ties to ruling administrations.

Skirmishes involving the media and island authorities are occasionally reported in Bermuda and Cayman Islands. Recurring issues include the allocation of state advertising, media self-regulation, self-censorship to preserve advertising revenue and claims of political bias.

In many countries, the work of government ghost writers is often published in newspapers with close ties to ruling administrations, in order to provide "balance" to "negative" news stories in other media. This often leads to the publication of divisive and vitriolic charges against media people, which sometimes achieves the objective of stirring up hostility among their supporters against journalists. In December, **Grenada** Prime Minister Tillman Thomas described a blog column written by journalist Hamlet Mark as being "dangerous to Grenada." The Media Workers Association of Grenada (MWAG) roundly condemned the remark.

In some countries, broadcast licenses are also dispensed to political allies of ruling administrations who maintain a partisan front to the detriment of professional journalism. In the absence of strong, independent civil society interventions, the result is a deafening silence on corruption, good governance and justice issues.

Serious journalistic investigations into weighty issues are also often described as giving the country a bad name and trying to undermine tourism and investments.

In **Trinidad and Tobago**, a journalist, Kevin Baldeosingh, was fired by *Newsday newspaper* in May 2009 after exposing acts of plagiarism on the part of a Catholic



**Left:** ASuriname President, Desi Bouterse and Venezuela President, Hugo Chávez, are questioned at a Press Conference in Paramaribo, Suriname. (Photo courtesy Wesley Gibbings/ACM)

priest, who wrote a column in another newspaper. In November 2010, state television talk show host Fazeer Mohammed was removed from his program following a testy interview with the Minister of Foreign Affairs, Dr. Suruj Rambachan.

In the wider English-speaking Caribbean, regulation of the once state-dominated broadcast media has arisen as a singularly pervasive challenge. The generally gradual, though in a few cases precipitous, emergence of new private radio and television broadcasters has generated issues related to technical management of spectrum as much as it has raised concern about the quality of content.

In **Guyana***, a mainland republic that serves as headquarters for the Caribbean Community (CARICOM), the state has not made good on a pledge to open up radio broadcasting to private enterprise, though the television broadcasting sector has blossomed over the past decade. In **Barbados** the reverse is largely true, with state-owned Caribbean Broadcasting Corporation (CBC) holding the monopoly on free-to-air television broadcasting, while the radio sector has only been moderately liberalized, giving rise to issues of concentration of ownership.

The two dominant broadcasters in Barbados are CBC and the private corporation, the Nation Corp., owned by the Trinidad-based regional conglomerate, One Caribbean Media. The state-owned broadcaster operates a variety of national radio stations and maintains a monopoly in television broadcasting that dates back to December 1964. The government of Barbados has indicated it has no intention of divesting itself of the CBC.

Throughout the region, the issue of state regulation of the broadcasting sector has been the dominant theme. In Trinidad and Tobago, for example, the Telecommunications Authority of Trinidad and Tobago (TATT) in 2008 introduced a Broadcast Code required under the country's Telecommunications Act of 2001 with subsequent revisions leading to a current version that has not received universal acceptance by the industry.

The Code purported to prescribe specific standards for the broadcast of free-to-air radio and television programs in relation to the protection of children and young persons, harm and offence, crime, race, what was described as "due impartiality and due accuracy in the reporting of news", election coverage, "fairness and privacy, the right of reply, information and warnings, advertising and sponsorship and religion". At one point, the Authority suggested that internet content would also fall under the umbrella of the Code.

> Throughout the region, the issue of state regulation of the broadcasting sector has been the dominant theme.

Vocal critics, including the Association of Caribbean Media Workers (ACM), Media Association of Trinidad and Tobago (MATT), and the Trinidad and Tobago Publishers' and Broadcasters' Association (TTPBA), have contended that the provisions of the Code, particularly as an instrument of prior censorship linked to the acquisition of broadcast licenses, was excessive and posed a grave threat to freedom of expression. The Code has been revised more than once and the broadcasting industry has offered a series of suggested amendments over time, focusing on its constitutionality, the quasi-judicial role being adopted by the TATT and the possibility of prior restraint on broadcasters.

The Code is yet to reach the country's parliament, now dominated by persons who were harshly critical of it while they were in opposition. One such person is the current Attorney General, Anand Ramlogan, who took office when the People's Partnership won the May 24, 2010 elections.

The issue is replicated among countries of the Organisation of Eastern Caribbean States (OECS) where a draft Broadcasting Authority Act has been in circulation in **Dominica**, Grenada, **St. Kitts** and **Nevis**, **St. Lucia** and **St. Vincent** and the **Grenadines**.

The ACM-led responses to the draft legislation, which was jointly conceived and introduced by the OECS countries, focused on what are considered to be conditions inimical to free expression.

In the case of Dominica's version of the Bill, circulated in 2009 for public comment, a Broadcasting Authority reporting to a government minister was proposed, prohibitive content restrictions were suggested and authority over internet content envisaged. As is the case in the other OECS countries, passage of the draft legislation has been delayed in part because of criticisms leveled against it by press freedom advocates acting in concert with the ACM and its international partners.

In Guyana, the government has repeatedly postponed introduction of broadcasting regulations that would, among other things, liberalize the sector particularly in the area of radio broadcasting. This follows a period in which dozens of television licenses were awarded in the mid-1990s after the ascent of the People's Progressive Party (PPP) to power. A state-appointed and operated Advisory Committee on Broadcasting of dubious legal standing has been responsible over recent years for the suspension of operations of several television stations for breaches of operating licenses.

Additionally, while there is a profusion of television stations, they are all restricted to regional broadcasting with only the state empowered to operate a national broadcasting medium. There is no cable television service in Guyana at the moment and piracy of television content is rampant. The government has also ceased the granting of new television broadcast licenses.

The Guyana Press Association (GPA), opposition groups and other industry players have lobbied for comprehensive broadcasting regulations and have also called for introduction of access to information legislation, promised by the Bharrat Jagdeo administration since 2008.



**Above:** Television cameras capture a political rally in Trinidad. (Photo courtesy Wesley Gibbings/ACM)

A draft Freedom of Information Bill has in fact been tabled in parliament by the opposition Alliance for Change, and the government has announced that a version of the draft legislation will be debated in parliament in January 2011.

Guyana also poses special challenges in the area of the allocation of state advertising to private media. In 2007, one newspaper, the *Stabroek News*, was targeted for the removal of official advertising following what was considered to be negative reporting of the ruling People's Progressive Party (PPP) during the 2006 election campaign.

The government eventually reversed its boycott of the newspaper in 2008, but both the *Stabroek News* and the *Kaieteur News* in 2010 reported sharp declines in state advertising as the adversarial relationship between the government and these newspapers grew. Controversial *Kaieteur News* columnist, Freddie Kissoon, was assaulted in both May and December. One person has been charged in the latter case.

Recently, the Jagdeo administration has instructed selected state agencies to advertise and place official announcements exclusively on a state website, and the government has introduced a regulation related to state procurement procedures that diverts most state advertising to an online platform not easily accessed by most Guyanese. The country has an Internet penetration rate of less than 25 per cent.

The head of one state agency, the Guyana Elections Commission (GECOM), in October protested the move claiming that most electors do not have access to the Internet. There has also been concern that access to information on job vacancies and other opportunities can be denied persons without Internet access.

The *Kaieteur News* has protested the move and has offered to carry, without charge, selected notices it considers to be in the public interest.

> One newspaper, the *Stabroek News*, was targeted for the removal of official advertising following what was considered to be negative reporting of the ruling People's Progressive Party (PPP) during the 2006 election campaign.

A Media Monitoring Unit (MMU), initially established by GECOM in 2006 to monitor compliance with a media code of conduct in the coverage of elections, but which continued monitoring of general media content, was shut down by the state in July, even in the face of ongoing financial support from international agencies interested in promoting the concept of voluntary self-regulation by the media in Guyana. The development was denounced by the GPA whose president, Gordon Mosely, has been banned from presidential press conferences.

Voluntary media self-regulation also received public attention in Bermuda in 2010 when the island's Premier, Ewart Brown, tabled the Media Council Act 2010 on May 7. The proposed law would have set up a government-run media council, which the premier contended would have provided official recourse for persons harmed by biased media coverage. The media industry intervened to suggest it would develop its own council, which was launched in October.

A Media Complaints Council (MCC) in Trinidad and Tobago plays a similar role and in January, Guyana Media Proprietors Association (GMPA) was launched with, among other things, the intention of developing its own system of self-regulation.

In **Jamaica**, there is concern that a government-commissioned report on reviewing the country's defamation laws will be indefinitely shelved after a parliamentary committee appointed to study its recommendations has failed to return to the legislature with its feedback after more than two years.

The report was the product of a committee, chaired by retired Justice Hugh Small, which in 2008 proposed sweeping reforms

**Right:** Haitians throw ballots into the air after frustrated voters destroy electoral material during a protest in a voting center in Port-au-Prince, November 28, 2010. (REUTERS)

**Below:** A young studio cameraman in Trinidad. (Photo courtesy Wesley Gibbings/ACM)



including the abolition of criminal defamation and the inclusion of a provision for innocent dissemination/responsibility for publication in the case of "subordinate distributors" of published material.

Criminal defamation continues to exist on the statute books of Caribbean countries and the offence has been applied in Grenada and **Antigua** and **Barbuda** within recent years. The ACM has lobbied for its removal from the statutes books.

There is also concern in Jamaica over provisions of the 1911 Official Secrets Act, amended in 1989, which have posed a threat to acts of whistle-blowing by persons including, in 2010, a former police commissioner, who claimed to have information on contentious issues related to the extradition of an alleged drug kingpin, whose eventual capture involved police and army raids that claimed 70 lives. State officials were said to be examining the Act for possible breaches by former Police Commissioner, Hardley Lewin.

Turmoil in **Haiti** following the devastating January 12 earthquake that claimed close to 300,000 lives, including 31 journalists, and caused widespread destruction, greatly affected prospects for a viable media industry in the country. One leading press freedom advocate and journalist, Joseph Guyler Delva, faced a possible death threat when persons he had worked to have imprisoned for the 2005 murder of Jacques Roche escaped from their crumbling prison at the time of the earthquake. Delva, a former assistant general-secretary of the ACM has issued an international appeal for the rehabilitation of damaged media infrastructure in Haiti, a situation he says could lead to the demise of the industry as a viable part of the Haitian landscape.

The July installation of former coup leader Desi Bouterse as president of **Suriname*** led to concern among some media practitioners in the South American republic. This was especially so since his appointment involved, by constitutional dictat, the suspension of longstanding criminal proceedings against him for the execution of 15 persons, including five journalists, in 1982 at the height of a coup d'état.

Journalists have, in recent years, cited political pressure and the influence of persons involved in the drugs trade as playing a role in the promotion of self-censorship in the Surinamese media.

In most countries of the region, unstable economic conditions and narrow advertising revenue bases have led to development of a propensity for self-censorship. Because the state, in most cases, is the single largest contributor to advertising revenue, political and commercial concerns often converge to promote an environment in which news and information not supportive of official programs is suppressed. Concentration of ownership in the media and overlapping commercial concerns also play a role in determining the news agenda in many cases.

In the face of the deepening financial crisis, economic reconstruction, the debilitating impact of the narcotics trade, and growing violence and crime, the prognosis is for further encroachments on the turf of civil liberties.

As the scenario unfolds, the specter of devastation by natural disaster also looms as a major threat to media development in the region. January's earthquake in Haiti and the annual impact of hurricane events on media infrastructure provide a stark backdrop to the already challenging official environment.




**IPI Contributor**



Trinidadian journalist **Wesley Gibbings**, a poet and member of IPI, is serving his second consecutive term as president of the Association of Caribbean Media Workers (ACM).

* Suriname and Guyana are geographically located in South America but have been included in the Caribbean overview because of their close cultural ties to the region



## The Caribbean

# The Bahamas

By Alison Bethel McKenzie

While the Commonwealth of The Bahamas, an archipelago consisting of 700 islands and keys just off the coast of the United States, guarantees freedom of speech and of the press in its constitution, there remain serious concerns about self-censorship and government influence on the media.

And while the constitution calls for a free media, it also notes exceptions that limit freedom of expression, most notably, "in the interests of defence, public safety, public order, public morality or public health" or "for the purposes of protecting the rights, reputations and freedoms of other persons".

> While the constitution calls for a free media, it also notes exceptions.

The Bahamas has four independent daily newspapers and one tabloid produced twice weekly, the majority of which are produced in the capital of Nassau. There is one national television station – ZNS – and the state-owned Bahamas Information Services. Other television stations are major networks from the United States. The Bahamian government owns the majority of the country's radio stations, but there are two privately-owned stations. In addition, there are two online-only newspapers.

The Bahamas Christian Council continues to carry heavy weight on what programming is allowed on the national cable channel – Cable Bahamas - and has barred any programming involving issues of homosexuality.

In January, the editor of the *Freeport News* on Grand Bahama Island, said he was fired from the newspaper, which is owned by the *Nassau Guardian*, because of an editorial he wrote criticizing Prime Minister Hubert Ingraham. Former editor Oswald Brown told the Bahamas Journal at the time, "It becomes a dangerous situation when a newspaper starts to censor what a journalist writes. The whole press freedom goes down the drain like this ..."

In April 2010, the government said it would renew efforts to pass a Freedom of Information Act "to enhance transparency and accountability" and to "provide the Bahamian people and the media with greater access to government decision-making and actions." The lack of a Freedom of Information Act has meant limited, even non-existent, access to information for reporters. According to media reports, advocates of the law say it will help reduce scandals and cases of corruption that come to light only years after they occur.

In August, Prime Minister Ingraham told members of the press that the Freedom of Information Act would become law while the ruling Free National Movement is in power. Elections will be held in 2012.

Reports of government pressure on the media continue and press freedom could be jeopardized with monopolization of the print media. There are no laws in The Bahamas preventing monopolization of the media.

Criminal defamation in The Bahamas is covered by the Penal Code, which calls for six-month imprisonment for those convicted of "negligent libel" and imprisonment of two years for those convicted of "intentional libel." The law also allows for a two-year prison sentence for publishers who libel government officials.

### Recommendations

- The government should move swiftly to finally pass the long-awaited Freedom of Information Act.
- Defamation should be decriminalized.
- Government must treat all media equally when publishing government advertising.

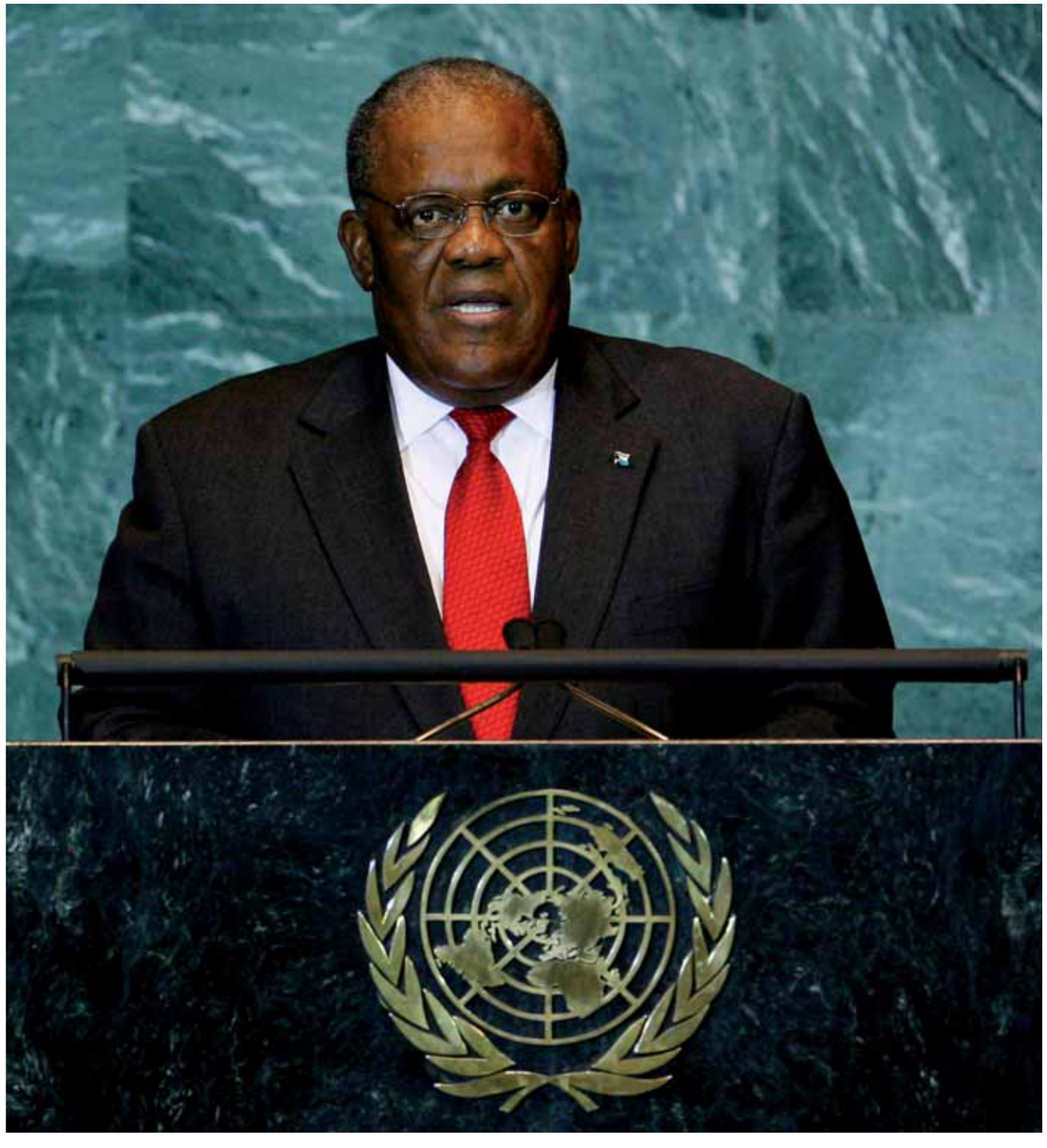
**The Bahamas in Brief**
**Population:** 310,000

**Domestic Overview:**
The Bahamas gained its independence in 1973, but maintained its membership in the Commonwealth of Nations. The country is a parliamentary democracy with two main parties (the Free National Movement and the Progressive Liberal Party) and Queen Elizabeth II as head of state. The Prime Minister is the head of government.

Offshore finance and the tourism industry have bolstered the economy since the 1950s, making The Bahamas one of the most prosperous nations in the Caribbean. Observers say there is room for improvement in the education and heath care sectors, and drug trafficking still poses a concern.

**Beyond Borders:**
The Bahamas enjoys a strong relationship with the United States and the United Kingdom, and holds membership in many international organizations including the United Nations and the Organization of American States (OAS).

Although The Bahamas is not geographically located in the Caribbean, it is a member of the Caribbean Community (CARICOM), an organization of 15 Caribbean nations, which promotes economic relations and cooperation among members.



**Above:** Bahamas Prime Minister Hubert Ingraham addresses the 63rd United Nations General Assembly at U.N. headquarters in New York, September 26, 2008. (REUTERS)



## The Caribbean

# Dominican Republic

By Alison Bethel McKenzie

With one of the most prolific media in the Caribbean, journalists in the Dominican Republic continued in 2010 to be plagued by self-censorship and threats largely from those connected to drug trafficking and, to a lesser extent, government officials.

While most journalists in the Dominican Republic say they have press freedom, they add that it does not come without difficulties. According to *El Dia* editor-in-chief Rafael Molina Morillo, who spoke at the May 3 World Press Freedom day celebration in Santo Domingo: "In general the country enjoys freedom of expression, but some officials and people linked to drug trafficking work against the press." Morillo, who in December was awarded the country's National Journalism Prize 2010, added that drug trafficking has meant increased violence against journalists, and that also impacting how journalists do their jobs is bribery, the "purchase of conscience" and corruption.

The Dominican Republic, where press freedom is guaranteed by law, has five independent, national daily newspapers; two government-owned television stations; five independent television channels; more than 200 radio stations; and an online English-language publication. Although most of the media is independently-owned, monopolization is a problem with ownership concentrated in the hands of a few politically-influential businessmen.

The nation's journalists produce many investigative reports and competition is brisk. According to the BBC, some subjects are taboo, including the Catholic Church and the army.

Media personnel are often faced with verbal and physical attacks and rarely are the perpetrators of such attacks brought to justice.

In July, Dominican government officials asked 50 companies not to advertise on investigative journalist Alicia Ortega's show, "El Informe con Alicia Ortega". According to reports, the director of the Dominican Agrarian Institute, Héctor Rodriguez Pimentel, claimed Ortega was after him and warned that if the businesses advertised on the controversial show they might face legal action for defamation.

> In June, information leaked that police had been hired to murder Santiago journalist and lawyer José Yordi Veras Rodriguez.

Two months earlier, while investigating a story on the connection between trucks filled with appliances and the ruling Dominican Liberation Party, members of Ortega's television crew were fired upon.

In June, information leaked that police had been hired to murder Santiago journalist and lawyer José Yordi Veras Rodriguez. Officials vowed to find the truth behind the June 2 attack on the popular TV host, which left him with gunshot wounds to the neck and jaw.

And in October, journalist Luis Eduardo Lora was warned by the lawyers of three convicted drug traffickers to recant statements that "affect" those "gentlemen", according to newspaper reports. Lora was among a handful of journalists who also reported receiving threats from drug traffickers. The newspaper *Libre* also said it received warnings from lawyers and personalities in connection with other drug trafficking cases.

### Recommendations

- Government officials must send a clear message to the public that attacks on journalists will not be tolerated.
- Those who attack journalists must be found and brought to justice swiftly.

## Dominican Republic in Brief

**Population:** 10.2 million

**Domestic Overview:**
The former Spanish colony shares the island of Hispaniola with Haiti. It has been governed for most of its history since 1996 by President Leonel Fernández Reyna, who became the country's leader following nearly 25 years of authoritarian rule by Joaquín Balaguer. Despite a rapidly-growing economy, the country is overall one of the poorest in the Caribbean, with a large disparity in wealth between rich white descendants of Spanish settlers and poor people of African descent. Long known for sugar production, its economy is now dominated by services, with recent economic growth fuelled by tourism.

**Beyond Borders:**
The Dominican Republic has close relations with the United States, where over one million foreign- and native-born Dominicans are estimated to reside. However, the country's relations with Haiti are marked by mutual distrust, and the Dominican government has carried out mass deportations against Haitians, who cross into the country seeking work and are estimated to number nearly one million.



**Below:** A resident holds up a poster of Dominican Republic's President Leonel Fernández as Fernández votes inside a polling station during local elections in Santo Domingo, May 16, 2010. (REUTERS)



# The Caribbean

# Cuba

By Alison Bethel McKenzie

Widely regarded as one of the leading violators of press freedom in the Americas, the Republic of Cuba, in 2010, made international news with the release of dozens of journalists who had been imprisoned during what has become known as Cuba's Black Spring of 2003.

During 2010, Cuban authorities released some 29 journalists from prison. But the release was bittersweet. The journalists were released on the condition that they leave Cuba for Spain, where they now reside with their immediate families. The release was the result of ongoing negotiations that came to light in July between Cuban President Rául Castro and Roman Catholic Cardinal Jaime Ortega.

> Earlier in the year, several journalists reported attacks on media personnel throughout the island.

But earlier in the year, several journalists reported attacks on media personnel throughout the island.

In April, journalist Calixto Ramón Martínez Arias was arrested by security officials while he was covering the memorial service of prisoner of conscience, Orlando Zapata Tamayo, who died after a hunger strike. Also that month, a news agency director reported that he was harassed repeatedly when trying to cover a protest, and Yosvani Anzardo Hernández, editor of an independent online newspaper, was allegedly detained and questioned about anti-government graffiti in the town of Holguin.

These attacks and continued restrictions on press freedom led, in May, to Reporters Without Borders naming Castro one of 40 Press Freedom Predators.

Cuba, the largest island in the Caribbean, located just off the coast of Florida (U.S.A.), keeps a tight rein on its media and has nearly a complete monopoly on media ownership. According to Amnesty International, the island nation boasts 723 publications (406 print and 317 digital), 88 radio stations and an international TV channel. There are also two government-owned news agencies.

The largest of the newspapers is *Granma*, which is published online in five different languages.

While the Cuban Constitution recognizes freedom of the press, it also makes private ownership illegal. The Penal Code goes one step further and makes it a crime, punishable by a jail sentence, to insult officials or promote anti-government propaganda. Expression of criticism is tolerated, according to Amnesty International, "in specific contexts, such as government-organized public assemblies or within government-controlled organizations".

> While the Cuban Constitution recognizes freedom of the press, it also makes private ownership illegal.

Article 53 of the Cuban Constitution reads: "Citizens have freedom of speech and of the press in keeping with the objectives of socialist society. Material conditions for the exercise of that right are provided by the fact that the press, radio, television, cinema and other mass media are state or social property and can never be private property. This assures their use at the exclusive service of the working people and in the interests of society. The law regulates the exercise of those freedoms."

According to reports, many Cuban journalists deny any form of government censorship, although in private some have said that they believe self-censorship is exer-

cised by those fearful of publishing stories that are, as the constitution states, "in support of the policy of hostility, aggression and genocidal blockade adopted by the United States government against Cuba."

> In September, Cuban blogger Yoani Sánchez was named one of 60 World Press Freedom Heroes by the International Press Institute.

"Nonetheless, Cuban journalists strongly value freedom of the press and there was no evidence of overt restriction or government control," reported Peter Phillips, director of Project Censored, who has visited Cuba as a guest of the Journalists' Union of Cuba.

Indeed, during 2010, the Cuban government seemed to soften ever so slightly in terms of listening to outcries from press freedom organizations about the island's freedom of expression ranking. Letters to the editor and essays in the state media now openly denounce corruption or call for a market-style economy, reports the U.S.'s National Public Radio.

In April, Castro told a group attending a summit of Latin American leaders in Venezuela: "We've told the North American government, in private and in public, that we are prepared, wherever they want, to discuss everything -- human rights, freedom of the press, political prisoners -- everything, everything, everything that they want to discuss."

In September, Cuban blogger Yoani Sánchez was named one of 60 World Press Freedom Heroes by the International Press Institute. Sánchez, who was denied an exit visa to leave Cuba to attend the awards ceremony in Vienna, is author of Generación Y blog. In a written statement read at the awards ceremony, Sánchez said: "For three years I have been confined to this island, although I have not committed any crime other than to have an opinion, to report, and narrate the reality in which I live".

"Unfortunately in today's Cuba to oppose the state monopoly on the news is still penalized. I live under the tutelage of a government that treats its citizens like children, not only because it denies them access to certain information, but also because it limits travel outside their national borders."

Access to the Internet in Cuba is limited to hotels, embassies, some public offices and a small number of cyber cafes. Even then, many blogs are banned on the island.

Journalists in Cuba must join the self-governing Cuban Journalists Association (Unión de Periodistas Cubanos) to practice journalism in the state-owned Cuban media.

**Recommendations**

- Allow private ownership of the media.
- Lift restrictions on the Internet.
- Release any remaining journalists in prison for doing their jobs.
- Stop the harassment and attacks on journalists.
- Allow open exchanges between Cuban journalists and journalists around the world.
- Promote journalism training.
- Stop censorship of websites that criticize government policies.

### Cuba in Brief

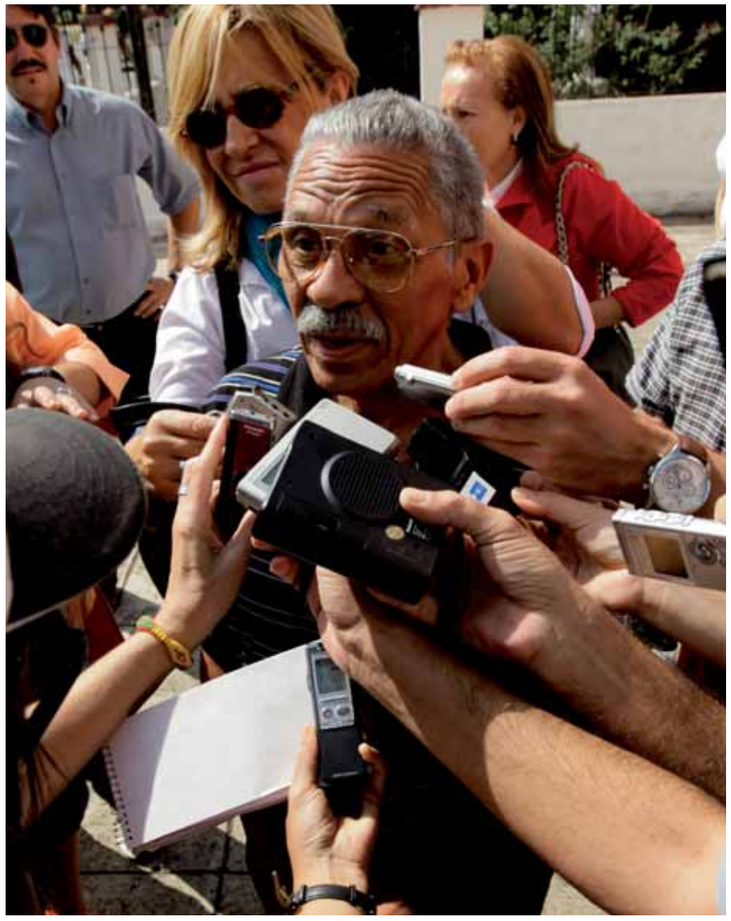
**Population:** 11.5 million

**Domestic Overview:**
The largest island in the Caribbean, Cuba adheres to socialist principles in organizing its economy. Most means of production are state-owned with the government controlling prices and rationing goods.

Tourism and the sugar industry drive the economy, with Canada and China being Cuba's major export partners.

**Beyond Borders:**
Cuba enjoys bilateral trading relationships with many South American countries, particularly Bolivia and Venezuela. The country also benefits as a member of CARICOM, an organization of 15 Caribbean countries, which promotes economic relations and cooperation amongst themselves.

The United States continues an embargo against Cuba, which makes it illegal for the two countries to do business together. The European Union is highly critical of Cuba for human rights violations and lack of respect for fundamental freedoms.



**Below:** Freed Cuban prisoner Arnaldo Ramos speaks to reporters in Havana, November 14, 2010. (REUTERS)



# The Caribbean

# Haiti

By Jean-Claude Louis

Media in Haiti has been expanding remarkably for the past three decades. The January 12, 2010 earthquake that killed nearly 300,000 people has brought a big blow to the media sector. A large majority of the media houses in the four principally-affected cities were destroyed or heavily damaged with massive equipment losses. Thirty-one journalists were killed throughout the country and at least 13 were wounded. Many Haitian journalists have left the country.

> Journalists and media in Haiti have focused on their survival rather than their freedom since the earthquake in early 2010 devastated parts of the country.

Journalists and media in Haiti have focused on their survival rather than their freedom since the earthquake in early 2010 devastated parts of the country. They tried to work even though they were victims of the disaster, and tried to stay on the air with even fewer resources than ever. Many lost their jobs as the income stream of the media diminished; many businesses collapsed, resulting in a loss of 66 per cent of Haiti's gross domestic product. With the exception of the Tele National D'Haiti, which is subsidized by the government, most media depends on advertising for a living.

Estimates vary, but as much as 92 per cent of Haitians have access to radios. More than 300 radio stations are believed to broadcast throughout the country, almost all of them using FM frequency due to the high cost of broadcasting on AM. Port-au-Prince, Haiti's capital, is home to 50 radio stations. Talk show or call-in programs serve as one of the few ways in which ordinary Haitians can speak out about politics and the government.

There are up to 40 television stations with almost no local production. Most of them broadcast soap operas pirated from foreign channels. Television is available in many households, but only a minority of relatively modest families have access to cable. Online media is also a reliable source to receive up-to-the minute news on Haiti. While the commercial media, concentrated in Port-au-Prince, struggles to move from survival to consolidation, Haiti's alternative media is striving to fill the void in news, discussion and analysis of the political situation out in the countryside.

After the earthquake, the Paris-based media watchdog group Reporters Without Borders (RSF) established a reporters' work center for the journalists, equipped with Internet connections and computers that are freely available.

Print media, on the other hand, is less developed. There are two privately-operated dailies - *Le Nouvelliste* (lenouvelliste.com), the oldest newspaper in Haiti, and *Le Matin* (lematinhaiti.com). Neither paper has a wide circulation. Printed in the French language, both newspapers have a total circulation of less than 30,000. Small, Creole-language newspapers are printed irregularly.

A few foreign press agencies, like the French Press Agency, Associated Press, Reuters and EFE (the Spanish Agency) have representatives or offices in Haiti.

According to the 2010 annual report on the state of press freedom released by RSF, Haiti ranks in 56th place, up from 73 in 2008 and 57 in 2009 and ahead of Dominican Republic (97th), its neighbor.

If there is one asset dearly guarded in Haiti, it is the freedom of the press, which in essence should remain free thanks to the constitution of 1987. Comparing the situation of the



**Above:** A woman looks at photographs of relatives and friends who were killed during the January 2010 earthquake in Port-au-Prince, January 12, 2011. (REUTERS)

press in Haiti from 2000 to 2009, the climate has greatly improved. For the past six years, under the government of René Préval and with the help of the United Nations Stabilization Mission in Haiti (MINUSTAH), established on June 1, 2004 by the Security Council following resolution 1542, Haiti has been relatively stable. After the elections of November 28, 2010, which were marred by fraud, irregularities and protests, Haiti's stability is a wait-and-see situation.

In 2009, President René Préval joined forces with the media rights organization, SOS Journalistes, to launch the Independent Commission to Support the Investigations of Assassinations of Journalists. However, there is still obstruction of the enquiry into the killing of the late Jean Dominique, former director of Haiti Inter. Two gang members received life sentences for their involvement in the July 2005 murder of journalist Jacques Roche. Of the 15 persons accused, seven have been sentenced; however, they were among the 5,000 prisoners who escaped from Haiti's largest prison during the earthquake.

The press has experienced no greater freedom than under the Preval government. As he jokingly mentioned during a meeting with journalists at the national palace: "Guys, don't think that the Haitian Press is going to have another president who is as respectful of press freedom ..." However, in an editorial in *le Nouvelliste*, the editor, taking a stance on the issue, said that the media should take this presidential statement seriously in a country like Haiti, which has an old tradition of muzzling the press, jailing journalists and destroying their equipment.In the aftermath of the earthquake, the president blamed the media and openly criticized Radio Signal FM for its lack of professionalism and ethics in accusing the president of bribing the press. After the quake, the government provided some financial support to media that was severely affected and in a press release posted on its website the radio station accused the government administration of corrupting the press. Given the economic hardship of the media in Haiti, it's often hard to find media that would turn down tempting or attractive offers from the people in power to present biased information.

> Haitian journalists continued to operate in extremely difficult conditions in 2010. The situation was aggravated by post-election barricades and riots, which made it difficult for journalists to move about the capital and/or travel to provincial cities.

Haitian journalists continued to operate in extremely difficult conditions in 2010. The situation was aggravated by post-election barricades and riots, which made it difficult for journalists to move about the capital and/or travel to provincial cities. Though the private Quisqueya University and the Centre de Formation et de Perfectionnement des Journalistes (CFPJ) have launched the first master's in journalism, which got under way last October.

Despite the tough situation on the ground, media was largely spared from the post-election rioting, but the situation remained very fragile. Media corporations and advocates hoped that the political parties would refrain from turning the media into hostages of their political rivalry. There was great concern at the end of the year about numerous incidents involving journalists. Esther Dorestal, a journalist for the privately-owned Radio Métropole, was stopped and threatened by young supporters of singer Michel Martelly - who took third-place in Haiti's presidential election - in Delmas 52, a few meters away from her place of work, as she was traveling on a motor-cycle taxi. They laughed at her when she exhibited her press identification card.

People claiming to be protesters robbed Patrice Merisier of Radio Galaxie outside the former headquarters of the Provisional Electoral Council in Delmas.

On his way home one late afternoon in December, Christian Junior Desrameaux, a reporter for the online news agency Haiti Press Network, was seriously wounded from a knife attack perpetrated by persons unknown in Santo 23, not far from his home. His assailants left him for dead. He has already undergone several surgeries and his life is still in danger. Police later found his camera, recorders and mobile phone, all entirely destroyed.

A cameraman for Haiti Press Network was reportedly attacked outside the National Palace by people who accused the network of supporting the rigging of the elections. The British news agency Reuters reported that one of its journalists was robbed.

Radio Lebon FM, a local station based in the southwestern city of Les Cayes, was ransacked in early December, but it appeared the motivation was because its owner, Fritz Carlos Lebon, was a senate candidate for the INITE political party. Many of the angry protests were staged by supporters of Martelly.

In Cap Haitian (north of Haiti), Cyrus Sibert, a well-known journalist and blogger, reported that early in the year, Marcel Joachim, a journalist and local correspondent for the Port-au Prince-based and privately-owned Signal FM, was mistreated by police before he went into exile in the United States. Two other journalists from Cap Haitian - Jean Roud Paul and Julien Joseph, owner of Radio Kontak - were threatened by the local mayor and police after the elections.

There were some other cases where journalists' rights were violated during 2010.

Three weeks after the earthquake, an incident occurred with U.S. military personnel and Homère Cardichon, a photojournalist from *Nouvelliste*. U.S. marines allegedly seized Homer's camera as he was covering a group demonstration in front of the U.S. Embassy in Tabarre, where protesters were asking for help and criticizing the United Nations for its lack of aide after the quake. Six marines allegedly approached Cardichon and seized his camera. They returned his equipment an hour later, but not without ensuring that the pictures taken earlier were deleted. Press Freedom groups joined the Haitian journalists associations in protesting the treatment of Cardichon.

In September, Orpha Dessources, a radio reporter from Radio Boukman, based in Cite Soleil, was brutalized and beaten by Haitian police. She walked to Cite Soleil police headquarters to collect some information about Jean Rony, a powerful gang leader who was arrested following the shooting of another gang leader, and while in the waiting room was confronted by policemen. They allegedly forced her back violently saying, "We don't talk to small journalists" while they allegedly gripped her neck, hit her back and broke her mobile and her necklace. The radio lodged a complaint against Alex Dominique, the police agent accused of hitting her. As Dessources had been advised before going to the police station, she left her voice recorder on and taped the incident. Jean Lesley, Radio Boukman's newsroom director, said it was the third time a journalist from the station had been mugged by policemen.

Loramus Rosemond, a journalist with *Le Nouvelliste* said he was also attacked by a policeman in September. Had he not been calm, he said, the situation would have degenerated.

In February, Kertis Emma, a correspondent for Radio Caraibe FM, was attacked by a police officer whilst reporting on a local event. The case was brought before the tribunal court in Cap-Haitian.

And in June, the chief executive of Radio Caraibes, media magnate Patrick Moussignac, was attacked on his way from a commercial bank. He was able to escape after his armored four-wheel drive came under gang fire at Delmas 2 in downtown Port au Prince.

In Haiti, the press is free, but a number of issues have been left to drift. Media managers and journalists are calling for appropriate action and correctness. As salaries in Haiti's media are not high, there are some instances of unprofessional conduct in the profession, though it is not generalized. Salary in the media is not high in Haiti. Few working journalists receive any formal training prior to entering their profession. Training is mostly practiced on the job while biases and inconsistencies persist in Haitian media. As a result of poor pay for the profession, very few journalists make a full-time career in media.

The level of government regulation of Haitian media remains a contentious issue. The National Telecommunications Council (CONATEL) is the regulatory institution that delivers licenses to radio stations. CONATEL does not regulate content, or prevent pirate radio stations from operating. Although there is a movement to update CONATEL's obsolete laws, most senior reporters are opposed to legislative regulation of the media.

There is not a universally recognized press card in Haiti for all professional journalists as is the case in some countries. The press in Haiti is represented by six media associations or organizations. Haitian Journalist Association (AJH) has distributed press cards to its members, but this seems to create more division since most of its members are based in the capital. SOS Journalists, an advocacy platform led by Guyler Delva, has been pushing for the adoption of a code of ethics, but most journalists and media associations are against this approach.

Three codes of ethics have been developed. There is still a lack of consensus on whether the journalists themselves should create their code of conduct, or if there should be a law voted by the parliament (most journalists are against this idea). However, the constitution recognizes that journalists have the right to exercise their profession and their duties. Others advocate a National Press Council, like those which exist in many other countries, to regulate the journalism profession in Haiti.

### Recommendations

- National Council of Telecommunications (CONATEL) and the government need an up-to-date law that regulates communication in Haiti across Internet, cable, TV, radio, etc.
- Haiti would benefit from an Information Act that makes it mandatory for officials to put information at the disposal of the population and hold officials and major stakeholders accountable.
- The nation's various media organizations must develop an internal, publicly-recognized code of ethics that applies to every journalist in Haiti.
- Training for journalists should be mandatory, including training that is free or subsidized, as well as the training of media managers in supporting their journalists in reporting and covering under-reported issues.
- Journalists must track government funding and its impact on communities.

## Haiti in Brief

**Population:** 10.2 million

**Domestic Overview:**
Decades of poverty and political violence, along with the devastating January 2010 earthquake and an outbreak of cholera ten months later, have contributed to making Haiti the poorest nation in the Americas.

Mangoes and coffee are among the most important exports, although with a very poor economy the country is mostly reliant on foreign aid.

Current President René Préval was elected in February 2006 as head of state following elections marked by allegations of fraud.

**Beyond Borders:**
Since 2004, after a bloody rebellion which forced then President Jean-Bertrand Aristide into exile, about 8,000 peacekeepers from a UN Stabilization force have maintained civil order in Haiti. However, the country is still afflicted with violence and human rights violations.
Efforts to control illegal migration into the Dominican Republic and other neighboring countries have been unsuccessful. Narcotics trafficking and a corrupt judicial system and police force also continue to be major issues in the country.

## IPI Contributor

Jean Claude Louis was Haiti country director for Panos Caribbean from September 2001 to July 2009. He now works as a fundraising consultant and coordinator of the group's monitoring and evaluation efforts. Louis has extensive experience with NGOs and the implementation of training courses for journalists. A founding member of the Centre of Communication on HIV/AIDS in Haiti and the Haiti Club Press, Louis studied sociology at the Faculty of Human Sciences, State University of Haiti (UEH). He holds a degree in journalism and public relations from the School of Journalism and Communication in Port-au-Prince and a postgraduate degree in fundraising and resource management from Georgian College, Canada. Prior to joining Panos, Louis worked for PLAN International and World Vision International in the Communication and Public Relations departments, and as an information delegate for the International Federation of the Red Cross.

# Jamaica

By Alicia Versteegh

In Jamaica, in 2010, newspapers and broadcast media generally remained independent of government control, and, according to the annual Freedom House country report, about 50 per cent of Jamaicans had access to the Internet – "more than double the regional average of the Caribbean."

The most critical threat to media freedom continued to be outdated libel and defamation laws. The current laws date to Jamaica's colonial past, placing the burden of truth on the defendant, who faces excessive fines or even prison sentences by a jury if unable to prove that published statements are true. Media leaders are concerned that the fear of defamation lawsuits and the possible consequent charges fuel self-censorship, particularly in terms of investigating and reporting on sensitive issues such as corruption. Another potential barrier to the free flow of information is the continued implementation of the Official Secrets Act, which constitutes a barrier to the release of information under the Access to Information Act.

The most critical threat to media freedom continued to be outdated libel and defamation laws.

Jamaica's most damaging libel verdict occurred in July 1996. The high profile case stemmed from a 1987 Associated Press story published in the island's oldest newspaper, *The Daily Gleaner*. The article contained accusations that former Minister of Tourism, Eric Anthony Abrahams, had received bribes from a U.S. advertising firm in return for a public relations contract. A Supreme Court jury initially ordered Gleaner Company Ltd. to pay J$80.7 million (U.S.$2.5 million) in libel damages to Abrahams. In 2000, the Court of Appeal reduced the fine to J$35 million (U.S.$410,000). Despite the reduction of damages, the fine was grossly disproportionate and exceeded previous libel awards.

Jenni Campbell, president of the Press Association of Jamaica (PAJ), and managing editor of *The Jamaica Gleaner* newspaper, expressed her concern over the crippling effect exorbitant charges can have on media organizations: "Essentially, media houses are like winning lottery tickets to some persons who file libel suits, and costs to defend cases can expose any media house to bankruptcy."

Media practitioners wish to see criminal libel abolished, the burden of truth reversed so that it falls to the claimants, and the determination of damages by a judge rather than a jury. These changes would put Jamaica in alignment with the system in place in the United States.

Although President Bruce Golding, with support from the PAJ and the Media Association of Jamaica (MAJ), appointed a committee headed by Justice Hugh Smalls in January 2008 to review Jamaica's defamation laws, Parliament has yet to make legal reforms.

The most recent source of conflict between the Bruce Golding administration and the media involves proposed changes to the airing of government broadcasts.

The most recent source of conflict between the Bruce Golding administration and the media involves proposed changes to the airing of government broadcasts. The Golding administration wants to use their daily time allocated for government broadcasts (45 minutes on television, and 30 minutes on the radio), in 13 blocks instead of only in one or two. Press organizations are concerned that these proposals could have a harmful effect on the sustainability of media organizations. On World Press Freedom Day, May 3, 2010, chairman of the MAJ Gary Allen questioned, "Can you hear 10 government news headlines and three government features, 13 government news-related products in all, on all radio and television stations each day without them all sounding alike?" The Caribbean Broadcasting Union (CBU) and the Commonwealth Broadcasters Association (CBA) urged that these proposals be discarded, fearing that such amendments would distort the "independence and credibility of the local media".



**Above:** A Jamaican police officer searches overhead buildings near the Tivoli Gardens area of Kingston, Jamaica May 26, 2010. (REUTERS)

High levels of crime and violence conspire to make living difficult for all citizens, including journalists. Of the few reported cases of media harassment, the most recent alleged incidents involved the police force. On July 3, 2010, a policeman allegedly attempted to seize the camera of a CVM TV videographer, Kirk Hall, at the site of a police killing in St. Ann. On February 14, 2009, financial journalist Julian Richardson of the *Jamaica Observer* was arrested and threatened with death when he refused to pay a bribe to two officers in exchange for dropping charges against him of "using indecent language and obstructing the traffic." Six days later, *The Gleaner's* Ricardo Makyn was arrested for "insult, assault and disobedience," after photographing an officer who had shot a man trying to steal his cell phone. These "abuse of power" occurrences resulted in the decision to publish the "PAJ/MAJ code of Practice for Journalists." This handbook, under Commissioner of Police Owen Ellington, will set out the proposed rules of engagement between police and media.

High levels of crime and violence conspire to make living difficult for all citizens, including journalists.

**Recommendations**

- The government should amend the country's outdated libel and defamation laws, which harm freedom of expression and restrain the press.
- The government should repeal the Official Secrets Act, which contradicts the Access to Information Act.
- The authorities should enforce a better system for investigating police abuse attacks against journalists.
- Public officials should behave with greater transparency vis-à-vis the media.

## Jamaica in Brief

**Population:** 2.8 million

**Domestic Overview:**
Jamaica, part of the Greater Antilles islands in the Caribbean, gained its independence in 1962. A member of the British Commonwealth, Jamaica's titular head is Queen Elizabeth II, represented by the governor-general of Jamaica. The island nation is a parliamentary democracy headed by President Bruce Golding of the Jamaica Labor Party, elected in September 2007. Government power generally alternates between the conservative Jamaica Labor Party and the center-left People's National Party. Although the right to free expression is generally respected, corruption remains a considerable problem with leading officials. Government whistleblowers are not well protected under Jamaican law.

Under Golding's governance, Jamaica has still struggled with the rise of violent crime. In 2009, Jamaica's homicide rate reached the all-time high of 1,680. Most of this violence is attributed to warfare between drug gangs.

The judicial system is undermined by an accumulation of unresolved cases, particularly in terms of police abuse and violence in prisons. In July 2009, Amnesty International reported that the police had killed 224 civilians in the preceding year alone. Despite efforts, the Golding government has been unable to improve penal conditions.

**Beyond Borders:**
Jamaica is a founding member of the Caribbean Community (CARICOM), an organization that promotes economic integration amongst its members. Mining and tourism are the main sources of foreign exchange, with half the economy relying on these services. Unfortunately, violent crime continues to discourage tourism and investment in the nation.

# Puerto Rico

By Saurabh Sati

Puerto Rico is a melting pot where Hispanic, North American and Afro-Caribbean influences come together to create a heady mix. A United States commonwealth country, Puerto Rico is self-governing, urbanized and relatively prosperous – a combination that reflects in its open approach to media.

The United States Federal Communications Commission regulates broadcasting, with cable television having a significant presence. The regular fare consists of local comedies, talk shows and soaps in Spanish. The radio consumption is similar, with Spanish music most popular amongst the masses.

> The main controversy regarding the media arose when Senate President Thomas Rivera Schatz did not allow photojournalists to enter the Congress on June 23.

The Constitutional Charter of Rights provides for a free media and, complemented by the First Amendment of the Constitution of the United States, it is usually sufficient to ensure that these objectives are met in reality. Although 2010 was not a great year for press freedom in Puerto Rico, it was not a bad one either.

The main controversy regarding the media arose when Senate President Thomas Rivera Schatz did not allow photojournalists to enter the Congress on June 23, when the legislators were debating significant bills. The next day, the ban was extended to include reporters as well. President Schatz said that he acted with a view to protecting the senators' image – an explanation that did not go down well with media personnel.

Alejandro Aguirre, the president of the Inter American Press Association (IAPA) and the editor of *Diario Las Americas* (a Spanish-language newspaper in Miami, Florida) expressed his dismay at the situation. Voicing his surprise that Congress was contravening the complete access to public proceedings - guaranteed to the media by the law - Aguirre argued for action by the legislators. "We trust that the lawmakers will lift the restriction," he said.

Attempting to clarify the legal basis of their position, Robert Rivard, the chairman of IAPA's Committee on Freedom of the Press and Information, said that their views were based on the Declaration of Chapultepec. A 10-point document listing the principles that have to be observed in a democratic society, it states that freedom of expression is a vital right of the people and not a service that the authorities can provide when they want to.

### Recommendations

- The government must ensure that the Charter of Rights is adhered to with respect to the media.
- The press must be allowed complete access to all public events.

### Puerto Rico in Brief

**Population:** 3.9 million

**Domestic Overview:**
Puerto Rico is a self-governing territory that was invaded and occupied by the United States in 1898, concluding several centuries of Spanish rule. Today, Puerto Rico is a melting pot of cultures, led by its Governor and home to a thriving, open media.

**Beyond Borders:**
The relationship with the United States has been a strong one with many Puerto Ricans having worked in the United States. The military presence of the U.S. army has been reduced, with a naval base and a bombing range being shut down.



# Africa Overview: Familiar Problems Overshadow Areas of Progress

By Naomi Hunt

Press freedom, once given, is difficult to take back. Moreover, those defending it in African countries are increasingly organized in their campaigns to achieve and defend journalists' rights. But in a number of African democracies, leaders show a desire to control the flow of information, through legal means or attacks, or by simply allowing those who attack journalists to get away with it. In dictatorships like **Eritrea** and **The Gambia**, conditions have been so bad for so long that there is little or no critical reporting left to suppress. Across the continent, journalists face imprisonment and physical attacks for their work, and media houses are often subjected to outdated and repressive laws that also stymie their ability to work.

In **Senegal,** one of West Africa's most peaceful and economically stable countries, journalists nonetheless continue to work under the threat of lawsuits, and media houses must contend with the occasional seizure of newspapers or jammed signals, according to local and international watchdog groups. On June 10, 2010, police raided the premises of independent newspaper *Le Populaire*, confiscating printing materials and preventing work on the following day's issue, the Media Foundation for West Africa (MFWA) reported. In separate cases, journalists at *Express News* and *La Gazette* were convicted of libeling presidential advisers, fined and sentenced to six months in prison and a one-month suspended sentence, respectively. In December, police officers found guilty of assaulting journalists in 2008 were given one-month suspended sentences, but new instances of police harassment of journalists were also reported in 2010.

> The Gambia, led by President Yahyah Jammeh since a military coup in 1994, remains one of the world's most repressive media environments.

The Gambia, led by President Yahyah Jammeh since a military coup in 1994, remains one of the world's most repressive media environments. Journalists continue to receive death threats, made more chilling by the December 16, 2004 murder of Deyda Hydara, editor of *The Point* newspaper. On the sixth anniversary of Hydara's death in 2010, the ECOWAS community court vindicated Musa Saidykhan. The court found that Gambian security forces had tortured Saidykhan while he was in detention in 2006. Saidykhan, who now resides in the United States, was awarded U.S.$200,000 in damages. It remains to be seen whether the government will pay – in 2008, the same court declared that the earlier arrest and disappearance of journalist Chief Ebrimah Manneh was illegal and ordered his release, but this was never carried out. Some sources believe Manneh to be dead, although this has not been confirmed. Gambian media are not free and must censor themselves to avoid harsh reprisals.

The media in democratic **Ghana** is diverse and free from censorship, although journalists continue to be attacked, often by po-



**Above:** IPI mission delegates meet with members of the Media Liaison Committee in Zambia, October 2010. (Photo IPI)

litical party members and sometimes by police. Media house raids, intimidating lawsuits for allegedly reporting "false news" and impunity for those who attack reporters are all issues that the government must address. In early 2010, a Right to Information Bill, which would guarantee public access to information, was brought before parliament, although critics have asked for revisions that would bring the law in line with international standards.

Despite the boon of plentiful oil in **Nigeria**, corruption and sporadic violence continue to plague the country, as well as reporters and the media. Three journalists were killed in Nigeria in April 2010. Edo Sule-Ugbagwu, who wrote for the *The Nation*, was shot in his home near Lagos following a break-in; it is not clear whether his death was linked to his work. Reporters Nathan S. Dabak and Sunday Gyang Bwede, from Christian publication *The Light Bearer*, were stabbed to death in Jos city, a flashpoint for conflict between Muslims and Christians there. The Nigerian media are nonetheless diverse and innovative.

It was a momentous year for **Guinea-Conakry**, as leaders of a 2008 military coup gave way to civilian leadership in late 2010. The democratic November election was the country's first, but journalists were reportedly targeted in its aftermath. Positive signs of change include the removal of prison sentences for press offenses in July 2010. Nonetheless, it remains to be seen whether newly sworn-in President Alpha Conde's administration will help bolster freedom of the press in this West African country, where the state controls most major media, where journalists are sometimes assaulted and detained by security forces, and where some private media remain susceptible to corruption.

In October 2010, **Liberia** became the first West African country to pass a Freedom of Information Bill, guaranteeing citizens the right to access government information. The media generally operate freely, although there are reports of corruption among journalists. There were several reported instances in which security agents blocked, harassed or intimidated reporters. Threats by high-ranking public officials were also reported, as were a number of libel suits carrying very steep fines.

Political tumult and violence continued in **Ivory Coast** last year, worsening after the long-awaited elections in November, when incumbent President Laurent Gbagbo refused to give up his office. Following the vote, broadcasts from the international media were reportedly blocked, journalists from local and foreign media were intimidated, arrested and attacked, newspapers were banned and foreign news outlets accused of spreading disinformation.

At the end of 2009, **Burundi** annulled the registration of the Forum for the Strengthening of Civil Society (FORSC), an umbrella group of 146 civil society organizations dealing with government accountability for recent killings, according to Human Rights Watch (HRW). Five months later, an HRW researcher in Burundi lost her work permit. The government continues to avoid oversight and criticism, and in 2010 journalists were arrested, detained, interrogated and attacked for their work. In July, online journalist Jean-Claude Kavumbagu was arrested and charged with treason for an article that appeared on the Net Press website. He faces life in prison for an article suggesting that Burundian security was not prepared to deal with an attack like the one that had recently struck **Uganda**, the Committee to Protect Journalists reported. At the time of this writing, Kavumbagu remains in prison.

In 2010, IPI named Radio Okapi its 2010 Free Media Pioneer, for its work in bringing objective news to people across the **Democratic Republic of Congo**. But press freedom continues to suffer in the central African country as it heads for presidential elections in 2011. Journalist Patient Chebeya Bankome was shot in front of his house in North Kivu on April 5, and his videocassettes were reportedly stolen. In September, IPI joined 30 other organizations in calling on President Kabila to ensure that journalists are no longer detained and imprisoned for libel.

One editor was killed in **Rwanda** in 2010. An unidentified gunman shot Jean Leonard Ruganbage, an editor for the local-language *Umuvugizi* newspaper, in front of his home on the outskirts of the capital Kigali on June 24. President Paul Kagame was elected to a second term in August, but the vote was marred by several authoritarian measures enacted against the press and political enemies. Several radio stations and newspapers were shut down, journalists and opposition members were detained, beaten and arrested, and media workers were imprisoned on various criminal charges. In February, three journalists from Umuseso were handed prison sentences of between six and twelve months for invasion of privacy. Prosecutors are seeking prison sentences of 33 years and 12 years respectively for the editor and deputy editor of Umurabyo for a series of provocative opinion pieces.

Large parts of **Somalia** are under the control of Islamist militants, and the UN-backed government is confined to a small quarter of Mogadishu. In between were Somali journalists, who were caught literally and figuratively in the crossfire in 2010. The National Union of Somali Journalists (NUSOJ) reported that radio stations across the country were taken over by Shabab and Hizbul Islam forces. "Independent reporting is no longer possible from places such as Baidoa, Jowhar, Beledweyne, Bardhere and Kismayo," said NUSOJ head Omar Faruk Osman in the group's annual report for 2010, noting that only Radio Shabelle continues to operate independently from Mogadishu. The transitional government, too, attempted to arrest NUSOJ program coordinator and *New York Times* stringer Mohammed Ibrahim, after the newspaper reported that Mogadishu was using child soldiers in its fight against the insurgents. Ibrahim fled the country, but returned later following assurances that he would not be attacked.

At least two veteran journalists were killed for their work in 2010. Sheikh Nur Mohamed Abkey, 52, of Radio Mogadishu was abducted and killed in the capital in May. Three months later, a stray bullet hit Hurma Radio station director Barkhad Awale Adan as he attempted to fix a transmitter on the roof.

Elsewhere in East Africa, **Kenyans** voted peacefully in favor of a new constitution, which observers hope will help to better protect press freedom in future, although groups including Article 19 repeatedly called for the right of access to information to be guaranteed.

Government attempts to control the flow of information continued in **Ethiopia**, where journalists were jailed, one successful publication was shuttered, four others were handed crippling fines clearly intended to silence and punish them, and Voice of America broadcast signals were jammed ahead of elections in May.

> Journalists in Uganda came under increased pressure in the run-up to parliamentary and presidential elections scheduled for February 2011.

Journalists in **Uganda** came under increased pressure in the run-up to parliamentary and presidential elections scheduled for February 2011. A crackdown began in September 2009 when five news outlets were closed, and many journalists reportedly lost their jobs under duress. A press law passed early in 2011 enshrined bureaucratic hurdles for the media and gave authorities the ability to revoke the license of media if they publish material deemed to be "prejudicial to national security, stability and unity," or which is "injurious to Ugandan relations with new neighbors or friendly countries", causes "economic sabotage", or breaches any of the conditions imposed by the license," IPI reported. There were other, positive, developments including the abolition of a sedition law that had sometimes been used against the press. But this was overshadowed by the fact that journalists were threatened, assaulted, detained, abducted and jailed for their work. Three journalists were killed. They were Stephen Tinka, killed in the July bombing; Paul Kiggunga, who was beaten to death for filming an attack; Dickson Ssetongo, who was killed by a mob.

A week-long referendum in January 2011 indicated at the time of this writing that South Sudan had voted overwhelmingly in favor for independence from Khartoum. In the months leading to this historic vote in **Sudan**, which has suffered decades of civil war, newspapers were censored and closed down, journalists were threatened, attacked and handed long prison terms, the BBC's Arabic service was banned and Monte Carlo Radio lost its license. The state media are controlled by the government, which has long tried to prevent the free flow of information.

Sudanese President Omar Hassan al-Bashir, who has been in power since 1989, won the country's first multi-party elections in April 2010 – but these were also marred by censorship measures and attacks against the press, as well as the blocking of an elections monitoring website.

As football fans across the world set their sights on **South Africa**, host of the 2010 FIFA World Cup, the government came under scrutiny at home and abroad because of two press freedom developments. The first was the Protection of Information Bill, a piece of legislation designed to regulate the classification of government information. Journalists and press freedom advocates argued that the law sets a very low threshold for classification and encourages secrecy, while excessively punishing whistleblowers and journalists who reveal that information. Secondly, the ruling African National Congress suggested that journalists are irresponsible and should be regulated through a statutory body – a suggestion rejected by local journalists and foreign observers including IPI, which joined the media in speaking out for press freedom on South Africa's national press freedom day in October.

This year **Zambia**, whose media over the past few years operated under relatively free conditions, was characterized by the ongoing discussion between the media fraternity and government on regulation. In October 2010, an IPI delegation met with Information Minister Ronnie Shikapwasha, urging the government to refrain from statutory regulation of the media. Although IPI and other observers recognized that the media has a responsibility to report in a professional and ethical manner, the proper forum for media oversight is through an independent body of journalists and not a body answerable to parliament. Furthermore, IPI found that the public media continue to be heavily controlled by government. With elections expected to take place in the latter half of 2011, it is imperative that journalists and news outlets be given the leeway to present a range of political views and opinions without fear of reprisal. Prosecutors have been known to bring criminal charges of defamation or contempt of court against journalists who criticize public officials or the judiciary. IPI World Press Freedom Hero Fred M'membe was sentenced to four months in prison for contempt of court earlier this year, although he was released on bail pending appeal after spending three nights in jail.

# Asia & Australasia Overview: For Journalists, the World's Most Dangerous Continent

By Barbara Trionfi

For the third consecutive year, in 2010, Asia was the most dangerous continent for journalists, with a total of 38 reporters killed. If one excludes from the annual reported death count journalists killed during the Iraq conflict, Asia has been the world's deadliest region for the media since 2003.

The journalists murdered in Asia in 2010 were either directly targeted because of their reports, or killed while reporting in a dangerous environment. The deadliest region was South Asia, where a volatile political situation extending from **Afghanistan** to **Bangladesh** has greatly affected journalists' ability to work safely.

The journalists murdered in Asia in 2010 were either directly targeted because of their reports, or killed while reporting in a dangerous environment.

Even **India**, generally considered a safe and free country for journalists to work in, saw the killing of three journalists in 2010; and Bangladesh, which is going through a phase of democratic advances, witnessed the death of two journalists under circumstances and for reasons yet to be clarified.

**Pakistan** was the deadliest country in Asia - and in the world - this year for journalists. Widespread violence, internal conflict and the failure of the central government to control large parts of the country led to the death of 16 journalists in 2010, at least half of them in the north-western part of the country, bordering Afghanistan, where Taliban militants have become increasingly powerful. Of the 16 journalists killed in Pakistan, seven died when bombs exploded at locations where the journalists were reporting. The remaining nine were directly targeted. To IPI's knowledge, none of the murders were thoroughly investigated.

Afghanistan's media landscape has become increasingly diversified since the end of the war, in spite of laws imposing restrictions on media content. It remains, however, a very dangerous place to practice journalism. Three journalists were killed this year in Afghanistan, two of them by explosive devices, the third one - Sayed Hamid Noori, vice-president of the Afghanistan Association of Independent Journalists (AIJ) - was stabbed outside his house.

In **Sri Lanka**, 2010 began on a positive note, with a court decision to grant bail to Tamil journalist J.S. Tissainayagam, who had been sentenced to 20 years in prison in September 2009 after criticizing the government's handling of the end-of-war offensive against Tamil Tiger militants. It is, however, disturbing that Sri Lankan authorities have yet to bring to justice the perpetrators of the murder of IPI World Press Freedom Hero and late editor of *The Sunday Leader*, Lasantha Wickrematunge, a well-known government critic and human rights defender, assassinated in January 2009.

Violence and assaults against journalists in Sri Lanka have diminished since the end of the conflict. However, the exile of many critical journalists and press freedom defenders throughout the war, and the fear felt by those still in the country of repercussions in connection with the coverage of certain topics, mostly related to the years of conflict, has led to widespread self-censorship, with the consequent loss of important information for the public. *The Sunday Leader* remains one of the few outspokenly critical voices among Sri Lankan media and its editors are constantly harassed.

In **Nepal**, attacks against journalists are common, while the ongoing political crisis has weakened respect for the rule of law. Three journalists were shot dead this year in separate incidents by unknown assailants riding a motorcycle. Representatives and supporters of the ruling Unified Communist Party of Nepal (Maoists) have often been accused of carrying out attacks against journalists in full disrespect of press freedom and media independence. Concerns remain that press freedom will not be duly guaranteed in the new constitution, which the current government is in the process of drafting.

Journalistic ethics were widely discussed this year in India, where the media industry has been in constant growth. In particular, the practice of publishing "paid news" became an issue of debate after media investigations exposed that numerous media outlets sold news space to politicians in times of electoral campaigns, basically presenting political advertisements as news.

Numerous journalists were handed down prison sentences this year in China and in Burma, where strong systems of state control over media content are in place and attempts to circumvent such systems are not tolerated.

Furthermore, prominent Indian journalists were accused of using their privileged access to the government to lobby in favor of a candidate for political appointment.

In Bangladesh, violence against the media has greatly decreased in the past couple of years, but the government has yet to bring to justice those responsible for murdering, torturing and assaulting journalists during the years of military rule in the country. In 2010, the strongly divided political climate – an issue IPI has repeatedly highlighted as an obstacle to media independence – was the likely cause behind the legal harassment of Mahmudur Rahman, acting editor of the outspoken opposition newspaper *Amar Desh*.

Violence against the media has also become a major threat to press freedom in some South-East Asian countries. A total of five journalists were killed this year in the **Philippines**, where the murder of journalists who report on corruption and criminal activities and the impunity related to these murders has been a major problem in a media climate otherwise fairly free.

More than a year after 32 journalists were killed in the Maguindanao massacre in the Philippines, those responsible for the crime are still at large. IPI has repeatedly expressed concern at the slow pace at which the trial has been unfolding, the intimidation of key witnesses, and the widespread perception that the strong culture of impunity so apparent in the Philippines made the slaughter possible in the first place.

In **Thailand**, two photographers –a Japanese national working for Reuters, and an Italian freelancer - were killed while taking pictures of the violence between representatives of the United Front for Democracy against Dictatorship (UFDD), known as "Red Shirts", and the Thai army.

The eight-month long state of emergency imposed in response to the street protests heavily restricted media content, by banning news judged to "cause panic". Furthermore, numerous media outlets, in particular websites, were shut down during the emergency rule.

Press freedom was only partially restored after emergency rule was lifted in December. Other laws remain in place in Thailand to limit the scope of press freedom. In particular, the draconian Computer Crime Act has led to the arrest of many Internet users, one of whom is currently facing up to 50 years in jail in connection with comments posted on his forum, deemed to insult the monarchy.

Numerous journalists were handed down prison sentences this year in **China** and in **Burma**, where strong systems of state control over media content are in place and attempts to circumvent such systems are not tolerated.

Chinese dissident and journalist Liu Xiaobo, winner of this year's Nobel Peace Prize, was sentenced to 11 years in prison in December 2009. Known for his criticism of the Chinese government's policies, Liu Xiaobo was one of the authors of the Charter 08, a human rights manifesto calling for political reforms and democratization in China.

Press freedom groups report that a total of 33 journalists are currently in prison in China, four of them jailed in 2010. One Chinese journalist died on December 28 after being beaten while reporting at a construction site.

On a positive note, IPI welcomed the call by 20 former Communist Party officials for an end to media censorship and the development of independent media in China. Currently, the central government directly controls all media outlets in China and media content is strictly regulated. The Government Propaganda Department bans reporting on sensitive issues, including those related to food safety, deadly accidents in mines and factories, as well as the consequences of natural catastrophes. Criticism of the government's policies in reaction to any of these issues can lead to lengthy jail terms.

Censorship and government control of the media are even tighter in Burma, where at least 14 journalists are currently in prison, according to information available to IPI. The only independent news available in the country is generated by exile-based news outlets, whose stringers inside the country face immense dangers to bring information to the outside world.

Observers have also pointed out that, ahead of the November 7 nationwide elections – the first ones in 20 years – representatives of opposition political parties were awarded very little access to state media and independent websites were censored.

The **Vietnamese** media environment remains among the most restrictive in the region. On one hand, the government does not allow any independent print or broadcast media to exist; on the other – as IPI Press Freedom Hero and exiled journalist Doan Viet Hoat told IPI – bloggers who express any form of dissent are persecuted and harassed, either through fines and criminal charges, or through physical violence.

In the Pacific region, a new draconian media law – **Fiji's** Media Industry Development Decree, 2010 – raised strong criticism by press freedom groups as it includes a provision allowing for the imprisonment of journalists for up to five years and it limits foreign ownership of Fiji-based news outlets to 10 per cent.

This clause had particularly grave implications for the country's oldest newspaper, *the Fiji Times*, which has repeatedly been

critical of Interim Prime Minister and Military Commander Frank Bainimarama and his administration. *The Fiji Times* was eventually sold by Rupert Murdoch's News Corporation, its previous owner, to Fijian businessman Mahendra Motibhai Patel.

Commenting on recent developments, IPI Press Freedom Hero Savea Sano Malifa, editor and publisher of the *Samoa Observer*, said: "Today in Fiji, press freedom no longer exists."

The former Soviet Central Asian republics of **Kazakhstan**, **Kyrgyzstan**, **Tajikistan**, **Turkmenistan** and **Uzbekistan** give little hope of bringing about reforms that allow for press freedom and media independence any time soon.

One year after Kazakhstan assumed the chairmanship of the inter-governmental Organization for Security and Cooperation in Europe (OSCE), pledging to implement reforms that would promote press freedom in the country, the situation has become even worse. Two laws were passed this year by Kazakhstan's government that go against international principles of press freedom. The first one is an Internet law imposing the same restrictions on online content that affect print and broadcast media in the country; the second, a privacy law granting the same privacy protection to public and private persons, which basically ignores the principle that public persons have to give up many of their privacy rights, at least with regard to their public function.

In Kyrgyzstan, journalist and human rights activist Azimjon Askarov was handed a life sentence in September this year on charges ranging from participation in mass riots to murder of a police officer, which he has denied. Human rights observers expressed the opinion that these charges may be in retaliation for his exposure of human rights violations in Kyrgyzstan.

**Below:** A protester looks at a sheet of slogans while leading others during a rally calling for more freedom of expression and protection for the media in Colombo, February 8, 2010. (REUTERS)



# Europe Overview: Across the Continent, Free Journalism is Targeted

By Nayana Jayarajan

A bleak year for press freedom in Europe ended with **Hungary** assuming the presidency of the European Union Council, only weeks after the government there passed a controversial media law that gives a government-appointed media council the power to heavily fine media houses for vaguely-defined offences.

Media regulation in Hungary came under sharp scrutiny in the last months of 2010, with widespread criticism of the new media law as being too restrictive and granting wide-ranging powers to the media council to penalize the media for breaching a variety of broad and vague regulations.

In December, an IPI/SEEMO fact-finding mission to Hungary warned that the law had been passed without a "wide, open discussion with media professionals", and that Hungary, which is due to take over the presidency of the European Union, has a responsibility to set an example of press freedom standards in the region.

The new media law allows radio and television stations to be fined up to 730,000 euros ($975,000) for going against "public interest, public morals and order", or for broadcasting "partial information", with insufficient clarification on what constitutes an infringement of the law, according to local media sources.

In November, Hungary's parliament passed legislation ostensibly aimed at promoting press freedom but which in fact allowed for journalists to be forced to give up their confidential sources in cases involving vaguely-defined 'national security'.

Despite widespread criticism of the law from both press freedom organizations and other EU countries like the **UK** and **Germany**, Hungary has so far resisted allegations that the law undermines press freedom. Government representatives have committed to reviewing the law if it is against EU principles, but no action has been taken on this front at the time of writing.

The media reported the following statement from the UK Foreign Office: "Freedom of the press is at the heart of a free society. We hope that the Hungarian government will soon resolve this issue satisfactorily and that it will not impact adversely on the successful delivery of the Hungarian EU Presidency."

> Hungary was not the only EU country to witness a backsliding of press freedom.

Amid accusations that the English translations of the law omitted certain key texts, the Public Administration and Justice Ministry said in a statement that "A common trait of the opinions expressed by the media is that they apparently lack in-depth knowledge of the Act's text."

In January 2011, IPI's **Austria** National Committee, along with other press freedom organizations, published an insert voluntarily carried in over a dozen major Austrian newspapers, calling on the Hungarian government to repeal the media law, and reminding the government of the country's historic commitment to democracy and free speech.

Hungary was not the only EU country to witness a backsliding of press freedom.

In June 2010, IPI's affiliate organization SEEMO (South East Europe Media Organization), expressed concern at a National Defence Strategy that was adopted by the **Romanian** Supreme Defence Council (CSAT) and passed on to the Romanian Parliament.

According to SEEMO, the President of Romania initiated a National Defence Strategy, which contained, among other things, serious allegations against the media - which it described as a security threat and vulnerability for Romania, due to press campaigns allegedly aimed at "spreading false information" about the activities of state institutions. The document was adopted by the CSAT and was passed on to the Romanian Parliament on June 23, 2010.

In June, the **Italian** government sought to pass a law imposing heavy restrictions on magistrates seeking wiretaps, and on journalists who want to publish leaked 'wiretap' material. The restrictions would remain in place until the 'preliminary' hearing - a period which in Italy varies between three and six years, and in some cases extends to 10 years.

Furthermore, only "professional journalists" (i.e. journalists belonging to the Italian National Order of Journalists) would be allowed to record and film individuals without previous authorization, solely for journalistic purposes. This would effectively prevent a great number of practicing journalists from carrying out their work, therefore limiting the media's ability to expose the effects of corruption and other illegal activities.

The law foresees a penalty of up to 450,000 euros for publishers and 30 days in jail, and up to 10,000 euros for journalists who publish leaked wiretapping material before the beginning of a trial.

Furthermore, documents related to ongoing investigations cannot be published in full, but only as an abstract. According to the law, publishers who disregard this ban face a fine of up to 300,000 euros.

An IPI report, based on the findings of a November 2010 press freedom mission to Italy, drew attention to the legal and institutional system that allows for political interference in the content of the public service broadcaster RAI, as well as in the decision-making process about who can practice as a professional journalist, and in issues related to professional ethics in Italy.

Europe in 2010 saw a trend of governments continuing to use laws, related most frequently to national security or licensing, but also occasionally to defamation, to silence journalists and media houses.

**Turkey**, where dozens of journalists are in prison, was the worst example of this trend. The journalists were arrested over their alleged affiliation with terrorist organizations, according to IPI's Turkish National Committee.

As late as December, Emine Demir, the former editorial manager of Kurdish newspaper *Azadiya Welat*, was sentenced to 138 years in prison over articles that she accepted for publication in the newspaper. The 24-year-old was found guilty of spreading propaganda for the outlawed PKK, the Kurdistan Workers' Party.

> In Turkey, journalists were arrested over their alleged affiliation with terrorist organizations, according to IPI's Turkish National Committee.

In April, another IPI statement called attention to Vedat Kurşun, former editor of *Azadiya Welat*, who was sentenced by a Turkish court to three years in prison in connection with two articles deemed to have spread propaganda for the outlawed Kurdistan Workers' Party, PKK – which is considered a terrorist organization by Turkey, the European Union, the United States and many other countries.

Kurşun had already served 13 months in jail while awaiting his trial, after being arrested in Istanbul in January 2009 as he arrived in the city to testify in another case.

Also in December, authorities arrested two journalists working for the Renge Heviya Jine magazine. On December 5, authorities arrested the former editor-in-chief of the magazine, Berivan Eker, as she was on her way to a meeting with her lawyer.

According to information from IPI's National Committee in Turkey, Eker was under investigation for "spreading propaganda for an illegal organization" and, based on two articles she wrote in June and July of 2010, on separate charges of "committing a crime on behalf of an illegal organization". The investigations were later merged.

According to the recently-founded Freedom for Journalists Platform (FJP), of which IPI's Turkish National Committee is a member, the magazine's former editor-in-chief, Gurbet Çakar, had earlier been arrested by the Public Prosecution of Diyarbakır, a Kurdish-majority province in south-eastern Turkey. The prosecutor was demanding a prison term of up to 20 years for Çakar on charges of "spreading propaganda for an illegal organization via the media" and "membership of the PKK".

Renge Heviya Jine is the only magazine for women in Turkey publishing in both Kurdish and Turkish. The first editor-in-chief of the magazine, Sultan Sonsuz, has been indicted under charges of "propaganda" in five different cases. She was sentenced to a year and three months in prison on one of the charges, and is facing a maximum of 20 years if found guilty on the others. Her successor, Ruken Aktas, was facing three years and nine months in prison. Aktas' successor, Sibel Esmer, was sentenced to one year and three months on propaganda charges. The sentence was under appeal at the year's end.

In June, IPI reported on the sentencing of journalist Irfan Akhtan to a year and three months in prison, for an article he wrote in October 2009, and a fine of 16,000 Turkish Lira was imposed on Merve Erol, the editor of Express, the fortnightly magazine that published the article. The two journalists were found guilty of dispersing "propaganda relating to a terrorist organization," under Article 7 of the Turkish anti-terror law.

In December 2009, a Turkish court sentenced Ozan Kilinc, the editor of a Kurdish newspaper to 21 years in prison for publishing what the court called Kurdish propaganda, only two weeks after the European Court of Human Rights ordered Turkey to pay over 40,000 euros to 20 Turkish journalists as compensation for having violated their rights.

In **Ukraine**, meanwhile, independent media continued a struggle with the government carried out in the country's courts. Ukraine's administrative Supreme Court met in December in Kiev to examine the appeals of two independent television stations, TVi and 5 Kanal, against the removal of broadcast frequencies.

Pressure had been applied on the two privately owned stations since President Yanukovych took office in February. Since his election, the government has been accused of attempting to restrict freedom of the press by inducing pro-government censorship. Some journalists have claimed that top government intelligence agents have been monitoring them.

TVi and 5 Kanal appealed against Judge Nataliya Blazhivska's ruling on June 8 to invalidate the National Council for Television and Radio Broadcasting's January 27 grant of additional frequencies to both stations. These frequencies would have ensured development and greater audience for both channels.



**Above:** Protesters holding portraits of disappeared opposition activists during a 'Day of Solidarity' in the Belarus capital Minsk, August 16, 2010. (AP)

The decision was made in response to legal protests filed by Inter Media Group (IMG), the nation's largest broadcasting group, when the Broadcasting Council allocated 33 frequencies to TVi, 26 to 5 Kanal and only 20 to IMG's stations.

On June 7, Kanal 5 published an open letter accusing owner of IMG, and member of the High Council of Justice, Valery Khoroshkovsky, of interfering in the dispute.

Khoroshkovsky, coincidentally, is also the chief of Ukraine's main spy agency, the Security Service of Ukraine (SBU), whose agents were allegedly caught on film following TVi executive-director Mykola Knyazhytsky in June.

The Council of Europe's parliamentary assembly criticized the state of affairs on November 25, while the European Council, in a resolution written the same day, condemned the clear conflict of interest in the decision to withdraw frequencies from the two stations.

On December 13, in a joint letter addressed to President Yanukovych and Prime Minister Azarov, journalists from both TVi and 5 Kanal urged the government to consider the resolutions of these European institutions by relieving Khoroshkovsky of some of his positions.

President Yanukovych later dismissed Khoroshkovsky as a member of the Higher Council of Justice. The decision came after Khoroshkovsky submitted a letter of resignation.

In **Russia**, the 'guilty' verdict against journalist Mikhail Beketov on a charge of defamation in November was met with widespread condemnation, both in Russia and in the international community. Beketov was found guilty of defaming the mayor of Khimki in a 2007-television interview, where he alleged that the mayor, Vladimir Strelckenko, had been involved in an arson attack on Beketov's car. A year later, Beketov was attacked by unknown assailants, who beat him so severely that he was left with permanent disabilities, and can no longer speak or walk.

Although no arrests have been made over the attack on Beketov, as of the time of writing, it is widely believed to be related to his coverage of political issues in Khimki, where environmental activists are fighting a government-ordered highway which will pass through protected forests.

In 2010, noted political journalist Oleg Kashin was brutally attacked in Khimki. The investigation into his attack is predicated on the assumption that it was related to his journalistic work.

In September, political technologist and journalist Ernest Staratelev was attacked in his apartment by unknown assailants, who stabbed him 15 times. Investigators believe the attack may be connected to his work as a journalist, as nothing was taken from the apartment.

Staratelev is known for his criticism of the city administration. On September 3, he hosted a program dealing with the transfer of objects that are the property of the city to private individuals, and on September 22 he reported on money paid into the election fund of the city's Mayor Viktor Tarasov.

Attacks on journalists continued in other parts of Europe.

Dozens of journalists were arrested in the riot police crackdown on the rally that followed the re-election of President Alexander Lukashenko in **Belarus**. According to the Belarusian Association of Journalists (BAJ), 24 journalists were detained and 21 were physically assaulted. Among them, there was Iryna Khalip, correspondent for the Moscow-based newspaper *Novaya Gazeta*, a BAJ member, and the recipient of an award from IPI's affiliate, SEEMO. Khalip was giving an interview with the radio station Echo Moskvy when she was pulled out from her car along with her husband, the opposition presidential candidate Andrei Sannikov, and arrested by the Belarus' security agency, still called KGB.

Since then, prosecutions and harassments of journalists have continued to stifle press freedom in Belarus. Khalip and her husband were, at the time of writing, still in prison facing charges of organizing and participating in the demonstrations in December. Several raids on Belarusian journalists' apartments and independent media newsrooms, with the seizure of all




**Left:** Demonstrators protest against the media law in Hungary in front of the Hungarian embassy in Vienna, Austria, January 14, 2011. Banner reads: "For media and press freedom world-wide." (AP)

the equipment, were denounced by the BAJ. A popular private station, Autoradio, was forced to close by the government, accused of broadcasting calls for "extremist behavior". Western countries have condemned the government's grip on press freedom in Belarus and the European Union signaled that it was ready to impose visa sanctions on Lukashenko.

In **Bulgaria**, on February 3, 2010, the premises of the Varna office of Bulgarian TV SKAT were attacked with a Molotov cocktail, following a similar attack on the head office of TV SKAT in Burgas just one day previously. The perpetrators remain unknown so far. In 2009, TV SKAT journalist Silvija Trendafilova and her colleague, cameraman Peter Georgiev, were beaten by the bodyguards of a leader of a political party.

Police in **Latvia**, on May 11, searched the home of a journalist working for Latvian public TV broadcaster Latvijas Televizija and confiscated her computer, along with other storage media that contained personal information. Latvijas Televizija had broken the story of the leak of millions of documents relating to tax information from the National Revenue Services' online reporting system.

Police searched Ilze Nagla's house, and several others, hoping to find information relating to a shadowy hacker, known only as "Neo", who claimed to have been behind the cyber-attack at the origin of the leak. Neo had contacted Nagla.
SEEMO, in October, called for police protection to be extended to *B92* journalist Sonja Kamenkovic from Zajecar, **Serbia**. Kamenkovic had reportedly been investigating a local police official who, it is alleged, had issued the threats.

Impunity continued to be a problem, with limited progress being made in investigations into attacks on journalists across swathes of Europe. In Russia, after the acquittal of all three defendants in the murder of noted journalist Anna Politkovskaya in 2009, no new arrests have been made. In **Azerbaijan**, journalist and focus of the IPI Justice Denied campaign Eynulla Fatullayev remains in prison, on what are widely believed to be trumped-up drug charges, despite a European Court of Human Rights ruling demanding his release.

2010 saw five journalists killed for their work across Europe. In January, Boris Nikolov Tsankov, a radio host and author of books on the Bulgarian mafia, was shot by unknown gunmen on the way to meet with his lawyer. He died instantly. Tsankov had survived a previous attack on his life in 2004.

In Belarus, Aleh Byabenin, founder and director of pro-opposition news website Charter 97, was found hanged in his holiday home outside the capital, Minsk, in September. Although the death was ruled a suicide, colleagues of the journalist said that this was unlikely. Byabenin also had unexplained injuries.

In **Greece**, Sokratis Giolias, 37, director of the radio station Thema 98.9 FM and administrator of the most popular social and political Greek blog, Troktiko, was shot dead on July 19. During the early hours of the morning, an unidentified man rang the doorbell at Giolias's home and informed him that someone was attempting to steal his car. Giolias went outside to the building entrance where he had parked his car and it was then he was shot several times. Giolias's body was riddled with bullets and he died on the spot.

In Latvia, Grigorijs Ņemcovs, publisher of Latvia's biggest regional Russian-language newspaper, *Million*, and owner of a local TV station, also called Million, was shot twice in the head at close range on April 16 in a café in Daugavpils, in the south-eastern region of Latgale. The murder appeared to be a contract killing. Founded by Ņemcovs in 1995, *Million* is known for its investigative reporting of political and local government corruption. Ņemcovs had received death threats in 2007 when his home was targeted in an arson attack. He was also a local politician and deputy mayor of Daugavpils.

Two journalists were killed in Russia this year. Sayid Ibragimov, director of local television station TBS in the Sergokalinsky district of Dagestan, died on May 13 on his way to restore a TV re-transmitter damaged by militants' fire a day earlier. Ibragimov's car, which was carrying a team of repairmen, and an accompanying police jeep were ambushed near the village of Ayazi. Gunmen set off a bomb in front of the vehicles and then opened fire on them, killing five men, among them Ibragimov, and wounding four others.

Magomedvagif Sultanmagomedov, a Muslim scholar who was the head of Makhachkala TV and the Nurul Irshad publishing house in Dagestan was killed on August 11 when he was fatally injured by unidentified gunmen as he was driving his car in the centre of Makhachkala, the North Caucasus republic's capital. He later died in hospital. Colleagues believe that his murder was the result of his journalistic activities.

In Turkey, Metin Alataş, 34, a journalist working for Kurdish daily newspaper *Azadiya Welat*, was found hanged from a tree in the Hadırlı district of Adana in the predominantly Kurdish region of south-eastern Turkey on April 4. Alataş was last heard from on April 3 when he went to the district to distribute copies of the paper. He was also attacked in December whilst distributing the paper in the region. Colleagues believe he was killed by "illegal forces" or forced to commit suicide.

# Middle East & North Africa Overview: As the Region Boils, Reporters Stand Up to Repression

By Naomi Hunt

Demonstrations in **Tunisia** at the end of 2010 resulted in the overthrow of President Zine El Abidine Ben Ali, and observers began to speculate as to whether similar street-level movements could uproot the decades-long rule of leaders in other Middle East autocracies. The failure of talks between **Israel** and the **Palestinian** Authority, the continued fear of **Iran**'s alleged nuclear aspirations and the threat of Islamist terrorism, drove a high-level international political agenda that often disregards human rights on the ground. But blogs and social media websites including Twitter and Facebook are giving ever more young people in the MENA region a platform on which to organize and exchange information and opinions about day-to-day events. If the example of Tunisia is anything to go by, the combination of a young demographic and new technology may mean that grassroots concerns will be given more prominence on the political agenda. But new technology does not guarantee press freedom, and across the region both traditional and new media remain constrained by outdated and repressive laws, sometimes implemented by corrupt judiciaries, and the fear of attack.

> While some journalists were released, others were jailed without charge; dozens remain behind bars.

In 2010, as per agreements made by the United States under former president George W. Bush, the U.S. reduced the number of its troops in **Iraq** by more than half. Parliamentary elections were held in March 2010, but these resulted in months of deadlock without the creation of a new government. Prior to the elections, the Iraqi Communications and Media Commission (CMC) issued media rules on licensing and registration, and ordered journalists to refrain from inciting violence in terms that were criticized for their vague wording. Reporters and photographers were frequently threatened, insulted and assaulted by members of the army and police, a trend that continued throughout the year. In April, Omar Ibrahim Al-Jabouri of Al-Rasheed TV survived a car-bomb assassination attempt that cost him both of his legs. Television stations Al-Arabiya and Al-Baghdadia came under attack in a suicide attack that killed four and in a raid and series of arrests by the government, showing that journalists must reckon with threats from both terrorists and the regime. The attacks also showed that while Iraq now has a relatively free media environment, it is still one of the most dangerous countries in the world in which to operate as a journalist. Particularly in the autonomous region of Iraqi Kurdistan, journalists face the threat of violence and abduction by figures linked to political parties for their reporting. Six Iraqi journalists were killed in targeted, calculated attacks in 2010. While this is a drastic decline from the first few years of the U.S.-



**Above:** A man wears tape over his mouth to protest the killing of 23-year-old journalist Sardasht Othman in Sulaimaniyah, 160 miles northeast of Baghdad, Iraq, May 12, 2010. (AP)

led invasion, it is two more than last year, and six too many.

Since the crackdown that followed presidential elections in June 2009, the media in Iran remain not free. Many journalists have been forced to flee the country. While some journalists were released, others were jailed without charge and dozens remained behind bars. In 2010, several bloggers and reporters who were tried in court received years-long sentences for "propaganda" or "insults". Canadian journalist Maziar Bahari, who was incarcerated for four months in 2009 and later wrote about conditions in the prison, was sentenced in absentia to 13 years in prison and 74 lashes on national security and insult charges. Blogger Hossein Derakhshan, originally detained in 2008, received a prison sentence of over 19 years, in September. News media reportedly receive regular warnings about their work, and have been ordered not to cover certain opposition figures. Certain political websites are blocked or hacked. In an interesting twist, according to an anecdote in a WikiLeaks diplomatic cable that was published toward the end of 2010, President Mahmoud Ahmadinejad was slapped by the Revolutionary Guard's chief of staff, Mohammed Ali Jafari, for suggesting in February that to diffuse tension it might be necessary to allow greater freedoms, including press freedom.

Media remained tightly controlled in **Saudi Arabia**. Over the past few years, journalists have enjoyed slightly more freedom to report on formerly taboo subjects including crime, drug trafficking, employment, human rights and religious extremism. Nonetheless, criticism of the royal family or government policy is generally prohibited, and even foreign Arab-language news sources have been censored or taken off the air in the past, probably in connection to their reporting. The Internet is filtered for social and political content, according to the watchdog Opennet Initiative, and Internet use is closely monitored. In April, the website of an Egyptian rights group was blocked only 15 hours after it launched, Arabic Network for Human Rights Information (ANHRI) reported, and in October the website of one newspaper was blocked and its editor arrested over a misprint that was promptly corrected. Thousands of Saudis have turned to blogs and other online forums to express themselves, but bloggers and online journalists face the threat of arrest and imprisonment.

The media environment in **Yemen** worsened in 2010; President Abdullah Saleh's government continued to struggle with a secessionist movement in the south, an insurgency in the north, as well as the threat of the international terrorist group, Al Qaeda. A year after the creation of a Press and Publications Court to deal with press offences, several journalists were imprisoned in connection with their work, banned from publishing or given high fines. Journalists were reportedly attacked and had their homes fired upon. In March, security forces stormed the Sana'a offices of Al Jazeera and Al Arabiya television news networks, which were accused by the government of having distorted news of violence in the south. In August, at least 25 Yemeni journalists were detained by the army while attempting to attend a peace conference called by tribal leaders, who are very influential. Although later released, the journalists were then expelled from the area and were therefore unable to cover the conference. In August, freelance journalist and Al Qaeda analyst Abdulelah Hiden Shaea was detained, a month after he was abducted overnight by security forces and questioned about comments he made to Al Jazeera. In October, Shaea was charged with "belonging to an illegal network" and "supporting the al-Qaeda network". One journalist was killed in Yemen in 2010. Mohammed Shu'i al-Rabu'i, 34, was shot and killed on February 13 at his home in Beni Qais, in the northwest of the country. While working for the monthly opposition party newspaper *Al Qaira*, he had written about the activities of a prominent local criminal outfit. Despite these setbacks, the media continue to fight. As *Yemen Times* editor Nadia Al-Saqqaf told IPI in an interview in March 2010, "There's only one way for the media to go, and that is forward. It's like you've come from the darkness to the light. It's not possible to stop the progress that's happening in the media. Only it makes the journalists stronger and angrier."

On August 3, the first **Lebanese** journalist since 2006 was killed. Assaf Abu Rahhal, who worked for *Al-Akhbar* newspaper, was killed during clashes between Israeli and Lebanese forces in South Lebanon. As IPI learned during an October 2009 mission to the country, the Lebanese media are still the most diverse and vibrant in the Arab world; on the other hand, criminal defamation and other charges continue to plague journalists, in part because of the strong sectarian affiliation of many news houses. In March 2010, both the editor and the director of Al Adab magazine were fined U.S.$4,000 each for libeling Fakhri Karim, an Iraqi publisher and adviser to the Iraqi president, ANHRI reported. Since the murder of two prominent journalists – Samir Kassir and Gebran Tueni – in 2005, self-censorship in the media has been exacerbated because of the lack of clarity on where "red lines" lie. In 2010, May Chidiac, an LBC anchorwoman who narrowly escaped death in a car bomb attack the same year, was named an IPI World Press Freedom Hero.

Journalists and bloggers in **Syria** continued to be charged as criminals for their work and held for long periods without charge, and the country remained one of the worst press freedom environments in the world. In June 2010, the government had refused to release journalist Ali Saleh Al-Abdallah from prison, although he had completed a two-and-half-year sentence for disseminating false information. Several journalists remain in prison or currently face prison terms for their work.

> Journalists and bloggers in Syria continued to be charged as criminals for their work and held for long periods without charge.

In Israel, the media are perhaps the freest in the Middle East. But the Israeli authorities proved again in 2010 that they will not hesitate to prevent Palestinian journalists from covering clashes and protests in the West Bank and Jerusalem. Dozens of reporters and photographers were reportedly assaulted by Israeli soldiers, or had their equipment confiscated or damaged. In May, Israeli forces intercepted a flotilla from **Turkey**, resulting in the deaths of several activists and the detention of at least twenty journalists. While the organizers of the flotilla claimed to be transporting only humanitarian aid, Israeli officials said that the flotilla was illegally breaching the Gaza blockade, and that members of a terrorist-linked organization were also on board. During the raid, Israel blocked journalists' communications, confiscated footage and equipment, caused physical harm to many on board and detained journalists against their will.

Journalists in the Palestinian Territories again found themselves victims of the ongoing rivalry between the paramilitary group Hamas, which controls the Gaza Strip, and the political party Fatah, whose officials constitute the Palestinian Authority and have control of the West Bank.

Journalists in the West Bank, especially those working for Hamas-affiliated media, had to contend with assault, arrests and detentions by security forces. In January, former *Filastin* newspaper bureau chief Mustafa Sabri was arrested and taken into custody for having allegedly defamed the Preventive Security Forces. He was released two months later. In February, Aqsa TV correspondent Tarek Abu Zeid was sentenced by a military court to one and a half years in prison. On July 26, a Hebron court sentenced a journalist from Shihab news agency, Abu Arfa, to three months in prison for resisting the policies of the authorities.

Reporters faced even greater obstacles in Gaza. A September 2010 study by the Palestinian Centre for Development and Media Freedoms (MADA) revealed that in Gaza journalists lack equipment as a result of the Israeli blockade, and Israeli forces prevented newspapers from Ramallah from entering the Strip. In July, after a ban on three newspapers from the West Bank was lifted by the Israelis, the Gaza authorities nonetheless refused to allow *Al-Hayat Aljadedah*, *Al-Ayyam* and *Al-Quds* newspapers into the area. Beginning in February 2010, English documentary filmmaker Paul Martin was detained for 25 days, accused of aiding a militant whom Martin was scheduled to help defend in court. In September, Hamas was widely criticized for its closure of the Palestinian Journalists' Syndicate.

Although widening access to the Internet has in some ways expanded the space for discourse in **Egypt**, the authorities have reacted by clamping down on bloggers and traditional media with restrictive media and national security laws as well as the threat and use of force. Egypt has been under Emergency Law continuously since the assassination of President Anwar al-Sadat in October 1981, despite promises from National Democratic Party leader Hosni Mubarak to repeal the law. The law allows the authorities to monitor and censor the media. While the Internet is not generally censored or filtered, Web use is monitored through controls on Internet cafés, which most users rely on for access. Critical bloggers face harassment, raids on their homes, defamation lawsuits, arrest and long detentions. Bloggers Mosad Soleiman and Hany Nazeer have reportedly been in jail since 2008 on repeatedly-renewed detention orders, although they have not yet been tried. In 2010, several journalists were handed steep fines and prison terms for their work – a particularly worrying trend as the country moved toward legislative elections in November 2010 (which were widely criticized as being rigged) and presidential elections scheduled for October 2011. Several journalists were pressured to tone down or stop producing their work.

Press freedom conditions remained bleak in **Algeria** in 2010. President Abdelaziz Bouteflika's government continues to control the broadcast media, and exercise pressure over private publications that rely on advertising from state institutions. According to the OpenNet Initiative, Internet use is regulated through the criminalization of posting content that offends public order or morality, and through surveillance of Internet cafés. In March, the website of Radio Kalima – Algérie, an independent news provider, was blocked only two months after the station launched. Journalists can be arrested for non-accreditation, as well as under criminal libel and insult laws, including laws that explicitly protect the president and other officials. When convicted, journalists face imprisonment or steep fines. Foreign journalists are sometimes denied entry, or prevented from working once they are in the country. Two **Moroccan** journalists were ordered to stay in their hotel room for four days in September, and were prevented from covering conditions in a refugee camp that houses ethnic Sahrawi refugees from Western Sahara.

The status of Western Sahara, which is administrated as part of Morocco, remained a sensitive subject for the press in that country, as did the royal family and the sanctity of Islam. Despite a 2002 liberalization of the Press Law, journalists still face prison terms of three to five years for defamation, and can also be imprisoned for other press offences, including the spreading of "false information." Several journalists were sent to jail for their work in 2010. In February, the newsmagazine Le Journal Hebdomadaire was forced to close due to bankruptcy – but founder Aboubakr Jamai told the Committee to Protect Journalists in an interview that the magazine would have been able to pay their creditors had it not been for orders to advertisers that they should boycott the publication. The journal was also set back financially in 2006, when it was ordered to pay the equivalent of around U.S.$350,000 in a defamation case. In October, the magazine Nichane closed because pro-government organizations refused to advertise in its pages, the Arabic Network for Human Rights Information (ANHRI) reported.

Tunisia took the spotlight in early January 2011 when massive protests against economic conditions and corruption resulted in the flight of former President Zine El Abidine Ben Ali, who had run the country with an iron fist for more than twenty years. At the time of this writing, it remains to be seen whether the new atmosphere of press freedom and freedom of expression will be institutionalized with whichever government is to come. But observers are optimistic that whatever the future holds for Tunisian journalists, it will be brighter and better than the tight control and outright persecution that characterized the media environment for so many years. IPI participated in a mission to Tunisia in late April 2010, as part of the Tunisia Monitoring Group, a coalition of free expression organizations under the International Freedom of Expression eXchange (IFEX). The mission found that a lack of judicial independence, restrictions on freedom of assembly and the continued censorship of all media, as well as the physical abuse and persecution of journalists, posed a material threat to press freedom. Since the ouster of former President Ben Ali, several journalists who were in prison have been released, and state-controlled media have taken it upon themselves to change positions and report freely on the Jasmine Revolution.



**Above:** Friends and relatives mourn as they carry the coffin of Iraqi journalist Riyadh Al-Sarai during his funeral procession in Baghdad, Iraq, September 7, 2010. (AP)

# IPI Death Watch Overview: 101 Journalists killed in 2010

By Louise Hallman

Although in 2010 the number of journalists killed either for or during their work was – at 101 – down from its record high of 110 in 2009, the year presented another record statistic: The year was the second bloodiest since IPI started its Death Watch, even ahead of 2006, which, at the height of the Iraq, saw 100 journalists killed. With the absence of a major war (46 journalists were killed in Iraq in 2006) or one single high-fatality incident, like last year's horrific massacre in the Philippines, 2010 is in some ways the worst year on record.

The journalists killed in 2010 were targeted in 33 different countries – up from 27 last year, making 2010 the year with the most widespread killing of journalists and media workers since IPI's Death Watch records began in 1997. Some of the photographers, cameramen and reporters killed in 2010 died on dangerous assignments, such as the multiple bomb blasts in Pakistan, but the majority were shot dead at close range, either in retaliation for specific reports or just simply because they were journalists. Most were killed with complete impunity in countries struggling with lawlessness brought about by political instability.

The deadliest country for journalists was Pakistan, which has been in the top five since 2006, rising from fourth place to top the list with 16 journalists killed. The slain reporters, editors and cameramen had either been deliberately targeted for their reporting or were caught up in the violence that has engulfed parts of the country whilst trying to report for their media outlet.

Pakistan was followed by Mexico and Honduras, where 12 and 10 journalists were killed respectively. Both Latin American countries have seen a surge in violence in the past few years.

In Mexico the government has launched an assault on the drug cartels, which have retaliated with violence and intimidation, specifically targeting media workers to suppress criticism and information. It remained the second most dangerous country for journalists, up from sixth in 2008. Most journalists were shot dead, many had suffered torture and one had had his throat slit, several others were kidnapped, some of whose TV stations were forced to broadcast messages on behalf of the drug lords. A number of TV stations faced bomb attacks, although there were no media-related fatalities. The remains of Rodolfo Rincón Taracena were discovered this year. The investigative crime reporter, who had been missing since 2007 and one of IPI's Justice Denied cases, had been dismembered and burnt in a metal drum.

Honduras has faced much instability and decline of the rule of law since the coup in June 2009 which ousted President Manuel Zelaya; journalists from both sides of the political divide have lost their lives in the ensuing violence. The Central American state had previously only seen six journalists lose their lives since IPI began its Death Watch in 1997, but since the golpe de estado, 11 journalists have been killed; the country had not featured on the IPI Death Watch since 2007 when it was ranked the 12th worst country – it is now the third most dangerous country in the world and the second deadliest country in the Americas for journalists.

Completing the top five bloodiest countries were Iraq and the Philippines respectively. Iraq, which was consistently the deadliest country for journalists for six years following the invasion in 2003, has seen a recent resurgence in journalists' killings, although




**Above:** Pakistani journalists hold a portrait of Talat Hussain, a Pakistani journalist allegedly aboard a flotilla of ships which was stormed by Israel naval commandos, in Karachi, Pakistan, May 31, 2010. (AP)

fortunately nowhere near its 2006 war height of 46; four of the six journalists to lose their lives for their work in 2010 were killed within six weeks of each other.

After the Maguindanao massacre in November 2009, the Philippines saw the slaying of five journalists, three of them killed in one bloody week in June.

Although there was not one horrific incident like the previous year's massacre which saw 32 journalists slaughtered, 2010 did have the notorious honour of the most countries to feature on the IPI Death Watch in a single year; of the 34 countries where journalists were killed for their work, Bulgaria, Greece, Latvia and Cameroon all appeared on the list for the first time.

The deadliest region in the world was Asia. Instability in Pakistan, Afghanistan and Thailand, coupled with the continuing disregard for journalists in the Philippines and Indonesia, made the region the bloodiest for the third year running. Journalists and media owners were also killed in Bangladesh, China, India, Japan and Nepal. On a more positive note, Sri Lanka – which saw the end of its 26-year-long civil war in 2009 – did not feature on the annual list for the first time since 2004; the media has still faced government-led harassment through the courts and many earlier assassinations, including that of IPI World Press Freedom Hero Lasantha Wickrematunge in January 2009, still go unpunished.

Asia was closely followed by the Americas where, besides the previously mentioned violence-engulfed countries of Mexico and Honduras, journalists were also targeted and killed in Argentina, Brazil, Colombia, Ecuador and Guatemala. The vast majority of these killings were committed with impunity. A TV reporter was also killed in a landslide in Nicaragua as she was reporting on local flooding.

Continuing conflict in Somalia and a worrying surge of inter-religious violence in Nigeria added to Africa's tally of 14 journalists killed for their work, with journalists also killed in Angola and the Democratic Republic of Congo, as well as the aforementioned first-timer Cameroon. Rwanda appeared on the Death Watch again for the first time since 1998 and Uganda saw its count of slain journalists rise from just one (Jimmy Higenyi, a journalism student killed covering a protest in 2002) to an unprecedented three; two were beaten to death by mobs whilst the third was killed in a bomb blast whilst watching the FIFA World Cup.

The Middle East and North Africa enjoyed a relatively calm year; eight journalists were killed in 2010, far down from its highs of 48 in 2006 during the Iraq War. The majority of journalists were killed in Iraq, which although relatively peaceful now, still suffers from regular bomb attacks and the deliberate targeting of reporters. Al Arabiya TV station suffered a suicide bomb attack in August which saw three security guards and a cleaner killed.

Two other journalists were killed in the MENA region – a Lebanese TV reporter in a skirmish on the Lebanon-Israeli border and a Yemeni crime reporter in the restive north of the country.

Europe saw a worrying spread of deaths of journalists in 2010. In Russia two journalists lost their lives, both in the volatile Northern Caucasus region – down from five in 2009. However, a further five journalists were killed. Three were shot in apparent contract killings in Bulgaria, Greece and Latvia and two journalists in Belarus and Turkey died in suspicious circumstances; both were found hanged but neither was believed to be suicidal and colleagues suspect serious foul play.

Although no journalists were targeted in the Caribbean in 2010, Haiti's media was dealt a devastating blow when at least 26 media workers were killed in the deadly earthquake which destroyed the country's capital Port-au-Prince in January. As the journalists were not at work during the quake, they have not been included on the Death Watch.

# IPI Death Watch Overview by Country & Region

**THE AMERICAS**

**Argentina (1)**
Bolivian-born reporter **Adams Ledesma Valenzuela** was stabbed by unidentified attackers near his home in a shantytown in northern Buenos Aires, on September 4. The 41-year-old writer for the community weekly paper *Mundo Villa* and director of a local TV station of the same name had received threats prior to his death. He reported on living conditions and neighbourhood problems in the shantytown.

**Brazil (2)**
Sports journalist **Clóvis Silva Aguiar** was killed when two men on a motorcycle fired three shots at him as he stood at the front door of his home in the city of Imperatriz, in the north-eastern state of Maranhão. The 48-year-old worked on the programme "Open Space" on Capital TV in Imperatriz. Aguiar had reportedly been the victim of an assassination attempt in 2005 too.

Crime reporter **Francisco Gomes de Medeiros**, 48, was killed on October 18 after being gunned down outside his home by an assailant on a motorcycle. Radio journalist and popular blogger Medeiros – who went by the pseudonym F. Gomes – was shot five times in the city of Caico, north-western Brazil. Medeiros, who worked for Radio Caico and also contributed to the *Tribuna do Norte* newspaper and ran a popular blog, fgomes.com.br, had received several death threats before his death, many of them after he broke a story on vote-rigging in the run-up to Brazilian general elections, held on October 3. The story reported that local politicians were bribing voters with crack cocaine.

**Colombia (3)**
**Clodomiro Castilla**, 50, editor of El Pulso del Tiempo magazine and an announcer and reporter with local radio station La Voz de Monteria, was shot dead by an unidentified gunman as he sat on the terrace of his house on March 19. Local sources reported that Castilla had received numerous threats for at least four years in retaliation for his coverage of the links between local politicians and illegal right-wing paramilitary groups. He had been under police protection from 2006 to 2009, which was reportedly withdrawn in 2009.

Director of an indigenous community radio station **Mauricio Moreno Medina**, 50, was stabbed multiple times by an unidentified attacker in his own home in the town of Ortega in Colombia's western Tolima department on April 11.

Two gunmen shot Radio Payumat correspondent **Rodolfo Maya Aricape** at his home in rural Caloto in southwest Cauca province on October 14. The 34-year-old covered political issues in the region for the indigenous community radio station. Colleagues said Maya's journalism was closely tied to his role as a local indigenous community leader, and he, along with other local leaders, had recently been accused of being a member of the FARC rebel group.

**Ecuador (1)**
Director of the weekly paper Tribune **Jorge Santana Carbonell** died on March 22 following a suspicious road accident. The journalist, who was also a news presenter on Channel CQ15, was hit by a car as he rode his motorbike on March 16. He succumbed to injuries in hospital seven days later. He told the ambulance crew at the scene that he was being chased. Santana is believed to have been targeted for crime stories he had written for the Tribune.

**Guatemala (2)**
**Aníbal Archila**, 32, a reporter for Noti 7, was killed by volcanic stone rain as he was reporting on the eruption of the Pacaya volcano on May 27.

Unidentified attackers tortured and killed journalist **Victor Hugo Juarez** in a house just outside Guatemala City on September 28. Juarez, who owned two online news sites, Wanima News and Guatemala Empresarial, and who had reported for the daily *Siglo XXI* and *Nuestro Diario* newspaper, was found tied to a bed along with another man. Their bodies showed signs of torture and strangulation. The 50-year-old had received death threats prior to his death.

**Honduras (10)**
**Joseph Hernández Ochoa**, 24, a journalism student at the University of Honduras, and a former entertainment presenter on the privately-owned Canal 51 TV station, was travelling with fellow journalist Karol Cabrera when their car was fired on 36 times by men in another vehicle on an unlit road. Ochoa died at the scene, after being shot more than 20 times in the chest, according to Honduran daily *La Tribuna*. Cabrera – believed to be the target of the attack – suffered a broken arm and ribs.

**David Meza Montesinos**, a reporter at radio station El Patio for more than 30 years, was killed while driving home in the Honduran coastal city of La Ceiba on March 11. His car was shot at from another vehicle, causing Meza, 51, to lose control and crash into a house, near his own home. According to local sources, Meza had received death threats three weeks before the shooting for his coverage of drug traffickers.

**Nahúm Palacios Arteaga**, 36, the news director for television channel Canal 5 in Aguán and host of a news programme on Radio Tocoa, was shot dead on March 14 in Tocoa, Colón, in northern Honduras. According to local media reports, the car was riddled with 42 bullet holes, another person travelling in the car with him was severely wounded, and a cameraman riding in the back was grazed by a bullet.

Radio journalists **José Bayardo Mairena**, 52, and **Manuel Juarez**, 55, were driving from the city of Catacamas after hosting a radio programme when their vehicle was ambushed by unidentified gunmen near Juticalpa in the eastern province of Olancho, on March 26. The gunmen reportedly sprayed the car with bullets, and then shot the journalists at close range.

Radio W105 presenter **Luis Antonio Chévez Hernández**, 22, was gunned down in San Pedro Sula, the country's business capital, on April 11. Chévez and a cousin were getting out of a car outside Chévez's house when they were shot by unidentified gunmen, who later fled the scene.

**Jorge Alberto Orellana**, host of the programme 'En Vivo con Georgino' at private local television station Televisión de Honduras, was leaving his office after his show on April 22 when he was shot once in the head by an unidentified gunman, who then fled on foot.

Television reporter **Luis Arturo Mondragón Morazán** was shot dead on June 14 as he left the studios of Canal 19, which he owned, in Santa Clara de Danli, a town outside Tegucigalpa.

Honduran radio reporter **Israel Zelaya Díaz** was shot dead on August 24. Gunmen kidnapped the veteran journalist in the northern city of San Pedro Sula. His body was found hours later in a sugar cane plantation near the city of Villanueva. Zelaya had been shot three times in the head.
Zelaya, also known as Zagatay, worked for Radio International, in San Pedro Sula, Honduras' second largest city.

Radio reporter **Henry Suazo** was shot by unidentified gunmen as he left his home in the coastal town of La Masica on December 28. Suazo, 38, worked for Radio HRN as a correspondent and as a news presenter for TV station Cablevisión del Atlántico. He had received threats in the past.

**Mexico (12)**
**Valentín Valdés Espinosa**, a reporter with the Mexican daily *Zócalo Saltillo* in the country's north-eastern state of Coahuila, was kidnapped, tortured and shot several times by unidentified assailants on January 7. His body was then dumped outside a local motel along with a note, addressed to "everyone", warning "this will happen to anybody who does not understand".

On December 30, **José Luis Romero** – a crime reporter at Radio Linea Directa – was abducted at gunpoint from a restaurant in Los Mochis, Sinaloa state, north-western Mexico. Police found his body wrapped in a black bag on January 16. Bullet wounds were found in his head and shoulder, and his hands and leg were broken, news reports said.

**Jorge Ochoa Martínez**, 55, was killed on the night of January 29 with a gunshot to the head, outside a restaurant in the municipality of Ayutla de los Libres, Guerrero, in southern Mexico.

Ochoa Martinez was the editor and owner of two publications, *El Sol de la Costa* and *El Oportuno*, which covered local issues. He was shot in the face while leaving a party for a local politician in the town of Ayutla de los Libres. He was hit with several bullets from a .38 calibre weapon. Ochoa's body was found after an anonymous call was received by police at 10.15pm saying that there was a body in a car parked between the Mina and Plan de Ayutla streets near the El Charco de las Ranas restaurant in Ayutla. Police said that the car in which the body was found did not belong to the editor.

The circumstances behind the death of **Jorge Rábago Valdez**, a journalist with Radio Rey and Reporteros en la Red and the Reynosa-based daily *La Prensa*, have yet to be clarified. According to local authorities in Reynosa, Rábago died of natural causes as a consequence of a diabetic coma. Other sources say that the journalist was abducted on February 19 as he left a party and was found on February 23, after he had been dumped on a highway in Matamoros. These sources say that the journalist was found alive but unconscious and with signs of torture. Rábago was taken to hospital, where he died on March 2.

**Evaristo Pacheco Solís**, 33, a reporter for the Mexican weekly *Visión Informativa*, was found shot dead in Chilpancingo, the state capital of Guerrero, on March 12. The state had seen a surge in drug cartel-related violence.

Five days after he was reported missing by relatives, the body of columnist **Enrique Villicana Palomare** was found in the city of Morelia, capital of the province of Michoacan in central Mexico, on April 9. His throat had been slit. Villicana wrote for the daily newspaper *La Voz de Michoacan*, covering attacks by armed groups against the indigenous Purepecha group of which he was a member.

Journalists **Juan Francisco Rodríguez Ríos** and **Maria Elvira Hernández Galeana** were killed on the evening of June 28 in Coyuca de Benitez, a town located near the resort city of Acapulco in Mexico's Guerrero state. Rios, 51, worked for the newspaper *El Sol de Acupulco* and for *Diario Objetivo de Chilpancingo* as well as for the National Union of Press Editors, according to a report in La Vanguardia. His wife Galeana, 37, worked as a freelancer, and also accompanied her husband as a photographer. The pair was shot dead by two unknown gunmen inside the premises of an Internet café that they also owned, reports say. Their eight year-old son, who was also in the café at the time of the attack, survived.

**Hugo Alfredo Olivera Cartas**, 27, editor of *El Día de Michoacán* newspaper, director of the ADN news agency and a correspondent for La Voz de Apatzingán, was found dead early in the morning of July 6. He had been shot three times in the head.

**Marco Aurelio Martinez Tijerina**, 45, of La Tremenda radio station in the town of Montemorelos, was found with a bullet through his head on July 10, 24 hours after he had been abducted, according to news reports. His body showed signs of torture.

Photographers for *El Diario*, **Luis Carlos Santiago Orozco**, 21, and Carlos Manuel Sanchez Colunga, 18, had just left a photography workshop on September 16 when they were fired upon. Santiago died of his injuries. After his death the newspaper *El Diario de Ciudad Juárez* – the largest in

Ciudad Juárez, Mexico's most violent city – issued an editorial suggesting it would reduce its coverage of the drug violence in an effort to keep its journalists safe.

**Carlos Alberto Guajardo**, a reporter with *Expreso* newspaper, was shot dead on November 5 in Matamoros, Tamaulipas (north-eastern Mexico). The journalist was killed during an eight-hour shootout involving the army, the navy and gunmen working for the Gulf drug cartel. Guajardo was traveling in a pickup truck, on his way to report on the shootings in the Mariano Matamoros neighbourhood and to gather information on blockades that some of the criminals had reportedly set up in the area, Mexican press freedom groups said. According to the National Defence Secretariat, the journalist was shot and died in his pickup while the military was trying to fight off an attack from a group of people who were travelling in eight vehicles. The Secretariat did not specify if Guajardo was caught in the crossfire or was directly targeted.

**Nicaragua (1)**
Reporter **Ana Urbina** was killed when the truck in which she was travelling was washed away during flooding in San Lorenzo, Boaco province, 90 km west of the capital Managua. Urbina, a correspondent for local channels 8 and 11, had been travelling with members of the local branch of the Red Cross who were delivering food aid to people affected by the heavy rains. After delivering the aid, the truck became stuck and was washed away while trying to cross the river Tecolostote.

## EUROPE

**Belarus (1)**
**Aleh Byabenin**, 36, founder and director of pro-opposition news website Charter 97, was found hanged on September 3 in his holiday home outside Minsk. Police immediately said the journalist had committed suicide after drinking heavily, but this was strongly disputed by Byabenin's colleagues. According to colleagues, Byabenin, who was reportedly in excellent health and had just returned from a family holiday in Greece, did not leave a suicide note. He also had unexplained injuries to his right ankle, left hand, chest and back.

**Bulgaria (1)**
**Boris Nikolov Tsankov**, a journalist and author of books on the Bulgarian mafia, was on his way to meet his lawyer in Sofia, accompanied by his two bodyguards, when unknown gunmen shot him, killing him instantly; his bodyguards were wounded. Tsankov, who had survived a previous attempt on his life in 2004, had reported receiving death threats following publication of his latest book and had requested police protection.

**Greece (1)**
**Sokratis Giolias**, 37, director of the radio station Thema 98.9 FM and administrator of the most popular Greek social and political blog, "Troktiko", was shot dead on July 19. During the early hours of the morning, an unidentified man rang the doorbell at Giolias's home and informed him that someone was attempting to steal his car. Giolias went outside to the building entrance where he had parked his car and was then shot several times. Giolias' body was riddled with bullets and he died on the spot.

**Latvia (1)**
**Grigorijs Ņemcovs**, publisher of Latvia's biggest regional Russian-language newspaper, *Million*, and owner of a local TV station, also called "Million", was shot twice in the head at close range on April 16 in a café in Daugavpils, in the south-eastern region of Latgale. The murder appeared to be a contract killing. Founded by Ņemcovs in 1995, *Million*, is known for its investigative reporting on political and local government corruption. Ņemcovs had received death threats in 2007 when his home was the target of an arson attack. He was also a local politician and deputy mayor of Daugavpils.

**Russia (2)**
**Sayid Ibragimov**, director of local television station TBS in the Sergokalinsky district of Dagestan, died on May 13 on his way to restore a TV re-transmitter damaged by militants' fire a day earlier. Ibragimov's car, which was carrying a team of repairmen, and an accompanying police jeep were ambushed near the village of Ayazi. Gunmen set off a bomb in front of the vehicles and then opened fire on them, killing five men, among them Ibragimov, and wounding four others.

**Magomedvagif Sultanmagomedov**, a Muslim scholar who was the head of Makhachkala TV and the Nurul Irshad (Light of Truth) publishing house in Dagestan was killed on August 11 when he was fatally injured by unidentified gunmen as he was driving his car in the centre of Makhachkala, the North Caucasus republic's capital. He later died in hospital. Colleagues believe that his murder was the result of his journalistic activities.

**Turkey (1)**
**Metin Alataş**, 34, a journalist working for Kurdish daily newspaper *Azadiya Welat*, was found hanged from a tree in the Hadırlı district of Adana in the predominantly Kurdish region of south-eastern Turkey on April 4. Alataş was last heard from on April 3 when he went to the district to distribute copies of the paper. He had already been attacked four months before that, in December, whilst distributing the paper in the region. Colleagues believe he was killed by "illegal forces" or forced to commit suicide.

## MIDDLE EAST AND NORTH AFRICA (MENA)

**Iraq (6)**
**Zardasht Osman** was kidnapped, tortured and killed in the Kurdistan region of Iraq, Iraqi security forces stated on May 6. The journalist was found on a highway; he had been shot two times in the head. The 23-year-old was a university student who freelanced for a number of online publications. He had recently written an article referencing a female member of the family of the region's president, Massoud Barzani, which many surmise may have led to his death.

The body of **Kamal Qassem Mohammed**, 71, was found on August 25, six days after he was reportedly abducted in Baghdad. Mohammed was the deputy editor-in-chief of Al Mustaqila magazine.

**Riyad al-Saray**, 35, a television anchor and reporter, was killed on September 7 as he drove away from his home in the al-Harithiya neighbourhood of Baghdad. Saray reported on religious and political affairs and was known for his efforts to bring Shiites and Sunnis closer together. He was also a member of the local council in one of Baghdad's Shiite neighbourhoods.

Al-Mosuliya presenter **Safa al-Din Abdel Hamid** was shot outside his home on his way to work on September 8. Abdel Hamid's programme "Our Mosques" detailed the history of historic religious sites in Mosul.

Cameraman **Tahrir Kadhim Jawad** was killed on October 4 when a magnetic 'sticky bomb' attached to his car detonated in the town of Garma, 30 miles west of the Iraqi capital. Jawad, who worked for the US-funded Al Hurra satellite channel, was driving to Baghdad to deliver footage when the bomb exploded. He died instantly.

**Mazin al-Baghdadi**, an anchor and reporter for Al-Mosuliya TV in Iraq's northern city of Mosul, was shot and killed in front of his family on November 21. The gunmen arrived at his house at about 6pm and told his father they were intelligence officers. The young journalist was killed as he stepped outside his house to talk to the men, with his family looking on.

**Lebanon (1)**
**Assaf Abu Rahhal**, a journalist working for Lebanon's *Al-Akhbar* newspaper was killed in clashes between the Israeli and Lebanese armies which erupted on August 3 on the tense Israel-Lebanon border.

**Yemen (1)**
**Mohammed Shu'i al-Rabu'i** was shot and killed on February 13 at his home in Beni Qais, in the north-west of the country. Al-Rabu'i, 34, had worked for the monthly newspaper *Al Qaira*, published by the main opposition party, the Islamic Reform Grouping (Islah), for more than 10 years and had written several articles about the activities of a prominent local criminal gang. News reports stated that four to five men burst into his home and shot him several times.

## ASIA

**Afghanistan (3)**
**Rupert Hamer**, a reporter for the British *Sunday Mirror*, was killed when the vehicle in which he was riding ran into an explosive device in Afghanistan on January 10. His colleague, photographer Philip Coburn, was wounded in the attack.

**James P. Hunter**, 25, was a staff sergeant and journalist with the U.S. Army. Hunter was killed by an improvised explosive device while reporting on his unit as it was on a foot patrol in Kandahar. In his role as an army journalist, Hunter accompanied all visiting journalists and wrote for the Fort Campbell Courier, which serves the armed forces based at Fort Campbell in the U.S.

Well-known Afghan journalist **Sayed Hamid Noori** died on September 5, after being found with stab wounds outside his Kabul home. President Hamid Karzai issued a statement ordering authorities to spare no effort in bringing the killers to justice. Noori, a former state television presenter and newspaper editor, was vice president of Afghanistan's Association of Independent Journalists (AIJ) and a teacher of young journalists.

**Bangladesh (2)**
**Foteh Osmani**, a correspondent for Bangladesh's top weekly paper *Shaptahik 2000*, died on May 3 from injuries he had suffered two weeks earlier when unidentified armed assailants attacked him as he was riding on his motorbike. *Shaptahik 2000* is known for its investigative reporting on corruption and social problems.

The body of **Shafiqul Islam Mithu** was found on the embankment of the Turag river, on the outskirts of Dhaka on May 9. The 40-year-old cameraman for TV station ATN Bangla had suffered injuries to his throat, hands and chest.

**China (1)**
**Sun Hongjie**, a senior reporter at the *Northern Xinjiang Morning Post*, died in hospital on December 30, in the Xinjiang city of Kuytun. Six men at a construction site had beaten him up ten days earlier. Police said the attack was the result of a personal dispute, but colleagues believe it was due to his investigative work.

**India (3)**
**Ajay Tiwari**, 27, a reporter with a Noida-based Hindi TV channel, was killed on May 5 when a wall collapsed on him as he was covering a fire in south-west Delhi. Tiwari was filming the fire when a blast caused the wall to collapse and he was crushed under the rubble. Tiwari was rushed to a nearby hospital where he died of his injuries.

On July 20, **Vijay Pratap Singh**, 38, senior correspondent at *The Indian Express*, succumbed to injuries sustained in a July 12 bomb attack outside a state minister's home in Allahabad, Uttar Pradesh, as he interviewed the minister. According to reports, police arrested members of a local party over alleged involvement in the attack, which appeared to have been in connection with political and business rivalries.

**Sushil Pathak**, 35, was found by a fellow journalist lying in a pool of blood after being shot by unidentified gunmen on December 20 in the Bilaspur district of Chhattisgarh, central India. A journalist with Hindi newspaper *Dainik Bhaskar*, Pathak was declared dead at a hospital.

**Indonesia (3)**
A search team in West Papua, Indonesia found the body of local reporter **Ardiansyah Matra'is**, in a river on July 30, two days after he had been reported missing. Matra'is was found naked and handcuffed. A reporter for local broadcaster Merauke TV, he had received several text messages over the week preceding local elections, according to Indonesian news reports. The journalist, who had worked as a stringer for TV station Anteve and as a reporter for Papua's Rajawali daily before joining Merauke TV, had been reported missing two days previously when local residents found his motorcycle and helmet near a bridge in Merauke, a small town in Papua.

**Ridwan Salamun**, 28, was killed on August 21 during a fight between the villages of Banda Ely and Fiditan in Tual in Southeast Maluku in Indonesia, having suffered fatal injuries from a spear and a cut to his head, local news sources report. He was a correspondent for SUN TV.

The body of **Alfrets Mirulewan** was found with apparent bruising on a remote beach in Kisar, one of the eastern Maluku Islands. He had been missing for two days. Mirulewan, 28, chief editor of the *Pelangi Weekly*, had been looking into allegations of unlawful fuel sales. Mirulewan was working on the story with a colleague from another publication when the two became separated while following a fuel truck.

**Japan (2)**
Nippon Television reporter **Yuji Kita**, 30, and cameraman **Jun Kawakami**, 43, were discovered in a pool of water in a gorge about 300m below a mountain trail in Chichibu city on August 1. The two men had been on their way to the scene of a helicopter crash that killed five people in the mountains. The journalists began their trek early the day before they were found. Nippon Television said it contacted authorities after they had not returned in the evening.

**Nepal (3)**
Unidentified gunmen riding a motorcycle shot at **Jamim Shah**, chairman of Spacetime Network Pvt. Ltd., killing him, on February 7 in the capital, Kathmandu. The media mogul was well known in Nepal for having introduced cable TV to the country.

**Arun Singhania**, publisher of the daily newspaper *Janakpur*, was also killed by gunmen riding on motorcycles when they shot three times as he made his way home on March 2. He died before reaching hospital. The Rajan Liberation Group, a little-known group, called local newspaper offices in the area and claimed responsibility for the hit on Singhania.

Chairman of Radio Tulsipur FM **Devi Prasad Dhital** was shot three times by unidentified gunmen as he rode home on his motorcycle on July 22 in the district of Dang, western Nepal. He was taken to a local hospital where he was pronounced dead on arrival. Police claimed the attack had been planned in advance.

**Pakistan (16)**
**Ashiq Ali Mangi**, a journalist with private Mehran TV in Gambat, a town in the Khairpur District of the Sindh province of Pakistan, was shot dead outside the Khairpur Press Club on February 17. According to reports, Mangi's murder may have been in connection with his coverage of a feud between two local groups.

In an unrelated incident, also on February 17, journalist **Hameed Marwat** was shot dead by unidentified gunmen in Quetta, Balochistan. Police said the gunmen opened fire on him as he came out of his house.

**Malik Arif**, a senior cameraman with Quetta-based Samaa TV, died on April 16 when a bomb exploded at the Civil Hospital, Quetta, killing nine and injuring 35 others. Arif was covering the killing of local bank manager Ashar Zaidi who was murdered earlier the same day. A journalist and a staff member working for the same channel were also injured in the blast.

**Azmat Ali Bangash**, a correspondent working part-time for the Associated Press of Pakistan (APP), as well as for Pakistan TV, was killed on April 19, when two bombs exploded in the Kacha Pakha area of Kohat in the Khyber Pakhtunkhwa region. Bangash was at the camp to cover the distribution of food aid to refugees when two suicide bombers clad in burqas detonated bombs within minutes of each other. According to an APP statement, Bangash had been receiving death threats for some time over his coverage of Taliban activities. He had also reportedly told APP staff of fears that he was on a 'hit list' of the Taliban.

The body of **Ghulam Rasool Birhamani**, a journalist with local daily *Sindh*, was found on May 10 in fields outside his hometown of Wahi Pandhi. According to the Pakistan Federal Union of Journalists, Birhamani had been kidnapped from the village two days previously. The Pakistan Press Foundation said his body bore marks of torture, and the cause of death was believed to be grievous wounds to the head.

**Ejazul Haq**, 42, a technician for the local cable station City-42 TV based in Lahore, was killed while working at the scene of an armed attack on a Muslim minority Ahmadi mosque on May 28.

**Faiz Muhammad Sasoli**, 27, a journalist with the Balochistan-based daily newspaper *Aaj Kal* and the Independent News of Pakistan news agency, was shot dead on June 27. According to reports, a Baloch nationalist group, which had accused Sasoli of being linked to a pro-government militia, may have been responsible for the murder. Sasoli had escaped two previous assassination attempts.

**Ali Raza** was severely injured in a triple bomb blast in the city of Lahore. Raza was a reporter in a local newspaper and was covering a Shia procession on September 1. He was taken to hospital but died on September 4.

**Ejaz Raisani**, a cameraman for Samaa TV, died on September 6 after being shot three days earlier while covering a rally that turned violent in Quetta, the provincial capital of Baluchistan Province, close to the Afghan border. A suicide bomber detonated explosives aimed at a Shia demonstration, triggering gunfire and other violence. More than 60 people were killed, and 185 injured, including several other journalists.

**Misri Khan**, reporter for the newspapers *Ausaf* and *Mashriq* published in Peshawar, and president of the Hangu Union of Journalists in Khyber-Pakhtunkhwa province, was shot several times as he entered the press club building on September 14. According to local reports, two or more assailants had been waiting for Khan. Khan had received threats from militants in the area.

**Mujeebur Rehman Saddiqui**, a correspondent for the *Daily Pakistan* newspaper was shot on September 17 by unidentified gunmen when he came out of a mosque after evening prayers in Dargai, in the Khyber Pakhtoonkhwa region northwest of Pakistan. He died from two bullet wounds, upon arrival at the Peshawar Hospital. Saddiqui, 39, had reportedly received a number of death threats from militants over his uncompromising reporting.

The body of Pakistani journalist **Abdul Hameed Hayatan**, 25, was found on November 18 near the Sami river in Turbat, in Pakistan's Balochistan province. Hayatan, who wrote for a number of print dailies, was abducted along with a friend on October 25, while on his way home from a wedding in the city of Gawadar. His friends and family reportedly believe that Pakistani security agents were responsible for his disappearance. According to the Lahore-based *Daily Times*, Abdul Hameed, also known as Lala Hameed Baloch, was also head of the Baloch National Movement, which is pushing for an independent Balochistan.

**Mehmood Chandio**, president of the Mirpurkhas Press Club and bureau chief for the Sindhi-language channel Awaz, was shot by assailants when he answered his door on December 5. Chandio later succumbed to his injuries after being taken to hospital.

On December 6, two journalists were among 50 people killed when two suicide bombers blew themselves up at a gathering of tribesmen in northwest Pakistan. **Abdul Wahab** of the Urdu-language Express News television channel and **Pervez Khan** of Waqt TV lost their lives in the attack while another journalist, Mohib Ali of the News Network International was injured. The meeting was called to devise a strategy against terrorism in the tribal region. Wahab, aged in his mid-30s, and Khan, aged just under 30, were preparing a report on the plight of displaced people in the region.

**Muhammad Khan Sasoli**, 36, died instantly when unidentified gunmen on a motorcycle shot him outside his home in Balochistan on December 12. He worked for Royal TV and the INP news agency in Khuzdhar and was the president of the town's press club.

**Philippines (5)**
Radio reporter **Edwin Segues** was shot dead by two men on his way to work in the southern Philippines on April 14. The assailants fled by motorcycle. Segues was also a local village leader in Misamis Occidental province on the southern island of Mindanao.

**Desidario Camangyan** of Sunshine FM Radio was shot dead on June 14 while hosting a village singing competition in the southern Philippines. Camangyan was reported to have been vocal in criticising graft and corruption in the country.

Two gunmen on a motorcycle shot and killed journalist **Joselito Agustin**, a reporter and anchorman for the Filipino radio station DZJC Aksyon Radyo, on his way home in Laoag city on June 16.

**Nestor Bedolido**, 50, was shot at close range by two men on a motorcycle in Digos City, Davao del Sur, in the south of the Philippines on June 19. Bedolido was a reporter for *Kastigador*, a weekly newspaper financed by a group of politicians. According to local reports Bedolido had written several exposés about a number of local politicians during the May elections. He was pronounced dead on arrival at a local hospital.

**Edison Flamenia Sr.**, a reporter for the *Mindanao Inquirer*, was shot dead on December 10 in an attack on the southern island of Mindanao as he was walking home in the village of Tabudok in Labangan town.

**Thailand (2)**
**Hiro Muramoto**, 43, a Japanese national who had been employed with Reuters' Tokyo bureau as a photographer for the past 15 years, was reporting on the violence that gripped Bangkok on April 10, when he was shot in the chest by an unknown assailant. He was among at least 21 people killed in clashes between anti-government protesters and security forces in Thailand's capital, Bangkok, on that day.

**Fabio Polenghi**, 45, a freelance photojournalist, was also shot dead in violence between 'Red Shirt' protesters and government forces in Bangkok, on May 19.

**AFRICA**

**Angola (2)**
**Stanislas Ocloo**, 35, a sports journalist with Togo's national broadcaster Télévision Togolaise (TVT) and the communications chief of the Togolese soccer association, was killed on January 9, hours before the kick-off of the African National Cup he was going to cover. The journalist was gunned down in an attack on Togo's national soccer team's bus in the north-western Angolan enclave of Cabinda.

A journalist for Radio Despertar, **Alberto Graves Chakussanga**, 32, was shot and killed at his home in Viana, on the outskirts of Luanda, the Angolan capital on September 5. Radio Despertar Chief-Editor Armando Ferramenta confirmed Chakussanga had been receiving anonymous threats linked to his reporting for some time before his death.

**Cameroon (1)**
Germain Cyrille **Ngota Ngota**, the managing editor of the *Cameroon Express* died in prison on April 22 as a result of inadequate medical care. He had been detained along with two other editors in March. The three were facing 10 to 20 year prison sentences for reporting on an alleged corruption case involving a presidential aide and the state-owned oil company.

**Democratic Republic of Congo (1)**
**Patient Chibeya**, 35, a Congolese journalist and cameraman who worked for Radio Television Nationale Congolaise (RTVN), was shot dead by men in military fatigues, in front of his home in the north-eastern town of Beni, on April 5. Chibeya had just got off a motorcycle taxi in front of his home when he was approached by as many as seven armed men in military fatigues, at around 10pm. Chibeya reportedly handed over his mobile phone and some money in the hopes that the men would then leave, but they shot him four times.

**Nigeria (3)**
Reporters **Nathan S. Dabak** and **Sunday Gyang Bwede** from the Christian newspaper *The Light Bearer* were stabbed to death on April 24 by unknown attackers in Jos city as they were travelling to cover a story. Hundreds of people had been killed in and around Jos as a result of violence between Muslims and Christians.

**Augustine Sindyi**, a photojournalist with *Nigeria Standard Newspapers*, was killed in a bomb blast in Jos on December 24.

**Rwanda (1)**
**Jean Leonard Ruganbage**, an editor for the local-language *Umuvugizi* newspaper, was shot twice by an unidentified gunman in front of his home on the outskirts of the capital Kigali on June 24.

**Somalia (3)**
**Sheikh Nur Mohamed Abkey**, 52, was killed by unknown gunmen on May 4, after being kidnapped from Bakara Market. Abkey was a veteran journalist working with Radio Mogadishu in Somalia.

Radio station director **Barkhad Awale Adan** was killed on August 24 amidst fighting between Somalia's Transitional Federal Government and Islamist insurgent group Al Shabab in Mogadishu. Adan, 60, who ran the community station Hurma Radio, was fixing a transmitter on the roof of the station when he was hit by fire from a gunfight in the neighbourhood, reports said. He was taken to Medina hospital, where he was pronounced dead upon arrival.

Newscaster and reporter for Radio Daljir in Galkayo, **Abdulahi Omar Gedi**, 25, was attacked as he left the newsroom by unidentified attackers who stabbed him in the chest and the legs in Garsoor village. He died from his wounds on his way to hospital.

**Uganda (3)**
Ugandan broadcast journalist **Stephen Tinka** was among those killed in blasts that rocked Kampala city during the screening of the football World Cup final match on July 10. Tinka, who had a night programme and hosted a Saturday morning magazine show, died the following day, after spending the night in a critical condition.

On September 10, freelancer **Paul Kiggunda** was beaten to death in Rakai town by a group of motorcycle taxi drivers. Kiggunda was filming the drivers as they attacked the home of a man they accused of murder and theft, and the drivers mistakenly believed that Kiggunda intended to hand the film to police. Kiggunda was working for TOP (Tower of Praise) television and radio at the time.

Prime Radio news presenter **Dickson Ssentongo**, 29, was killed by a mob in the Mukono district of central Uganda on September 13. He was beaten with metal rods and dragged into a nearby field. Reports say Ssentongo was also standing for election with the opposition Democratic Party when he was killed.




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# IPI WORLD PRESS FREEDOM REVIEW 2010

## FOCUS ON THE AMERICAS

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