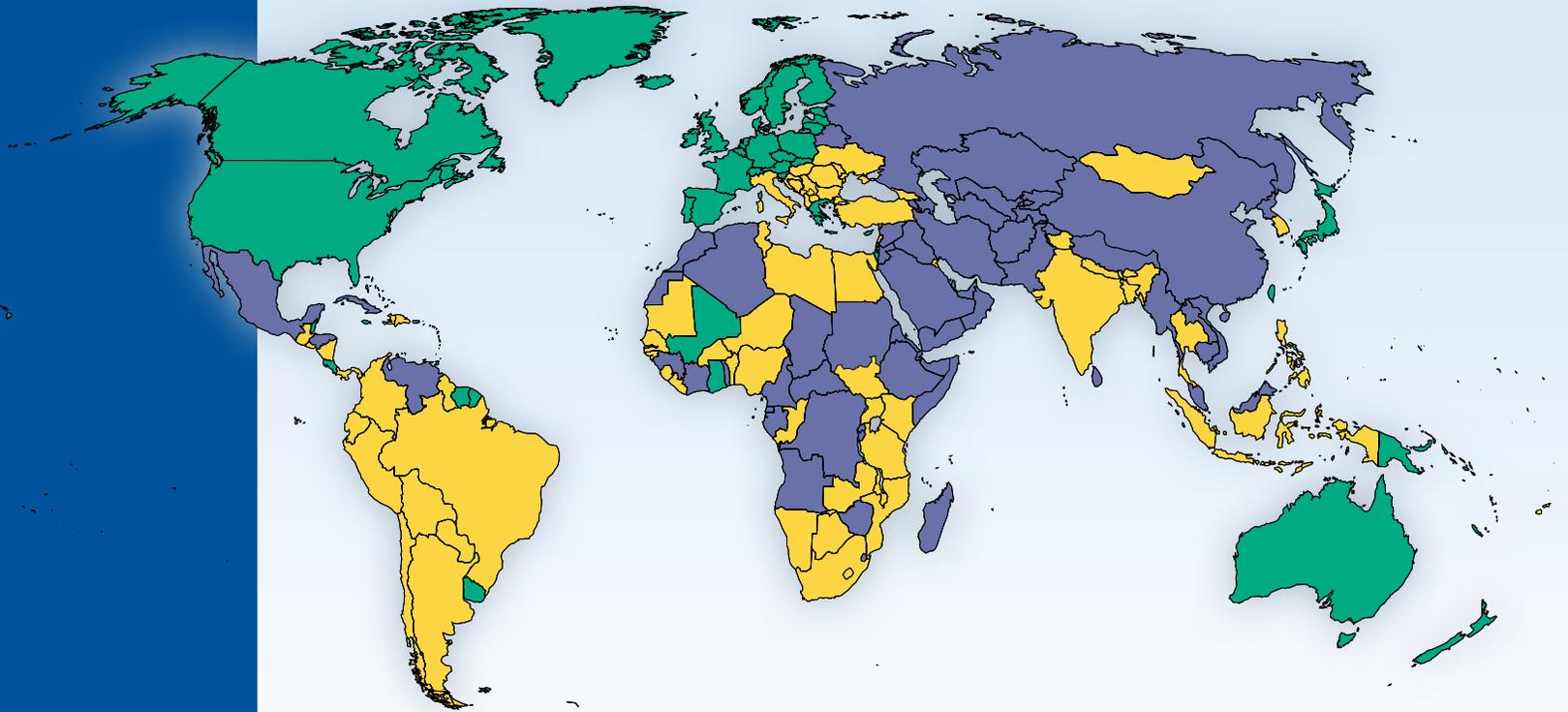




Freedom of the Press 2012



BREAKTHROUGHS AND PUSHBACK IN THE MIDDLE EAST

**SELECTED DATA FROM FREEDOM HOUSE'S
ANNUAL PRESS FREEDOM INDEX**

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Karin Deutsch Karlekar served as the project director of *Freedom of the Press 2012*. Extensive research, editorial, analytical, and administrative assistance was provided by Jennifer Dunham, Bret Nelson, and Valerie Popper, as well as by Tyler Roylance, Nicholas Bowen, Holiday Dmitri Kumar, and Michael Larkin. Overall guidance for the project was provided by Arch Puddington, vice president for research, and Christopher Walker, vice president for strategy and analysis. We would also like to thank our consultant writers and advisers and other members of the survey team for their contributions.

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Methodology

The 2012 index, which provides analytical reports and numerical ratings for 197 countries and territories, continues a process conducted since 1980 by Freedom House. The findings are widely used by governments, international organizations, academics, and the news media in many countries. Countries are given a total score from 0 (best) to 100 (worst) on the basis of a set of 23 methodology questions divided into three subcategories. Assigning numerical points allows for comparative analysis among the countries surveyed and facilitates an examination of trends over time. The degree to which each country permits the free flow of news and information determines the classification of its media as “Free,” “Partly Free,” or “Not Free.” Countries scoring 0 to 30 are regarded as having “Free” media; 31 to 60, “Partly Free” media; and 61 to 100, “Not Free” media. The criteria for such judgments and the arithmetic scheme for displaying the judgments are described in the following section. The ratings and reports included in *Freedom of the Press 2012* cover events that took place between January 1, 2011, and December 31, 2011.

Criteria

This study is based on universal criteria. The starting point is the smallest, most universal unit of concern: the individual. We recognize cultural differences, diverse national interests, and varying levels of economic development. Yet Article 19 of the Universal Declaration of Human Rights states:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media regardless of frontiers.

The operative word for this index is “everyone.” All states, from the most democratic to the most authoritarian, are committed to this doctrine through the UN system. To deny that doctrine is to deny the universality of information freedom—a basic human right. We recognize that cultural distinctions or economic underdevelopment may limit the volume of news flows within a country, but these and other arguments are not acceptable explanations for outright centralized control of the content of news and information. Some poor countries allow for the exchange of diverse views, while some economically developed countries restrict content diversity. We seek to recognize press freedom wherever it exists, in poor and rich countries as well as in countries of various ethnic, religious, and cultural backgrounds.

Research and Ratings Review Process

The findings are reached after a multilayered process of analysis and evaluation by a team of regional experts and scholars. Although there is an element of subjectivity inherent in the index findings, the ratings process emphasizes intellectual rigor and balanced and unbiased judgments.

The research and ratings process involved several dozen analysts—including members of the core research team headquartered in New York, along with outside consultants—who prepared the draft ratings and country reports. Their conclusions are reached after gathering information from professional contacts in a variety of countries, staff and consultant travel, international visitors, the findings of human rights and press freedom organizations, specialists in geographic and geopolitical areas, the reports of governments and multilateral bodies, and a variety of domestic and international news media. We would particularly like to thank the other

members of the International Freedom of Expression Exchange (IFEX) network for providing detailed and timely analyses of press freedom violations in a variety of countries worldwide on which we rely to make our judgments.

The ratings were reviewed individually and on a comparative basis in a global meeting involving analysts and Freedom House staff. The ratings are compared with the previous year's findings, and any major proposed numerical shifts or category changes are subjected to more intensive scrutiny. These reviews are followed by cross-regional assessments in which efforts are made to ensure comparability and consistency in the findings.

Methodology

Through the years, we have refined and expanded our methodology. Recent changes are intended to simplify the presentation of information without altering the comparability of data for a given country over the 32-year span or the comparative ratings of all countries over that period.

Our examination of the level of press freedom in each country currently comprises 23 methodology questions and 109 indicators divided into three broad categories: the legal environment, the political environment, and the economic environment. For each methodology question, a lower number of points is allotted for a more free situation, while a higher number of points is allotted for a less free environment. Each country is rated in these three categories, with the higher numbers indicating less freedom. A country's final score is based on the total of the three categories: A score of 0 to 30 places the country in the Free press group; 31 to 60 in the Partly Free press group; and 61 to 100 in the Not Free press group.

The diverse nature of the methodology questions seeks to encompass the varied ways in which pressure can be placed upon the flow of information and the ability of print, broadcast, and internet-based media to operate freely and without fear of repercussions: In short, we seek to provide a picture of the entire "enabling environment" in which the media in each country operate. We also seek to assess the degree of news and information diversity available to the public in any given country, from either local or transnational sources.

The **legal environment** category encompasses an examination of both the laws and regulations that could influence media content and the government's inclination to use these laws and legal institutions to restrict the media's ability to operate. We assess the positive impact of legal and constitutional guarantees for freedom of expression; the potentially negative aspects of security legislation, the penal code, and other criminal statutes; penalties for libel and defamation; the existence of and ability to use freedom of information legislation; the independence of the judiciary and of official media regulatory bodies; registration requirements for both media outlets and journalists; and the ability of journalists' groups to operate freely.

Under the **political environment** category, we evaluate the degree of political control over the content of news media. Issues examined include the editorial independence of both state-owned and privately owned media; access to information and sources; official censorship and self-censorship; the vibrancy of the media and the diversity of news available within each country; the ability of both foreign and local reporters to cover the news freely and without harassment; and the intimidation of journalists by the state or other actors, including arbitrary detention and imprisonment, violent assaults, and other threats.

Our third category examines the **economic environment** for the media. This includes the structure of media ownership; transparency and concentration of ownership; the costs of establishing media as well as of production and distribution; the selective withholding of advertising or subsidies by the state or other actors; the impact of corruption and bribery on content; and the extent to which the economic situation in a country impacts the development and sustainability of the media.

CHECKLIST OF METHODOLOGY QUESTIONS 2012

- Each country is ranked on a scale of 0 to 100, with 0 being the best and 100 being the worst.
- A combined score of 0-30=Free, 31-60=Partly Free, 61-100=Not Free.
- Under each question, a lower number of points is allotted for a more free situation, while a higher number of points is allotted for a less free environment.
- The sub-questions listed are meant to provide guidance as to what issues are meant to be addressed under each methodology question; it is **not** intended that the author necessarily answer each one.
- As a general guideline, the index is focused on ability to access news and information (which predominantly means print and broadcast media but can also including blogs, social media, and other forms of digital news dissemination) and providers of news content, which predominantly means journalists but can also include citizen journalists and bloggers, where applicable.

A. LEGAL ENVIRONMENT (0-30 POINTS)

1. Do the constitution or other basic laws contain provisions designed to protect freedom of the press and of expression, and are they enforced? (0-6 points)

- Does the constitution contain language that provides for freedom of speech and of the press?
- Do the Supreme Court, Attorney General, and other representatives of the higher judiciary support these rights?
- Does the judiciary obstruct the implementation of laws designed to uphold these freedoms?
- Do other high-ranking state or government representatives uphold protections for media freedom, or do they contribute to a hostile environment for the press?
- Are crimes that threaten press freedom prosecuted vigorously by authorities?
- Is there implicit impunity for those who commit crimes against journalists?

2. Do the penal code, security laws, or any other laws restrict reporting and are journalists or bloggers punished under these laws? (0-6 points)

- Are there restrictive press laws?
- Do laws restrict reporting on ethnic or religious issues, national security, or other sensitive topics?
- Are penalties for 'irresponsible journalism' applied widely?
- Are restrictions of media freedom closely defined, narrowly circumscribed, and proportional to the legitimate aim?
- Do the authorities restrict or otherwise impede legitimate press coverage in the name of national security interests?
- Are journalists regularly prosecuted or jailed as a result of what they write?
- Are writers, commentators, or bloggers subject to imprisonment or other legal sanction as a result of accessing or posting material on the internet?

- Is there excessive pressure on journalists to reveal sources, resulting in punishments such as jail sentences, fines, or contempt of court charges?

3. Are there penalties for libeling officials or the state and are they enforced? (0-3 points)

- Are public officials especially protected under insult or defamation laws?
- Are insult laws routinely used to shield officials' conduct from public scrutiny?
- Is truth a defense to libel?
- Is there a legally mandated 'right of reply' that overrides independent editorial control?
- Is libel made a criminal rather than a civil offense?
- Are journalists or bloggers regularly prosecuted and jailed for libel or defamation?
- Are fines routinely imposed on journalists or media outlets in civil libel cases in a partisan *or* prejudicial manner, with the intention of bankrupting the media outlet or deterring future criticism?

4. Is the judiciary independent and do courts judge cases concerning the media impartially? (0-3 points)

- Are members of the judiciary subject to excessive pressure from the executive branch?
- Are the rights to freedom of expression and information recognized as important among members of the judiciary?
- When judging cases concerning the media, do authorities act in a lawful and non-arbitrary manner on the basis of objective criteria?
- Is there improper use of legal action or summonses against journalists or media outlets (e.g. being subjected to false charges, arbitrary tax audits etc.)?

5. Is Freedom of Information legislation in place and are journalists able to make use of it? (0-2 points)

- Are there laws guaranteeing access to government records and information?
- Are restrictions to the right of access to information expressly and narrowly defined?
- Are journalists able to secure public records through clear administrative procedures in a timely manner and at a reasonable cost?
- Are public officials subject to prosecution if they illegally refuse to disclose state documents?

6. Can individuals or business entities legally establish and operate private media outlets without undue interference? (0-4 points)

- Are registration requirements to publish a newspaper or periodical unduly onerous or are they approved/rejected on partisan or prejudicial grounds?
- Is the process of licensing private broadcasters and assigning frequencies open, objective, and fair?
- Is there an independent regulatory body responsible for awarding licenses and distributing frequencies or does the state control the allocations process?
- Does the state place extensive legal controls over the establishment of internet web sites and ISPs?
- Do state or publicly-funded media receive preferential legal treatment?
- Are non-profit community broadcasters given distinct legal status?
- Is there substantial media cross ownership and is cross-ownership of media encouraged by the absence of legal restrictions?
- Are laws regulating media ownership impartially implemented?

7. Are media regulatory bodies, such as a broadcasting authority or national press or communications council, able to operate freely and independently? (0-2 points)

- Are there explicit legal guarantees protecting the independence and autonomy of any regulatory body from either political or commercial interference?
- Does the state or any other interest exercise undue influence over regulatory bodies through appointments or financial pressure?
- Is the appointments process to such bodies transparent and representative of different interests, and do representatives from the media have an adequate presence on such bodies?
- Are decisions taken by the regulatory body seen to be fair and apolitical?
- Are efforts by journalists and media outlets to establish self-regulatory mechanisms permitted and encouraged, and viewed as a preferable alternative to state-imposed regulation?

8. Is there freedom to become a journalist and to practice journalism, and can professional groups freely support journalists' rights and interests? (0-4 points)

- Are journalists required by law to be licensed and if so, is the licensing process conducted fairly and at reasonable cost?
- Must a journalist become a member of a particular union or professional organization in order to work legally?
- Must journalists have attended a particular school or have certain qualifications in order to practice journalism?
- Are visas for journalists to travel abroad delayed or denied based on the individual's reporting or professional affiliation?
- May journalists and editors freely join associations to protect their interests and express their professional views?
- Are independent journalists' organizations able to operate freely and comment on threats to or violations of press freedom?

B. POLITICAL ENVIRONMENT (0-40 POINTS)

1. To what extent are media outlets' news and information content determined by the government or a particular partisan interest? (0-10 points)

- To what degree are print and broadcast journalists subject to editorial direction or pressure from the authorities or from private owners?
- Do media outlets—either print, broadcast, or internet-based—that express independent, balanced views exist?
- Is media coverage excessively partisan, with the majority of outlets consistently taking either a pro- or anti-government line?
- Is there government editorial control of state-run media outlets?
- Does the government attempt to influence or manipulate online content?
- Is there opposition access to state-owned media, particularly during elections campaigns? Do outlets reflect the views of the entire political spectrum or do they provide only an official point of view?
- Is hiring, promotion, and firing of journalists in the state-owned media done in a non-partisan and impartial manner?
- Is there provision for public-service broadcasting that enjoys editorial independence?

2. Is access to official or unofficial sources generally controlled? (0-2 points)

- Are the activities of government—courts, legislature, officials, records—open to the press?
- Is there a 'culture of secrecy' among public officials that limits their willingness to provide information to media?

- Do media outlets have a sufficient level of access to information and is this right equally enforced for all journalists regardless of their media outlet's editorial line?
- Does the regime influence access to unofficial sources (parties, unions, religious groups, etc.), particularly those that provide opposition viewpoints?

3. Is there official or unofficial censorship? (0-4 points)

- Is there an official censorship body?
- Are print publications or broadcast programs subject to pre-or post-publication censorship?
- Are local print and broadcast outlets forcibly closed or taken off the air as a result of what they publish or broadcast?
- Are there shutdowns or blocking of internet sites or blogs?
- Is access to foreign newspapers, TV or radio broadcasts, websites, or blogs censored or otherwise restricted?
- Are certain contentious issues, such as official corruption, the role of the armed forces or the political opposition, human rights, religion, officially off-limits to the media?
- Do authorities issue official guidelines or directives on coverage to media outlets?

4. Do journalists practice self-censorship? (0-4 points)

- Is there widespread self-censorship in the state-owned media? In the privately owned media?
- Are there unspoken 'rules' that prevent a journalist from pursuing certain stories?
- Is there avoidance of subjects that can clearly lead to censorship or harm to the journalist or the institution?
- Is there censorship or excessive interference of journalists' stories by editors or managers?
- Are there restrictions on coverage by 'gentlemen's agreement,' club-like associations between journalists and officials, or traditions in the culture that restrict certain kinds of reporting?

5. Do people have access to media coverage and a range of news and information that is robust and reflects a diversity of viewpoints? (0-4 points)

- Does the public have access to a diverse selection of print, broadcast, and internet-based sources of information that represent a range of political and social viewpoints?
- Are people able to access a range of local and international news sources despite efforts to restrict the flow of information?
- Do media outlets represent diverse interests within society, for example through community radio or other locally-focused news content?
- Do providers of news content cover political developments and provide scrutiny of government policies or actions by other powerful societal actors?
- Is there a tradition of vibrant coverage of potentially sensitive issues?
- Do journalists or bloggers pursue investigative news stories on issues such as corruption by the government or other powerful societal actors?
- NOTE: When scoring this question, please take into account the level of penetration of different types of media, e.g. print, broadcast, internet, foreign.

6. Are both local and foreign journalists able to cover the news freely in terms of harassment and physical access? (0-6 points)

- Are journalists harassed while covering the news?
- Are certain geographical areas of the country off-limits to journalists?
- Does a war, insurgency, or similar situation in a country inhibit the operation of media?
- Is there surveillance of foreign journalists working in the country?
- Are foreign journalists inhibited or barred by the need to secure visas or permits to report or to travel within the country?

- Are foreign journalists deported for reporting that challenges the regime or other powerful interests?

7. Are journalists, bloggers, or media outlets subject to extralegal intimidation or physical violence by state authorities or any other actor? (0-10 points)

- Are journalists or bloggers subject to murder, injury, harassment, threats, abduction, expulsion, arbitrary arrest and illegal detention, or torture?
- Do armed militias, organized crime, insurgent groups, political or religious extremists, or other organizations regularly target journalists?
- Have journalists fled the country or gone into hiding to avoid such action?
- Have media companies been targeted for physical attack or for the confiscation or destruction of property?
- Are there technical attacks on news and information websites or key online outlets for information exchange?

C. ECONOMIC ENVIRONMENT (0-30 POINTS)

1. To what extent are media owned or controlled by the government and does this influence their diversity of views? (0-6 points)

- Does the state dominate the country's information system?
- Are there independent or opposition print media outlets?
- Does a state monopoly of TV or radio exist?
- Are there privately owned news radio stations that broadcast substantial, serious news reports?
- Do independent news agencies provide news for print and broadcast media?
- In the case of state-run or funded outlets, are they run with editorial independence and do they provide a range a diverse, non-partisan viewpoints?
- NOTE: This question is usually scored to provide 0-2 points each for print, radio and TV forms of news media.

2. Is media ownership transparent, thus allowing consumers to judge the impartiality of the news? (0-3 points)

- Is it possible to ascertain the ownership structure of private media outlets?
- Do media owners hold official positions in the government or in political parties, and are these links intentionally concealed from the public?
- Are privately owned media seen to promote principles of public interest, diversity and plurality?

3. Is media ownership highly concentrated and does it influence diversity of content? (0-3 points)

- Are publications or broadcast systems owned or controlled by industrial or commercial enterprises, or other powerful societal actors, whose influence and financial power lead to concentration of ownership of the media and/or narrow control of the content of the media?
- Is there an excessive concentration of media ownership in the hands of private interests who are linked to state patronage or that of other powerful societal actors?
- Are there media monopolies, significant vertical integration (control over all aspects of news production and distribution), or substantial cross-ownership?
- Does the state actively implement laws concerning concentration, monopolies, and cross-ownership?

4. Are there restrictions on the means of news production and distribution? (0-4 points)

- Is there a monopoly on the means of production, such as newsprint supplies, allocations of paper, film, or Internet service providers?
- Are there private and non-state printing presses?
- Are channels of news and information distribution (kiosks, transmitters, cable operators, Internet, mobile phones) able to operate freely?
- Does the government exert pressure on independent media through the control of distribution facilities?
- Is there seizure or destruction of copies of newspapers, film, or production equipment?
- Does geography or poor infrastructure (roads, electricity etc) limit dissemination of print, broadcast, or internet-based news sources throughout the country?

5. Are there high costs associated with the establishment and operation of media outlets? (0-4 points)

- Are there excessive fees associated with obtaining a radio frequency, registering a newspaper, or establishing an ISP?
- Are the costs of purchasing paper, newsprint, or broadcasting equipment subject to high additional duties?
- Are media outlets subject to excessive taxation or other levies compared to other industries?
- Are there restrictions on foreign investment or non-investment foreign support/funding in the media?

6. Do the state or other actors try to control the media through allocation of advertising or subsidies? (0-3 points)

- Are subsidies for privately run newspapers or broadcasters allocated fairly?
- Is government advertising allocated fairly and in an apolitical manner?
- Is there use of withdrawal of advertising (i.e. government stops buying ad space in some papers or pressures private firms to boycott media outlets) as a way of influencing editorial decisions?

7. Do journalists, bloggers, or media outlets receive payment from private or public sources whose design is to influence their journalistic content? (0-3 points)

- Do government officials or other actors pay journalists in order to cover or to avoid certain stories?
- Are journalists often bribed?
- Are pay levels for journalists and other media professionals sufficiently high to discourage bribery?
- Do journalists or media outlets request bribes or other incentives in order to cover or hold certain stories?

8. Does the overall economic situation negatively impact media outlets' financial sustainability? (0-4 points)

- Are media overly dependent on the state, political parties, big business, or other influential political actors for funding?
- Is the economy so depressed or so dominated by the state that a private entrepreneur would find it difficult to create a financially sustainable publication or broadcast outlet?
- Is it possible for independent publications or broadcast outlets to remain financially viable primarily by generating revenue from advertising or subscriptions?
- Do foreign investors or donors play a large role in helping to sustain media outlets?
- Are private owners subject to intense commercial pressures and competition, thus causing them to tailor or cut news coverage in order for them to compete in the market or remain financially viable?

Press Freedom in 2011: Breakthroughs and Pushback in the Middle East

by Karin Deutsch Karlekar and Jennifer Dunham

The year 2011 featured precarious but potentially far-reaching gains for media freedom in the Middle East and North Africa. Major steps forward were recorded in Egypt, Libya, and Tunisia, where longtime dictators were removed after successful popular uprisings. While trends in these countries were not uniformly positive, with important setbacks to democratic prospects in both Egypt and Libya toward year's end, the magnitude of the improvements—especially in Tunisia and Libya—represented major breakthroughs in a region that has a long history of media control by autocratic leaders. The gains more than offset declines in several other countries in the Middle East. And even the greatest declines, in Bahrain and Syria, reflected the regimes' alarmed and violent reactions to tenacious protest movements, whose bold demands for greater freedom included calls for a more open media environment.

The improvements in the Arab world were the most significant findings of *Freedom of the Press 2012: A Global Survey of Media Independence*, the latest edition of an annual index published by Freedom House since 1980. The gains came on the heels of eight consecutive years of decline in the global average press freedom score, a phenomenon that has affected practically every region in the world. Furthermore, they were accompanied by positive changes in several key countries outside the Middle East and North Africa: Burma, Indonesia, the Philippines, Thailand, and Zambia. Other countries that registered progress include Georgia, Nepal, Niger, Sierra Leone, and Togo.

Three of the countries with major gains—Burma, Libya, and Tunisia—had for many years endured media environments that were among the world's most oppressive. Both Libya and Tunisia made single-year leaps of a size practically unheard of in the 32-year history of the report.

At the same time, press freedom continued to face obstacles and reversals in many parts of the world. China, which boasts the world's most sophisticated system of media repression, stepped up its drive to control both old and new sources of news and information through arrests and censorship. Other authoritarian powers—such as Russia, Iran, and Venezuela—resorted to a variety of techniques to maintain a tight grip on the media, detaining some press critics, closing down media outlets and blogs, and bringing libel or defamation suits against journalists.

Another disturbing development in 2011 was a decline in press freedom in several well-established democracies, most notably Chile and Hungary. As a result of status downgrades in a number of previously Free countries over the past few years, the proportion of the global population that enjoys a Free press has fallen to its lowest level in over a decade. The report found that only 14.5 percent of the world's people—or roughly one in six—live in countries where coverage of political news is robust, the safety of journalists is guaranteed, state intrusion in media affairs is minimal, and the press is not subject to onerous legal or economic pressures. Deterioration was also seen in a number of Partly Free media environments, such as Ecuador, Macedonia, Malawi, Uganda, and Ukraine.

Key Trends in 2011

- **New Media—Promise and Limits:** New media and citizen journalism made major contributions to both the Egyptian and Tunisian uprisings and were crucial to the creation of a new and potentially more democratic political dynamic in Russia. Even in Syria, where the foreign media, including the influential Qatar-based satellite network Al-Jazeera, were refused entry, ordinary citizens were able to use mobile-telephone cameras to record regime atrocities and prevent the government from escaping global scrutiny. Nevertheless, events in countries such as Egypt and Russia demonstrated that while new media—particularly when amplified by traditional mass media—can be quite effective at disseminating news of government abuses and mobilizing civic action against illiberal regimes, they play a much less significant role in the construction of democratic institutions, especially in societies where most of the population still gets its information from state-controlled broadcast outlets.

- **Repression in Wake of Arab Spring:** Authoritarian regimes around the world, fearing domestic unrest, censored news of the Arab uprisings. They employed techniques ranging from information blackouts in the state media, as in Zimbabwe and Ethiopia, to sophisticated internet and text-message filtering, as in China. However, some people in these countries were able to follow events in the Middle East via satellite television networks and the internet, or in China's case by using circumvention tools to evade online censors. And in nations where antigovernment protests did take hold, such as Uganda, Angola, and Djibouti, the authorities cracked down, sometimes violently, on journalists covering the demonstrations.
- **Television Wars:** While a dramatic growth in cable and satellite channels has broadened media diversity in a number of countries over the previous decade or more, state control of domestic broadcast media remains the norm in many societies and is a key method of restricting critical content. In the aftermath of mass demonstrations in Russia to protest the presidential candidacy of Prime Minister Vladimir Putin, members of the opposition included in a list of demands the creation of a public television station that would be free of Kremlin control. Since first taking power in 2000, Putin has made control of national television the foundation of his authoritarian system, transforming a medium that had been diverse and critical into a conduit for both propaganda and frivolous distraction. Other authoritarian-minded leaders—Hugo Chávez in Venezuela, Robert Mugabe in Zimbabwe, the presidents of most Eurasian states, the Communist leaders of China and Vietnam—have similarly retained or extended their control of television news.
- **Need for Vigilance in Democracies:** Various pressures impinged on press freedom in democratic countries as diverse as India, Israel, Italy, South Africa, and South Korea. Heightened harassment of journalists trying to cover protest movements contributed to a decline in Chile's status, from Free to Partly Free. And following a sharp numerical slide in 2010, Hungary was downgraded to Partly Free due to concerted efforts by the conservative government of Prime Minister Viktor Orbán to seize control over the legal and regulatory framework for media. This two-year drop of 13 points in what had long been a Free country is extremely unusual in the history of the index, but it demonstrates that media freedom cannot be taken for granted even in seemingly well-established democracies.
- **Fragile Freedoms in Latin America:** Chile's decline to Partly Free and major setbacks in Ecuador are the latest in a series of negative developments in the region over the past decade. Whether due to violence by criminal groups, as in Mexico and Honduras, or government hostility to media criticism, as in Venezuela, Argentina, and Bolivia, media freedom is on the defensive in much of Central and South America.

The Global Picture in 2011

Of the 197 countries and territories assessed during 2011, including the new country of South Sudan, a total of 66 (33.5 percent) were rated Free, 72 (36.5 percent) were rated Partly Free, and 59 (30 percent) were rated Not Free. This balance marks a shift toward the Partly Free category compared with the edition covering 2010, which featured 68 Free, 65 Partly Free, and 63 Not Free countries and territories.

The analysis found that only 14.5 percent of the world's inhabitants lived in countries with a Free press, while 45 percent had a Partly Free press and 40.5 percent lived in Not Free environments. The population figures are significantly affected by two countries—China, with a Not Free status, and India, with a Partly Free status—that together account for over a third of the world's nearly seven billion people. The percentage of those enjoying Free media in 2011 declined by a half point to the lowest level since 1996, when Freedom House began incorporating population data into the findings of the survey.

Meanwhile, the share living in Partly Free countries jumped by three percentage points, reflecting the move by populous states such as Egypt and Thailand into this category.

After eight years of decline in the global average score, including particularly steep drops in 2007, 2008, and 2009 [see Graph 1], there was a slight improvement of 0.14 points for 2011. This break from the negative trend was driven by a significant net improvement in the Middle East and North Africa, coupled with a more modest improvement in the Asia-Pacific region. The positive openings were nearly balanced by negative movements in the regional averages for Central and Eastern Europe and Eurasia, the Americas, and to a lesser extent sub-Saharan Africa. The regional average score for Western Europe remained largely unchanged. In terms of thematic categories, the global average score improvement appears to stem from gains primarily in the legal category, and secondarily in the economic category. The political category showed a global decline when compared with the previous year.

There were a total of 10 status changes, four negative and six positive, with most representing improvements from Not Free to Partly Free. In terms of significant numerical shifts of three or more points, the ratio was identical to that for 2010, with declines (12 countries) almost evenly balanced by gains (11 countries).

Worst of the Worst

The world's eight worst-rated countries, with scores of between 90 and 100 points, are Belarus, Cuba, Equatorial Guinea, Eritrea, Iran, North Korea, Turkmenistan, and Uzbekistan. In these states, independent media are either nonexistent or barely able to operate, the press acts as a mouthpiece for the regime, citizens' access to unbiased information is severely limited, and dissent is crushed through imprisonment, torture, and other forms of repression. During 2011, significant improvements in Burma and Libya allowed them to emerge from this cohort, reducing the number of states where free media remain overwhelmingly circumscribed to its lowest point in the past five years. However, conditions worsened in Iran, which earned the dubious distinction of having the most journalists behind bars in the world (42) as measured by the Committee to Protect Journalists (CPJ). And in Uzbekistan, the authorities shut down one of the country's last independent newspapers. Meanwhile, the Syrian government's crackdown on independent reporting by citizen journalists and foreign reporters moved that country to the brink of the 90–100 range.

Regional Findings

Americas: In the Americas, 15 countries (43 percent) were rated Free, 16 (46 percent) were rated Partly Free, and 4 (11 percent) were rated Not Free for 2011. In terms of the region's population, 39 percent lived in Free countries and 44 percent could be found in Partly Free media environments, with the remaining 17 percent living in Not Free countries. These figures are significantly influenced by the open media environments of North America and much of the Caribbean, which tend to offset the less rosy picture in Central and South America. In Hispanic America, meaning the Spanish- and Portuguese-speaking parts of the region, only 15 percent of the countries were rated Free, and just 1.5 percent of the population lived in Free media environments. There were two negative status changes in the Americas, with Chile and Guyana moving from Free to Partly Free, as well as a significant numerical decline in Ecuador. The regional average score worsened, with gains in the legal category, such as the passage of freedom of information laws and the decriminalization of libel, overshadowed by declines in the political and economic categories.

Press freedom remained extremely restricted in **Cuba**, which has one of the most repressive media environments worldwide, and in **Venezuela**, where the Chávez government continued its efforts to control the press. In 2011, journalists in the country began to feel the effects of a new law that extended existing controls on broadcast media to the internet.

After falling to Not Free status in 2010, **Mexico** continued to suffer from high levels of criminal violence in 2011, especially against journalists and communicators who used social media to bypass self-

ensorship in the traditional press. Eight media workers were killed in 2011, and journalists reported receiving threats from drug cartels as well as the police and politicians. **Honduras** also stayed in the Not Free category because of continued harassment and intimidation of journalists. Although fewer journalists were killed than in 2010, self-censorship and a lack of access to information were still problems.

Chile's score worsened from 29 to 31, pushing it into the Partly Free category, due to the obstacles faced by journalists covering protests on education and environmental issues that took place throughout the year. Several journalists were harassed or detained in connection with their reporting. Meanwhile, Chile's commercial press remained concentrated in the hands of two media conglomerates that have advertising interests and control distribution channels across the country.

Guyana also declined to Partly Free, falling from 30 to 33 points, because of the heightened political polarization of the media and verbal intimidation of journalists by members of the ruling party. There were several ongoing libel cases, and a restrictive Broadcasting Act dramatically increased fines for broadcasting without a license. The distribution of licenses appeared to be politically motivated.

The region's largest numerical downgrade took place in **Ecuador**, which fell by six points as President Rafael Correa persisted in his attacks on critical news outlets. The country's score has dropped by 17 points since 2008, one of the most dramatic declines in the world. A controversial law passed in 2011 bars the media from disseminating any promotion of presidential candidates, making it difficult for them to cover political campaigns and inform citizens about the candidates and their points of view. In Correa's high-profile libel case against the newspaper *El Universo*, the Supreme Court ruled quickly in favor of the president, but reduced the fines against the paper to \$40 million. Media outlets practiced self-censorship to avoid becoming the targets of similar cases. Journalists and press freedom organizations continued to face harassment and intimidation, and an antimonopoly law threatened to further weaken media organizations.

The **United States** remains one of the stronger performers in the index, but it faces several challenges, including a threat to media diversity stemming from poor economic conditions for the news industry, and a lack of protection-of-sources legislation at the federal level. The overall score declined by one point due to detentions, rough police tactics, and other difficulties encountered by journalists while covering protests associated with the Occupy movement. On a positive note, in 2011 the federal judiciary showed signs of resisting government demands for reporters' notes and the names of their sources in cases involving leaks of classified information.

Asia-Pacific: The Asia-Pacific region as a whole exhibited a relatively high level of press freedom in 2011, with 15 countries and territories (37.5 percent) rated Free, 13 (32.5 percent) rated Partly Free, and 12 (30 percent) rated Not Free. Yet the regionwide figures disguise considerable subregional diversity. For example, the Pacific Islands, Australasia, and parts of East Asia have some of the best-ranked media environments in the world, while conditions in South Asia, Southeast Asia, and other parts of East Asia are significantly worse. The country breakdown also obscures the fact that only 5 percent of the region's population had access to Free media, while 49 percent lived in Partly Free and 46 percent in Not Free media environments. A modest improvement in the average score for the Asia-Pacific region was caused by positive change in both the legal and political categories in 2011.

Asia includes the world's worst-rated country, North Korea, as well as several other restrictive media environments, such as China, Laos, and Vietnam. All of these feature extensive state and party control of the press.

In **China**, the world's largest poor performer, the authorities sharply curbed coverage of the popular uprisings in the Middle East and North Africa, retained blocks on foreign social media platforms like Twitter, and tightened controls on investigative reporting and entertainment programming in advance of a sensitive leadership change scheduled for 2012. Detailed party directives—which can arrive daily at editors' desks—also restricted coverage related to public health, environmental accidents, deaths in police custody, and foreign policy, among other issues. Dozens of writers and activists with significant internet followings were forcibly disappeared, abused in custody, and in some cases sentenced to long prison

terms after anonymous messages that circulated online in February called for a Tunisian-style revolution in China. Despite the robust censorship apparatus, Chinese journalists and millions of internet users continued to test the limits of permissible expression by drawing attention to incipient scandals or launching campaigns via domestic microblogging platforms. Most notably in 2011, journalists defied censorship orders pertaining to coverage of a fatal high-speed train crash in July, while internet users shared real-time updates of both the incident and official attempts to cover up its cause.

On a positive note, the region's second-worst performer in 2010 experienced a significant opening in 2011. The press freedom score for **Burma** improved from 94 to 85 points as the regime tentatively implemented political reforms. Positive developments included the release of imprisoned bloggers, a softening of official censorship, fewer reports of harassment and attacks against journalists, and an increase in the number of private media outlets, which led to somewhat more diversity of content and less self-censorship. In addition, a number of exiled journalists were able to return to the country.

The region featured two positive status changes in 2011. **Thailand**, which in 2010 had been downgraded to Not Free, moved back into the Partly Free range due to a calmer political situation that enabled expanded reporting on elections, greater space for dissent and coverage of sensitive topics, and a significant decrease in violence against journalists. Following the end of a state of emergency in late 2010, journalists were better able to cover the news across the country, though access to the restive southern provinces remained restricted. Despite Thailand's overall upgrade, the judicial environment deteriorated toward the end of 2011, with increasingly frequent and harsh applications of the *lèse-majesté* law and the creation of a new internet security agency that can implement shutdowns more quickly and with less oversight.

The South Pacific island kingdom of **Tonga** was the only country to earn a status upgrade to Free, a result of the new government's commitment to strengthening press freedoms and a general reduction in the harassment and intimidation of journalists.

A number of significant numerical improvements were also seen in Asia during the year. **Indonesia** moved from 53 to 49 points as a result of reduced restrictions on the broadcasting authority and press council, less official censorship, and journalists' greater ability to cover news events freely in most of the country. The **Philippines** continued to make gains—moving from 46 to 42 points after a major decline in 2009—due to a reduction in violence against journalists, attempts by the government to address impunity, and expanded diversity of media ownership. And in **Nepal**, the score improved from 59 to 55 points thanks in part to better access to information and a decline in censorship. There were no journalists killed during the year, and fewer restrictions on the production and distribution of news.

India suffered a two-point decline in 2011 because of a worrying attempt to extend content controls over the internet and the murder of a senior newspaper editor in Mumbai, among other problems. The score for **Pakistan** also declined by two points, as threats against the press from a variety of actors reached unprecedented levels. CPJ now considers Pakistan to be the deadliest country in the world for reporters. As a result of this danger, self-censorship has increased, particularly on sensitive topics like blasphemy laws and the role and reach of the security forces.

Central and Eastern Europe/Eurasia: In the CEE/Eurasia region, 7 countries (24 percent) remained classified as Free, 13 (45 percent) were rated Partly Free, and 9 (31 percent) were rated Not Free. However, a majority of the people in this region (56 percent) lived in Not Free media environments, while 29 percent lived in Partly Free countries and only 15 percent had access to Free media—the smallest share since 2003. In 2011, the regional average score underwent a significant decline, with negative movement in all three thematic (legal, political, and economic) categories. While the average for the Eurasia subregion was almost completely static, deterioration in the typically better-performing subregion of Central and Eastern Europe was marked, driven by significant numerical declines in Hungary and Macedonia in particular.

It is notable that three of the eight worst press freedom abusers in the entire survey—Belarus, Uzbekistan, and Turkmenistan—are found in Eurasia. Other countries of special concern include Russia, Azerbaijan, and Kazakhstan. The media environment in **Russia** is characterized by the use of a pliant

judiciary to prosecute independent journalists, impunity for the physical harassment and murder of journalists, and continued state control or influence over almost all traditional media outlets. This was mitigated somewhat by an increase in use of the internet, social media, and satellite television to disseminate and access news and information, especially during the December parliamentary elections and subsequent protests. However, new media users have yet to achieve a real breakthrough in reaching the general public in Russia, and face an uphill battle against a range of political, economic, legal, and extralegal tools at the disposal of the authorities.

Several countries in the region suffered continued and significant declines. **Hungary**, whose score deteriorated sharply in 2010, was downgraded to Partly Free to reflect the ongoing erosion of press freedom under Prime Minister Viktor Orbán. This was seen in the establishment of the National Agency for Data Protection, which will restrict access to information; evidence of a politically motivated licensing procedure that resulted in a critical radio station losing its frequencies; increased reports of censorship and self-censorship, especially at the public broadcasters; and worsening economic conditions for independent media entrepreneurship.

Ukraine's score fell from 56 to 59 points as a result of growing government control over the media. Many national media council members are loyal to government official and media tycoon Valery Khoroshkovsky, and media owners increasingly face political pressure regarding content. In **Macedonia**, the score moved from 48 to 54 points due to the declining legal environment, including politicized decisions by regulatory bodies and the lengthy pretrial detention of a leading opposition-oriented media owner in a politically fraught tax case. As part of that case, the country's most popular television station and three affiliated newspapers were forced out of business in 2011.

The only significant numerical improvement in the region occurred in Partly Free **Georgia**, which moved from 55 to 52 points. The change reflected the establishment of a number of new publications, the issuing of a broadcast license to a media group that is critical of the government, and the enforcement of new requirements on transparency of ownership. More modest improvements were also noted in **Montenegro**, which decriminalized defamation and libel, and in **Kosovo**, which benefited from a continuing trend of fewer attacks on journalists and greater ownership transparency.

Middle East and North Africa: The Middle East and North Africa region continued to have the world's poorest ratings in 2011, with a single country (5 percent) rated Free, 5 (26 percent) rated Partly Free, and 13 (69 percent) rated Not Free. Similarly, in terms of the breakdown by population, only 2 percent of the region's people lived in Free media environments, 27 percent lived in Partly Free countries, and the vast majority, 71 percent, lived in countries or territories designated as Not Free. Although transnational satellite television and internet-based information platforms have had a positive impact, the media in much of the region remained constrained by emergency rule, state ownership and editorial directives, harsh blasphemy legislation, and laws against insulting monarchs and public figures.

However, in 2011, thanks to extraordinary openings in some formerly closed media environments, the regional average score underwent a dramatic improvement, particularly in the legal and political categories. There were three positive status changes, as a series of uprisings that started in late 2010 overthrew entrenched leaders and either disrupted or demolished their systems of media control. While the gains are remarkable, it is important to note that many are not yet supported by new institutional, legal, and regulatory structures. Vigilance will be required as these countries seek to consolidate their transitions and begin adopting new laws and constitutions.

Especially striking was **Libya**, which had long ranked as one of the world's worst violators of press freedom, but ended the year in the Partly Free category after a numerical improvement from 94 to 60 points. The media environment in Libya changed drastically in 2011 in all three thematic categories. The transitional constitutional charter drafted after the ouster of Mu'ammar al-Qadhafi guaranteed several fundamental human rights and offered a broad definition of freedom of expression, though these provisions fell short of international standards, and institutions to implement them had yet to be established. The Libyan media began to experience unprecedentedly free working conditions in practice.

While censorship was not explicitly banned, there were no longer laws against libeling officials in Libya, and journalists were able to report critically as al-Qadhafi's rule broke down. Five journalists were killed in 2011, mainly while covering the conflict between rebel and Qadhafi forces. Roughly 800 new media outlets had registered by the time the new transitional government officially took control in October, creating a far more diverse and unfettered media environment than had ever existed under the old regime.

The score for **Tunisia**, where conditions in 2010 had also been highly repressive, rose from 85 to 51 points after the overthrow of President Zine el-Abidine Ben Ali, bringing Tunisia well into the Partly Free range. The draft constitution as well as a transitional press code provided major new protections for the media. Imprisoned bloggers and freedom of expression activists were released after Ben Ali fled into exile, and journalists now have the ability to work without fear of detention or official censorship. Threats and intimidation against media workers by extremist Islamist groups were problems, but they paled in comparison to the constraints of previous years. Also during 2011, the number of independent media outlets increased significantly, and social media platforms added further pluralism to the media landscape.

Egypt, which had been downgraded in 2010 due to a crackdown surrounding the November parliamentary elections, also improved to Partly Free after a popular protest movement forced the resignation of President Hosni Mubarak. However, the country's score change, from 65 to 57 points, was less dramatic than in Libya or Tunisia, reflecting Egypt's less dismal starting point as well as the survival of many features of the old system. The political upheaval led to a flourishing of new media outlets, a reduction in self-censorship, and some loosening of the centralized editorial control over state media that had been in place during the three decades of Mubarak's rule. Journalists and media outlets covered controversial stories and produced critical and investigative reports, despite intimidation by the transitional military regime. Two journalists were killed in 2011, and there were several reports of violence and harassment as reporters attempted to cover the uprising and its aftermath. There were also multiple reports of interference in broadcast media content by the military authorities. Among other lingering problems, the Emergency Law was still in effect at year's end, and nearly 30 restrictive legal articles that allow journalists to be prosecuted for their reporting remain on the books.

Antigovernment protests in several other countries led to increased restrictions on the press. The largest numerical decline globally occurred in **Bahrain**, which fell from 72 to 64 points as journalists faced defamation cases and the government frequently invoked restrictive press laws to deter media criticism. Journalists and bloggers were also subjected to severe harassment, arrests, and torture as a result of their reporting on the ongoing demonstrations, and several fled into exile. Though the government does not own newspapers, the Ministry of Culture and Information maintains control over private publications, imposing fines on those that carry information it finds objectionable.

Syria also suffered a significant decline, from 84 to 69 points, due to the increased attacks, intimidation, and detentions faced by local and foreign journalists. The government revoked the press passes of foreign reporters, and several media workers were arrested as a result of a press law passed in August. The few existing media outlets with a degree of independence were forced to close, leaving only those controlled by the government and ruling party. Citizen journalists and activists worked to get information out of the country, but the authorities made every effort to hunt them down. These conditions, combined with mounting state-led violence in many areas, made the collection and dissemination of accurate news nearly impossible in the country.

Sub-Saharan Africa: Out of a new total of 49 countries—with South Sudan assessed separately for the first time—5 countries (10 percent) were rated Free, 23 (47 percent) were rated Partly Free, and 21 (43 percent) remained Not Free in sub-Saharan Africa. In terms of population, 5 percent lived in Free media environments, while a majority (54 percent) lived with Partly Free media and 41 percent lived in Not Free environments. The regional average score suffered a marginal decline, with improvements in the legal and economic categories balanced by a deterioration in the political category. Press freedom conditions remained dire in Equatorial Guinea and Eritrea, two of the world's eight worst performers. Their authoritarian governments continued to use legal pressure, imprisonment, and other forms of harassment to suppress independent reporting.

A number of key countries experienced decline and backsliding in 2011. **Guinea**, which had been upgraded to Partly Free in 2010 following efforts by the transitional government to open the legal and political environment for the press, slipped backward to the Not Free category, as the government of newly elected president Alpha Condé failed to implement those reforms. Moreover, the state regulatory body imposed a brief media blackout after a July attempt to assassinate Condé, and several media workers were detained, suspended, and threatened by the government and security forces during the year.

Uganda dropped from 54 to 57 points as a result of biased election coverage by the state-controlled media prior to February balloting, as well as physical attacks on journalists attempting to report on postelection protests. **Malawi** declined from 55 to 60 points due to alleged bias in the issuing of broadcast licenses, and a ban preventing media outlets from addressing key political events such as July antigovernment demonstrations. Reporters, particularly those who attempted to cover the protests, faced a substantial increase in attacks and harassment, which in turn led to a rise in self-censorship.

In **Angola**, which dropped from 64 to 67 points, the 32-year-old regime of President José Eduardo dos Santos stepped up its repression of the press by imposing disproportionate punishments in legal cases against journalists; increasing its attacks and harassment of reporters, especially those covering anti-government demonstrations; and making it more difficult for foreign journalists to enter and work in the country. The highly repressive environment in **Ethiopia** worsened even further, from 78 to 81 points, with the government employing a 2009 antiterrorism law to silence nearly all dissenting voices. Many journalists have fled the country to avoid prosecution. Ethiopia is the only nation in sub-Saharan Africa with a nationwide internet-filtering system, and the apparatus appeared to grow more sophisticated in 2011.

The passage of the Protection of Information Bill, which allows government officials and state agencies to withhold a wide range of information in the national interest or on national security grounds, in **South Africa**'s lower house of parliament represented yet another troubling development in a country that has been looked to for leadership on press freedom in Africa.

A few countries in the region registered improvements in 2011, in some cases building on gains from 2010. **Zambia** was upgraded to Partly Free due to reform of the public media initiated by the new government after the September 2011 elections, which led to greater professionalism and independence, less self-censorship, and a decrease in the overtly partisan character of these outlets.

The largest numerical improvement outside the Middle East and North Africa occurred in **Niger**, which rose from 59 to 49 points. Newly elected president Mahamadou Issoufou became the first African leader to sign the Table Mountain Declaration, which calls for the repeal of criminal defamation and insult laws. The legal environment also benefited from the passage of an access to information law and the prosecution of journalists under civil rather than criminal law for media offenses, including libel. There were no reported cases of official censorship, extrajudicial harassment, or attacks directed against media workers during the year.

Elsewhere in West Africa, the press freedom climate continued to improve in **Sierra Leone** under President Ernest Bai Koroma, with increased space for opposition viewpoints and criticism of the government. Moreover, no cases of intimidation or harassment of journalists were reported in 2011. **Togo** made gains due to a decrease in restrictions on opening media outlets and a reduction in attacks on journalists, among other changes. And **Nigeria** passed freedom of information legislation after more than a decade of advocacy by civil society groups and media practitioners.

South Sudan, which became independent from Sudan on July 9, 2011, began with a rating of Partly Free, as the ruling Sudan People's Liberation Movement attempted to build government institutions that protect political rights and civil liberties. Press freedom is guaranteed in the new constitution, but laws enforcing this principle have yet to be passed. There were reports of extralegal intimidation and attacks on journalists by security agents during the year, resulting in self-censorship. Journalists were also caught up in an ongoing border conflict with Sudan.

Western Europe: Western Europe has consistently boasted the highest level of press freedom worldwide. In 2010, 23 countries (92 percent) were rated Free, and 2 (8 percent) were rated Partly Free. In terms of

population, 72 percent of the region's residents enjoyed a Free press, while 28 percent lived in Partly Free media environments. The regional average score was largely stable in 2011, with no major change noted. Norway and Sweden joined Finland as the world's top-performing countries, with scores of 10.

The region's largest numerical changes in 2011 were declines in Iceland and the United Kingdom. The score for **Iceland**, previously one of the world's top performers, moved from 12 to 14 points because of an increase in libel cases and the passage of a controversial new law that could restrain the media. The **United Kingdom's** score fell from 19 to 21 points due to the use of super injunctions—which prevent the media from reporting both the targeted information and the very existence of an injunction—by celebrities and wealthy individuals, as well as attacks on journalists covering riots. In addition, the police and government used the 1984 Police and Criminal Evidence Act to force a number of media organizations to hand over unedited footage of rioting in London and Northern Ireland.

Italy remained a regional outlier with its Partly Free status, but registered a one-point gain in 2011 due to Prime Minister Silvio Berlusconi's resignation in November, which significantly decreased media concentration in the country. Berlusconi is a major private media owner, and his political position had also given him control of the state media, including influence over the appointment of directors and key journalists.

In **Turkey**, which is also Partly Free, the score declined by one point as the government continued to crack down on unfavorable press coverage in 2011. Constitutional guarantees of freedom of the press and expression are only partially upheld in practice, undermined by restrictive provisions in the criminal code and Anti-Terrorism Act. Due to detentions stemming from investigations into the alleged Ergenekon conspiracy to overthrow the government, as well as a case involving suspected ties to an alleged Kurdish militant group, Turkey now has one of the highest numbers of imprisoned journalists in the world.

GLOBAL PRESS FREEDOM RANKINGS

Rank 2012	Country	Rating	Status
1	Finland	10	Free
	Norway	10	Free
	Sweden	10	Free
4	Belgium	11	Free
5	Denmark	12	Free
	Luxembourg	12	Free
	Netherlands	12	Free
	Switzerland	12	Free
9	Andorra	13	Free
10	Iceland	14	Free
	Liechtenstein	14	Free
12	St. Lucia	15	Free
13	Ireland	16	Free
	Monaco	16	Free
	Palau	16	Free
16	Germany	17	Free
	Marshall Islands	17	Free
	New Zealand	17	Free
	Portugal	17	Free
	San Marino	17	Free
	St. Vincent and Grenadines	17	Free
22	Estonia	18	Free
	Jamaica	18	Free
	United States of America	18	Free
25	Barbados	19	Free
	Canada	19	Free
	Costa Rica	19	Free
	Czech Republic	19	Free
29	Bahamas	20	Free
	St. Kitts and Nevis	20	Free
31	Australia	21	Free
	Austria	21	Free
	Belize	21	Free
	Micronesia	21	Free
	Slovakia	21	Free
	United Kingdom	21	Free

Rank 2012	Country	Rating	Status
37	Cyprus	22	Free
	Japan	22	Free
	Malta	22	Free
40	Dominica	23	Free
	Lithuania	23	Free
	Suriname	23	Free
43	France	24	Free
	Grenada	24	Free
	Mali	24	Free
	Spain	24	Free
47	Poland	25	Free
	Slovenia	25	Free
	Taiwan	25	Free
	Trinidad and Tobago	25	Free
51	Tuvalu	26	Free
	Uruguay	26	Free
	Vanuatu	26	Free
54	Cape Verde	27	Free
	Kiribati	27	Free
	Latvia	27	Free
	Papua New Guinea	27	Free
58	Ghana	28	Free
	Nauru	28	Free
	Solomon Islands	28	Free
61	Mauritius	29	Free
	Samoa	29	Free
	São Tomé and Príncipe	29	Free
	Tonga	29	Free
65	Greece	30	Free
	Israel	30	Free
67	Chile	31	Partly Free
68	Namibia	32	Partly Free
	South Korea	32	Partly Free
70	Guyana	33	Partly Free
	Hong Kong	33	Partly Free
	Italy	33	Partly Free
73	Benin	34	Partly Free
	South Africa	34	Partly Free
75	East Timor	35	Partly Free

Rank 2012	Country	Rating	Status
	Montenegro	35	Partly Free
	Serbia	35	Partly Free
78	Bulgaria	36	Partly Free
	Hungary	36	Partly Free
80	India	37	Partly Free
	Mongolia	37	Partly Free
82	Antigua and Barbuda	38	Partly Free
83	Botswana	40	Partly Free
	Croatia	40	Partly Free
	El Salvador	40	Partly Free
86	Dominican Republic	41	Partly Free
	Romania	41	Partly Free
88	Burkina Faso	42	Partly Free
	Philippines	42	Partly Free
90	Mozambique	43	Partly Free
91	Brazil	44	Partly Free
	Peru	44	Partly Free
93	Panama	46	Partly Free
94	Bolivia	47	Partly Free
95	Bosnia and Herzegovina	48	Partly Free
	Comoros	48	Partly Free
97	Indonesia	49	Partly Free
	Kosovo	49	Partly Free
	Lesotho	49	Partly Free
	Nicaragua	49	Partly Free
	Niger	49	Partly Free
	Sierra Leone	49	Partly Free
	Tanzania	49	Partly Free
104	Argentina	50	Partly Free
	Haiti	50	Partly Free
	Nigeria	50	Partly Free
107	Albania	51	Partly Free
	Lebanon	51	Partly Free
	Maldives	51	Partly Free
	Tunisia	51	Partly Free
111	Bangladesh	52	Partly Free
	Georgia	52	Partly Free
	Kenya	52	Partly Free
	Mauritania	52	Partly Free

Rank 2012	Country	Rating	Status
115	Macedonia	54	Partly Free
	Moldova	54	Partly Free
117	Colombia	55	Partly Free
	Congo (Brazzaville)	55	Partly Free
	Nepal	55	Partly Free
	Senegal	55	Partly Free
	Turkey	55	Partly Free
122	Seychelles	56	Partly Free
123	Egypt	57	Partly Free
	Guinea-Bissau	57	Partly Free
	Kuwait	57	Partly Free
	Uganda	57	Partly Free
127	Bhutan	58	Partly Free
	Ecuador	58	Partly Free
	Fiji	58	Partly Free
130	South Sudan	59	Partly Free
	Ukraine	59	Partly Free
132	Guatemala	60	Partly Free
	Liberia	60	Partly Free
	Libya	60	Partly Free
	Malawi	60	Partly Free
	Paraguay	60	Partly Free
	Thailand	60	Partly Free
	Zambia	60	Partly Free
139	Algeria	62	Not Free
	Central African Republic	62	Not Free
	Guinea	62	Not Free
	Honduras	62	Not Free
	Mexico	62	Not Free
144	Cambodia	63	Not Free
	Jordan	63	Not Free
	Madagascar	63	Not Free
	Malaysia	63	Not Free
	Pakistan	63	Not Free
149	Armenia	65	Not Free
150	Angola	67	Not Free
	Qatar	67	Not Free
	Singapore	67	Not Free
153	Cameroon	68	Not Free

Rank 2012	Country	Rating	Status
	Morocco	68	Not Free
155	Iraq	69	Not Free
	Kyrgyzstan	69	Not Free
	Togo	69	Not Free
	Côte d'Ivoire	70	Not Free
158	Gabon	70	Not Free
	Oman	71	Not Free
161	Burundi	72	Not Free
	Sri Lanka	72	Not Free
	United Arab Emirates	72	Not Free
164	Afghanistan	74	Not Free
	Djibouti	74	Not Free
166	Brunei	75	Not Free
	Chad	75	Not Free
168	Swaziland	76	Not Free
	Venezuela	76	Not Free
170	Sudan	78	Not Free
171	Tajikistan	79	Not Free
172	Azerbaijan	80	Not Free
	Russia	80	Not Free
	Zimbabwe	80	Not Free
175	Ethiopia	81	Not Free
	Kazakhstan	81	Not Free
	The Gambia	81	Not Free
178	Rwanda	82	Not Free
179	Congo (Kinshasa)	83	Not Free
	West Bank and Gaza Strip	83	Not Free
	Yemen	83	Not Free
182	Bahrain	84	Not Free
	Laos	84	Not Free
	Saudi Arabia	84	Not Free
	Somalia	84	Not Free
	Vietnam	84	Not Free
187	Burma	85	Not Free
	China	85	Not Free
189	Syria	89	Not Free
190	Cuba	91	Not Free
	Equatorial Guinea	91	Not Free
192	Iran	92	Not Free

Rank 2012	Country	Rating	Status
193	Belarus	93	Not Free
194	Eritrea	94	Not Free
195	Uzbekistan	95	Not Free
196	Turkmenistan	96	Not Free
197	North Korea	97	Not Free

Status	Number of Countries	Percentage of Total
Free	66	33.5
Partly Free	72	36.5
Not Free	59	30
TOTAL	197	100

ASIA-PACIFIC

Rank 2012	Country	Rating	Status
1	Palau	16	Free
2	Marshall Islands	17	Free
	New Zealand	17	Free
4	Australia	21	Free
	Micronesia	21	Free
6	Japan	22	Free
7	Taiwan	25	Free
8	Tuvalu	26	Free
	Vanuatu	26	Free
10	Kiribati	27	Free
	Papua New Guinea	27	Free
12	Nauru	28	Free
	Solomon Islands	28	Free
14	Samoa	29	Free
	Tonga	29	Free
16	South Korea	32	Partly Free
17	Hong Kong	33	Partly Free
18	East Timor	35	Partly Free
19	India	37	Partly Free
	Mongolia	37	Partly Free
21	Philippines	42	Partly Free
22	Indonesia	49	Partly Free
23	Maldives	51	Partly Free
24	Bangladesh	52	Partly Free
25	Nepal	55	Partly Free
26	Bhutan	58	Partly Free
	Fiji	58	Partly Free
28	Thailand	60	Partly Free
29	Cambodia	63	Not Free
	Malaysia	63	Not Free
	Pakistan	63	Not Free
32	Singapore	67	Not Free
33	Sri Lanka	72	Not Free
34	Afghanistan	74	Not Free
35	Brunei	75	Not Free
36	Laos	84	Not Free

Rank 2012	Country	Rating	Status
	Vietnam	84	Not Free
38	Burma	85	Not Free
	China	85	Not Free
40	North Korea	97	Not Free

Status	Number of Countries	Percentage of Total
Free	15	37.5
Partly Free	13	32.5
Not Free	12	30
TOTAL	40	100

**Sub-Region Comparison
Asia-Pacific**

Region and Sub-region	Number of Countries	Average Press Freedom Score
Asia Pacific	40	46.8
Asia Proper	26	57.7
Asia Pacific Islands	14	26.4

AMERICAS

Rank 2012	Country	Rating	Status
1	St. Lucia	15	Free
2	St. Vincent and Grenadines	17	Free
3	Jamaica	18	Free
	United States of America	18	Free
5	Barbados	19	Free
	Canada	19	Free
	Costa Rica	19	Free
8	Bahamas	20	Free
	St. Kitts and Nevis	20	Free
10	Belize	21	Free
11	Dominica	23	Free
	Suriname	23	Free
13	Grenada	24	Free
14	Trinidad and Tobago	25	Free
15	Uruguay	26	Free
16	Chile	31	Partly Free
17	Guyana	33	Partly Free
18	Antigua and Barbuda	38	Partly Free
19	El Salvador	40	Partly Free
20	Dominican Republic	41	Partly Free
21	Brazil	44	Partly Free
	Peru	44	Partly Free
23	Panama	46	Partly Free
24	Bolivia	47	Partly Free
25	Nicaragua	49	Partly Free
26	Argentina	50	Partly Free
	Haiti	50	Partly Free
28	Colombia	55	Partly Free
29	Ecuador	58	Partly Free
30	Guatemala	60	Partly Free
	Paraguay	60	Partly Free
32	Honduras	62	Not Free
	Mexico	62	Not Free
34	Venezuela	76	Not Free
35	Cuba	91	Not Free

Status	Number of Countries	Percentage of Total
Free	15	43
Partly Free	16	46
Not Free	4	11
TOTAL	35	100

**Sub-Region Comparison
Americas**

Region and Sub-region	Number of Countries	Average Press Freedom Score
Americas	35	38.4
Hispanic America	20	49.1
Non-Hispanic America	15	24.1

CENTRAL AND EASTERN EUROPE / EURASIA

Rank 2012	Country	Rating	Status
1	Estonia	18	Free
2	Czech Republic	19	Free
3	Slovakia	21	Free
4	Lithuania	23	Free
5	Poland	25	Free
	Slovenia	25	Free
7	Latvia	27	Free
8	Montenegro	35	Partly Free
	Serbia	35	Partly Free
10	Bulgaria	36	Partly Free
	Hungary	36	Partly Free
12	Croatia	40	Partly Free
13	Romania	41	Partly Free
14	Bosnia and Herzegovina	48	Partly Free
15	Kosovo	49	Partly Free
16	Albania	51	Partly Free
17	Georgia	52	Partly Free
18	Macedonia	54	Partly Free
	Moldova	54	Partly Free
20	Ukraine	59	Partly Free
21	Armenia	65	Not Free
22	Kyrgyzstan	69	Not Free
23	Tajikistan	79	Not Free
24	Azerbaijan	80	Not Free
	Russia	80	Not Free
26	Kazakhstan	81	Not Free
27	Belarus	93	Not Free
28	Uzbekistan	95	Not Free
29	Turkmenistan	96	Not Free

Status	Number of Countries	Percentage of Total
Free	7	24
Partly Free	13	45
Not Free	9	31
TOTAL	29	100

**Sub-Region Comparison
Central and Easter Europe/Eurasia**

Region and Sub-region	Number of Countries	Average Press Freedom Score
CEE/Eurasia	29	51.2
Central and Eastern Europe	17	34.3
Eurasia	12	75.3

SUB-SAHARAN AFRICA

Rank 2012	Country	Rating	Status
1	Mali	24	Free
2	Cape Verde	27	Free
3	Ghana	28	Free
4	Mauritius	29	Free
	São Tomé and Príncipe	29	Free
6	Namibia	32	Partly Free
7	Benin	34	Partly Free
	South Africa	34	Partly Free
9	Botswana	40	Partly Free
10	Burkina Faso	42	Partly Free
11	Mozambique	43	Partly Free
12	Comoros	48	Partly Free
13	Lesotho	49	Partly Free
	Niger	49	Partly Free
	Sierra Leone	49	Partly Free
	Tanzania	49	Partly Free
17	Nigeria	50	Partly Free
18	Kenya	52	Partly Free
	Mauritania	52	Partly Free
20	Congo (Brazzaville)	55	Partly Free
	Senegal	55	Partly Free
22	Seychelles	56	Partly Free
23	Guinea-Bissau	57	Partly Free
	Uganda	57	Partly Free
25	South Sudan	59	Partly Free
26	Liberia	60	Partly Free
	Malawi	60	Partly Free
	Zambia	60	Partly Free
29	Central African Republic	62	Not Free
	Guinea	62	Not Free
31	Madagascar	63	Not Free
32	Angola	67	Not Free
33	Cameroon	68	Not Free
34	Togo	69	Not Free
35	Côte d'Ivoire	70	Not Free
	Gabon	70	Not Free

Rank 2012	Country	Rating	Status
37	Burundi	72	Not Free
38	Djibouti	74	Not Free
39	Chad	75	Not Free
40	Swaziland	76	Not Free
41	Sudan	78	Not Free
42	Zimbabwe	80	Not Free
43	Ethiopia	81	Not Free
	The Gambia	81	Not Free
45	Rwanda	82	Not Free
46	Congo (Kinshasa)	83	Not Free
47	Somalia	84	Not Free
48	Equatorial Guinea	91	Not Free
49	Eritrea	94	Not Free

Status	Number of Countries	Percentage of Total
Free	5	10
Partly Free	23	47
Not Free	21	43
TOTAL	49	100

MIDDLE EAST AND NORTH AFRICA

Rank 2012	Country	Rating	Status
1	Israel	30	Free
2	Lebanon	51	Partly Free
	Tunisia	51	Partly Free
4	Egypt	57	Partly Free
	Kuwait	57	Partly Free
6	Libya	60	Partly Free
7	Algeria	62	Not Free
8	Jordan	63	Not Free
9	Qatar	67	Not Free
10	Morocco	68	Not Free
11	Iraq	69	Not Free
12	Oman	71	Not Free
13	United Arab Emirates	72	Not Free
14	West Bank and Gaza Strip	83	Not Free
	Yemen	83	Not Free
16	Bahrain	84	Not Free
	Saudi Arabia	84	Not Free
18	Syria	89	Not Free
19	Iran	92	Not Free

Status	Number of Countries	Percentage of Total
Free	1	5.3
Partly Free	5	26.3
Not Free	13	68.4
TOTAL	19	100

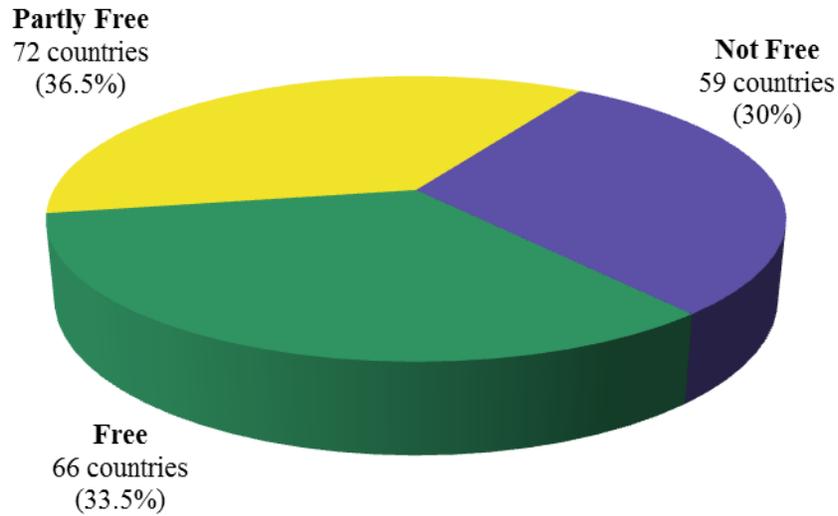
WESTERN EUROPE

Rank 2012	Country	Rating	Status
1	Finland	10	Free
	Norway	10	Free
	Sweden	10	Free
4	Belgium	11	Free
5	Denmark	12	Free
	Luxembourg	12	Free
	Netherlands	12	Free
	Switzerland	12	Free
9	Andorra	13	Free
10	Iceland	14	Free
	Liechtenstein	14	Free
12	Ireland	16	Free
	Monaco	16	Free
14	Germany	17	Free
	Portugal	17	Free
	San Marino	17	Free
17	Austria	21	Free
	United Kingdom	21	Free
19	Cyprus	22	Free
	Malta	22	Free
21	France	24	Free
	Spain	24	Free
23	Greece	30	Free
24	Italy	33	Partly Free
25	Turkey	55	Partly Free

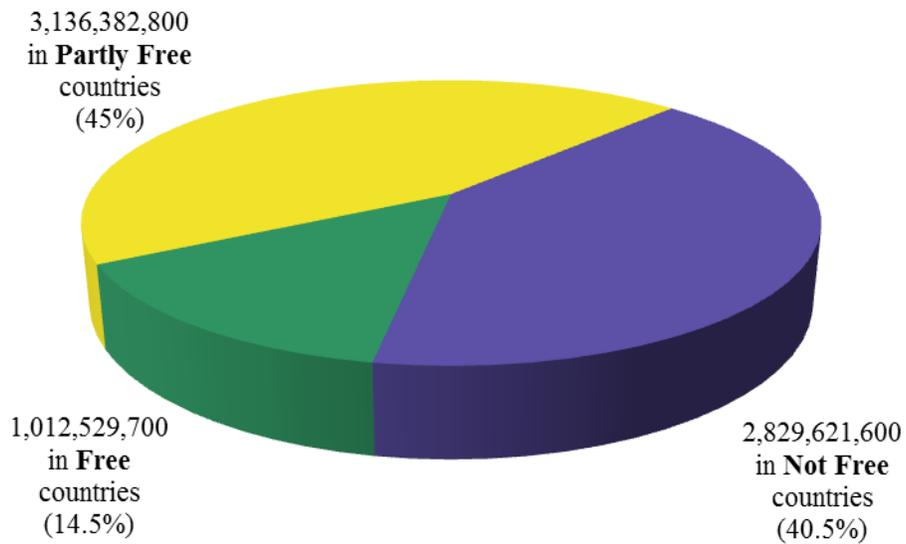
Status	Number of Countries	Percentage of Total
Free	23	92
Partly Free	2	8
Not Free	0	0
TOTAL	25	100

Global Data

Status Breakdown by Country



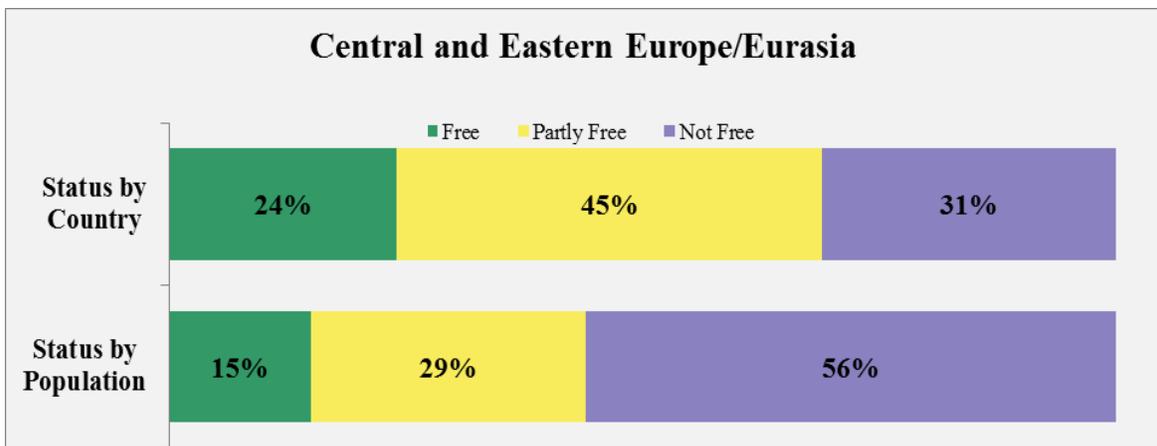
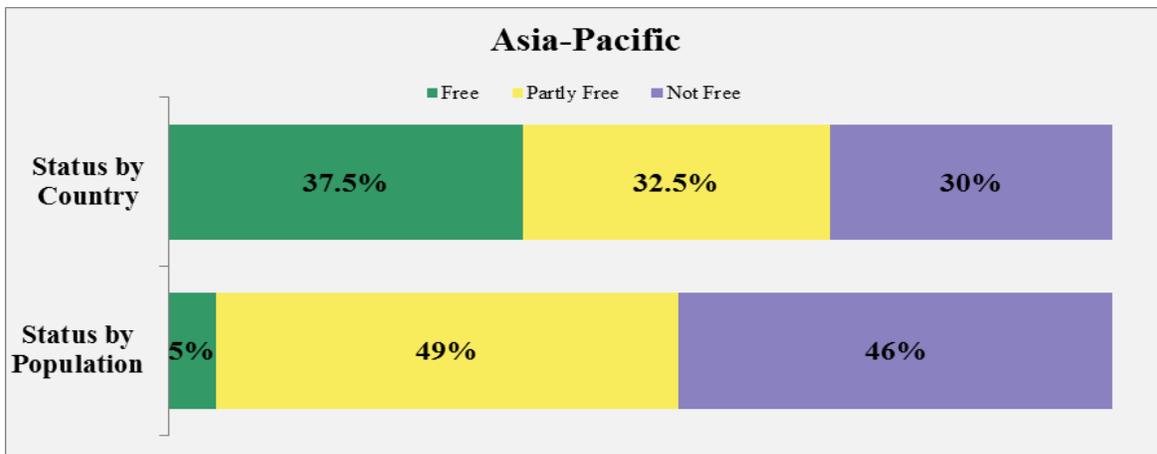
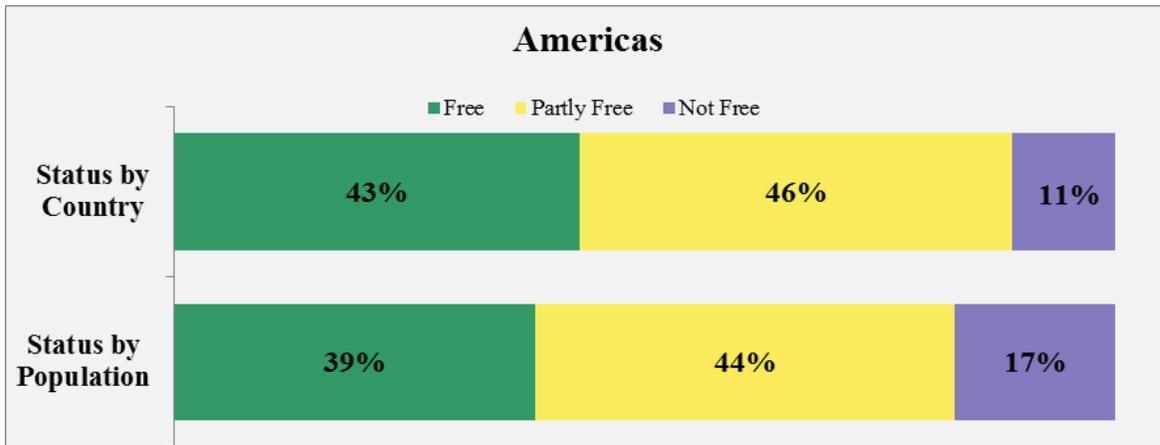
Status Breakdown by Population

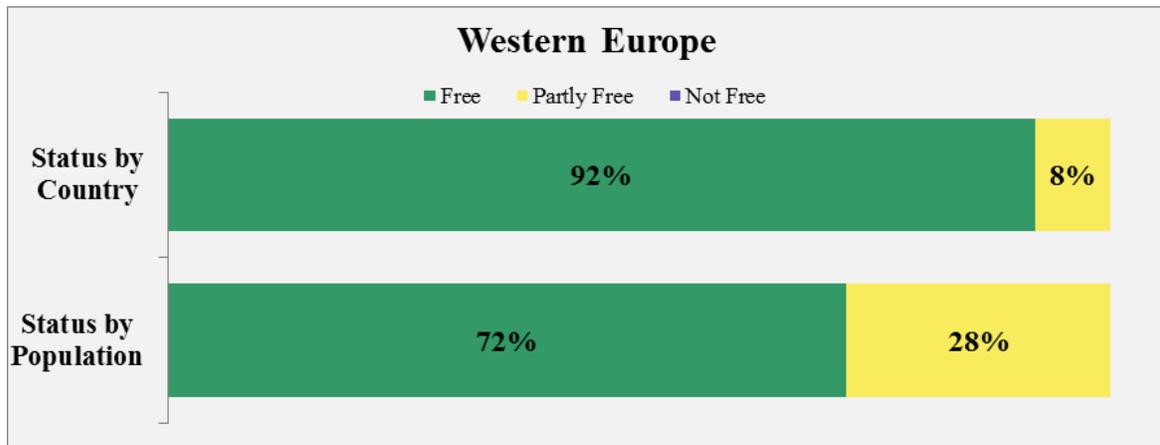
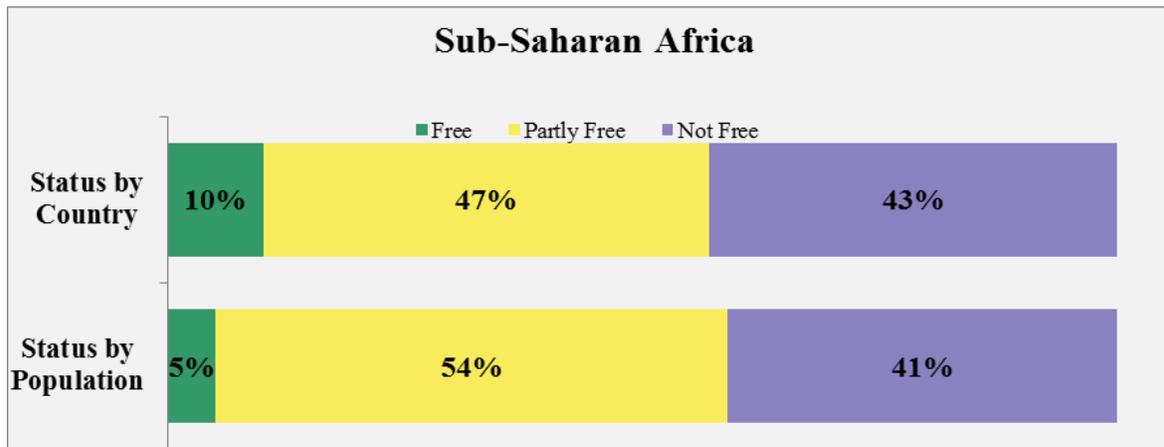
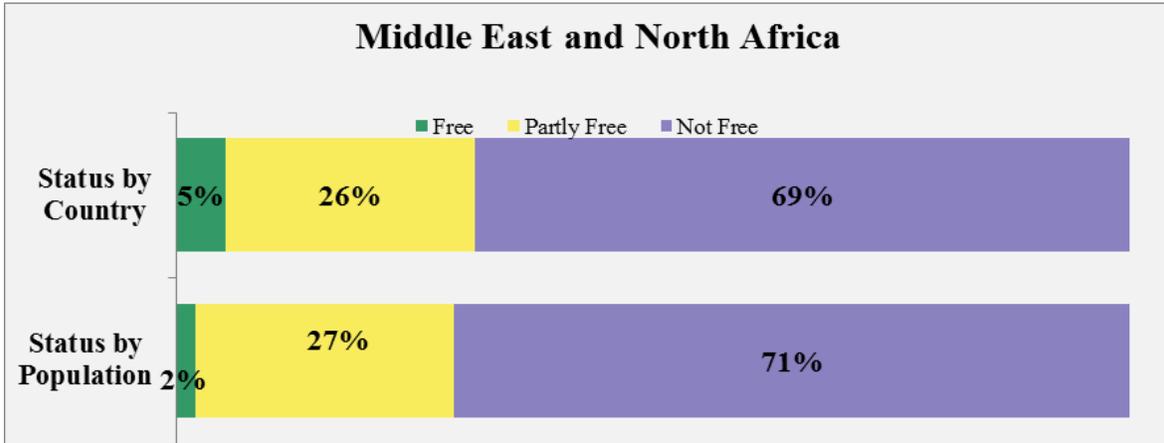


Global Trends in Press Freedom

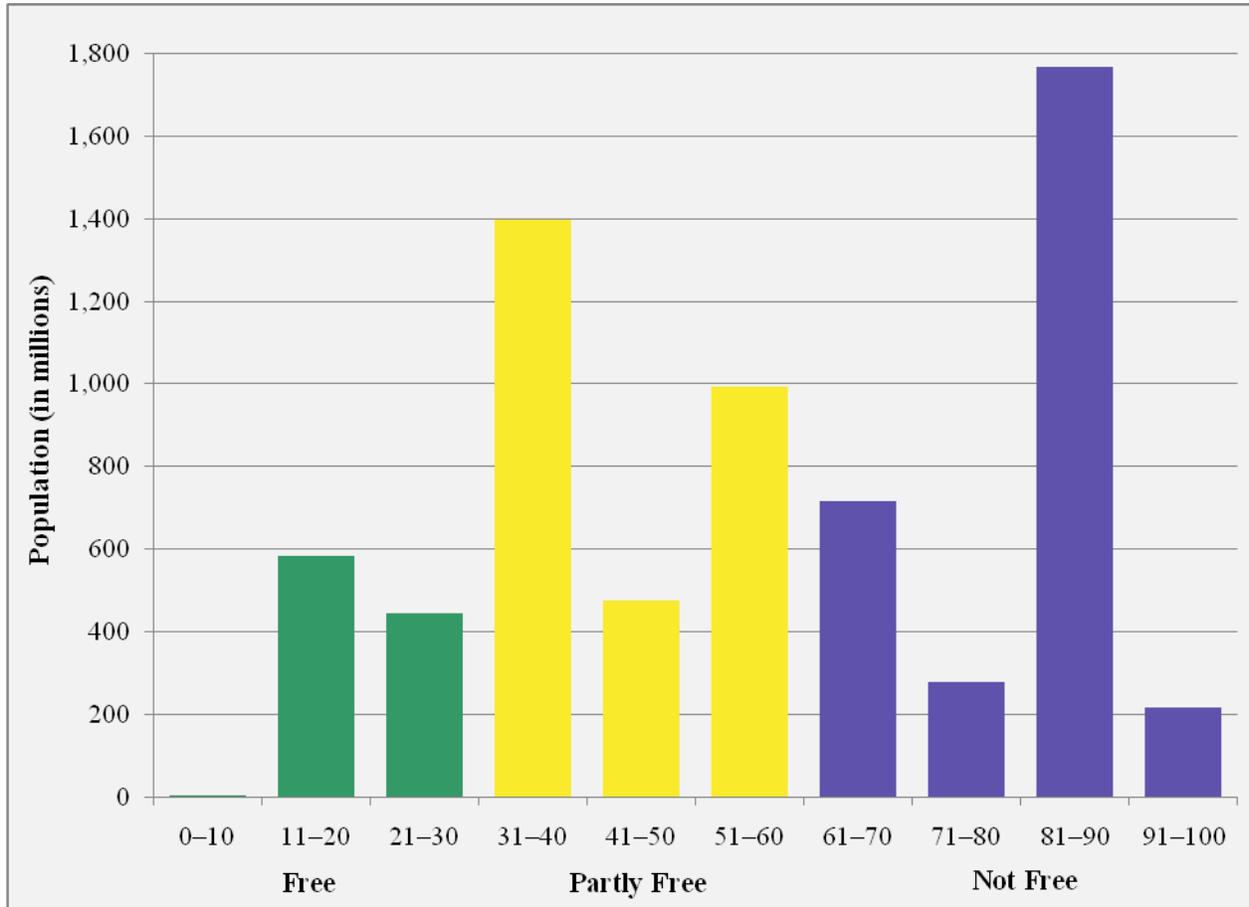
Year Under Review	Free Countries		Partly Free Countries		Not Free Countries	
	Number	Percentage	Number	Percentage	Number	Percentage
2011	66	33.5	72	36.5	59	30
2001	75	40	50	27	61	33
1991	67	41	49	30	46	28
1981	36	23	34	22	86	55

Regional Data





World Population in 2011 According to Total Press Freedom Score



Key to Press Freedom Scoring and Status Designation

Total Score	Country Status
0-30	Free
31-60	Partly Free
61-100	Not Free

Freedom of the Press 2012

Country Reports

Afghanistan

Status: Not Free

Legal Environment: 22

Political Environment: 32

Economic Environment: 20

Total Score: 74

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	69,NF	71,NF	74,NF	76,NF	75,NF

The media landscape in Afghanistan, although increasingly open and robust, continues to feature censorship, biased content, violence and insecurity, and little protection for journalists. Article 34 of the constitution allows for freedom of the press and of expression, and a revised 2005 Mass Media Law guarantees the right of citizens to obtain information and prohibits censorship. However, there are broad restrictions on any content that is seen as “contrary to the principles of Islam or offensive to other religions and sects.” Four media laws have been approved since 2002, and many journalists are unsure as to which applies in different circumstances, leading to self-censorship to avoid violating cultural norms or offending local sensitivities. Article 130 of the constitution stipulates that courts and Islamic jurists can rule on cases “in a way that attains justice in the best manner,” allowing for ambiguity and discriminatory rulings. In January 2011, radio station director Hojtallah Mujadadi was acquitted after a two-day trial, having been arrested in September 2010 for alleged links to insurgent groups in Kapisa Province. Under Afghan law, cases involving journalists should be handled by the Media Commission, but this rule is not always observed in practice. The Afghanistan Media Defense Lawyers Committee (AMDLC) was established in September 2011 to address the mishandling of media prosecutions and to advocate for greater freedom of expression and information.

Afghanistan has yet to pass a freedom of information bill. In 2010, local media and civil society organizations urged the government to consider such a law, which would ensure the right to access public information and provide a functional mechanism for obtaining it. However, the call was largely ignored by the government.

The political environment remains hostile for the media, with religious organizations exerting particular pressure. In June 2011, the politically influential Council of Religious Scholars denounced two media outlets, Tolo TV and the *Hasht-e-Subh Daily* newspaper, for being immoral and inciting “animosity against Islam.” Neither outlet had been shut down by year’s end. In March 2010, the National Directorate of Security (NDS), an Afghan intelligence agency, told the media not to report live from the sites of terrorist attacks, a move that drew criticism from journalists. Media access to these sites has not been uniform, and in some cases journalists have faced violence. Also in March 2010, the Ministry of Information and Culture (MIC) and the Afghan journalist community agreed to protocols for the media and state agencies

regarding the coverage of terrorist attacks. The MIC also threatened to revoke the licenses of media groups that aired “negative programming,” but this policy did not appear to be in effect at the end of 2011.

The ongoing military conflict has entailed serious threats against journalists from various state and nonstate actors, and physical security remains an issue of great concern. Two journalists were killed in Afghanistan in 2011, according to statistics compiled by the Committee to Protect Journalists (CPJ). In July, international forces accidentally killed Ahmad Omid Khpalwak, a reporter for the British Broadcasting Corporation (BBC) Pashto service, after mistaking him for an insurgent while he was investigating an attack in Uruzgan Province. In September, Farhad Taqaddosi, a camera operator for Iran’s Press TV, was caught in crossfire during a Taliban insurgent attack in central Kabul. He died several days later. According to CPJ, the low rate of press fatalities relative to rises in the overall level of violence may be due in part to journalists traveling with the military more often, and to their increased caution about what they choose to cover. In addition to targeted killings and kidnappings, journalists face other dangers associated with reporting in a war zone. In February, three reporters—Syed Abdullah Nezami from Al-Jazeera, and Sadullah Sahil and Zabihullah from Afghan TV News Service—were arrested briefly for allegedly not carrying press cards at the site of a NATO airstrike. In another incident, a reporter for the radio stations Pazhwak and Isteqlal FM was arrested for reporting from an international coalition base under rocket attack. In July, two reporters were beaten by suspected members of the Taliban for reporting on a suicide attack in Paktia Province. Another journalist in Paktia was beaten in September by state officials in response to his reporting. In October, the president of Radio Zohra, a station in Kunduz Province dedicated to women’s issues, was threatened for her work on women’s rights. In a positive development in June, two French journalists and their Afghan translator and driver, who had been kidnapped in December 2009, were released.

At the end of 2011 there were 75 private television channels, 175 radio stations, and about 500 newspapers operating in the country. The government owns some media outlets, but most are in private hands. The media landscape reflects the disparate political and cultural beliefs across the country. Major sources of funds for the media include political parties, ethnic groups, the military, international donors, and foreign governments such as those in Iran and Pakistan, all of which are seeking influence in the country. Private broadcast outlets, particularly those that are commercially viable, such as Tolo TV, exercise the greatest amount of independence in their reporting. Low literacy rates and fragmented geography mean that different pockets of the population receive information from varying media sources. International radio broadcasts in Dari or Pashto—such as those from the BBC, Voice of America, and Radio Free Europe/Radio Liberty—remain key sources for many Afghans. Despite high levels of government and self-imposed censorship, international and local media organizations have for the past decade been promoting training programs aimed at developing a genuinely independent media sector. In 2011, analysts claimed that the country’s independent media were growing and active in their pursuit of diverse political views.

Illiteracy and infrastructural obstacles have hampered internet penetration, with 5 percent of the population regularly accessing the medium in 2011. Though Afghan blogs and websites are not numerous or greatly developed, the government still imposes online censorship. The Ministry of Communications has blacklisted websites deemed to promote vices such as alcohol, gambling, pornography, and improper social relationships, though it has at times put pressure on news sites as well

Albania

Status: Partly Free

Legal Environment: 16

Political Environment: 18

Economic Environment: 17

Total Score: 51

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	50,PF	50,PF	50,PF	50,PF	50,PF

The constitution guarantees freedom of the press, and the media are vigorous and fairly diverse. However, outlets often display a strong political bias, and their reporting is influenced by the economic or political interests of their owners. Libel remains a criminal offense, punishable by fines and up to two years in prison. While there have been no criminal libel cases against journalists in recent years, civil suits, including among politicians, remain common. Several opposition lawmakers were fined during 2011 for accusing state officials or ruling party members of corruption. However, a series of slander suits filed by opposition Socialist Party (PS) leader Edi Rama were dismissed by the courts. In September, an appeals court overturned a penalty of roughly \$500,000 that had been imposed in 2010 on the private television station Top Channel. In 2009 the station had aired hidden-camera video of then culture minister Ylli Pango asking a female job applicant to disrobe. He was forced to resign, but he sued on the grounds that the recording was obtained illegally. The government of Prime Minister Sali Berisha has used administrative mechanisms, including tax investigations and arbitrary evictions from state-owned buildings, to disrupt the operations of media outlets it perceives as hostile. Regulatory bodies are seen as highly politicized.

The media played a central role in a political crisis that erupted in January 2011. That month, an investigative program on Top Channel aired a video recording—acquired from a former economy minister—that appeared to show Deputy Prime Minister Ilir Meta discussing corrupt activities. Ensuing opposition protests on January 21 turned violent, and four demonstrators were shot to death. A number of journalists were attacked during the clashes, with at least two seriously wounded. Berisha claimed that the unrest was a coup attempt, and accused four leading journalists of complicity with his other perceived foes. He set up a parliamentary inquiry, offering to pay witnesses to testify; the commission of inquiry then attempted to question and seize the telephone records of the accused journalists. However, under international pressure, the parliamentary probe was effectively dropped within a few weeks.

Media outlets generally favored either the government or the PS in their coverage of contentious municipal elections in May, though a few television stations sought to avoid using material produced by political parties. Smaller parties received little airtime.

The public broadcaster, RTSh, is financially dependent on the state and typically shows a strong progovernment bias. Three private television stations have national reach, and dozens of smaller television and radio outlets also operate in a poorly regulated environment. Albanians have access to foreign radio content and television broadcasts from neighboring Greece and Italy, but the British Broadcasting Corporation (BBC) ended its Albanian-language radio service for budgetary reasons in early 2011, removing an important source of independent news. There are a variety of daily and weekly newspapers, but circulation is low. Media outlets typically rely

on financial support from owners and a few major advertisers, and self-censorship to suit their interests is common.

There are no government restrictions on the internet, which was accessed by 49 percent of the population in 2011. Penetration has been increasing in recent years, but access in rural areas remains limited. The diversity of online news sources is on the rise; Albania’s first online daily newspaper was launched in 2010.

Algeria

Status: Not Free

Legal Environment: 22

Political Environment: 23

Economic Environment: 17

Total Score: 62

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	62,NF	62,NF	62,NF	64,NF	62,NF

The Algerian constitution guarantees freedom of expression. However, a legal state of emergency was in effect from 1992 until February 2011, allowing the government to penalize any speech deemed threatening to the state or public order. Even after the state of emergency was lifted, there remained substantial restrictions on press freedom. A 2001 amendment to the information code criminalizes writing, speech, and cartoons that insult or offend the president, the parliament, the judiciary, or the armed forces. The constant threat of criminal defamation and other legal charges hinder the press’s ability to cover the news.

A new media law was passed in December 2011, though it had not yet come into effect at year’s end. The law’s proponents hailed it as an important reform that would enhance media freedom by abolishing prison sentences for press offenses and opening up key media sectors to private ownership. Detractors argued that the law’s vague language and new restrictions would in fact result in reduced media freedom. The measure included limitations on media coverage of a variety of subjects—among them, criminal investigations and state security—and steep fines of up to \$6,700 for press-related offenses. Journalists who fail to pay the fines are subject to jail time. Furthermore, the law contains strict new eligibility requirements for media ownership, including a minimum of 10 years of media-related experience.

State agencies regularly engage in both direct and indirect censorship. Self-censorship also remains widespread, motivated largely by a fear of defamation accusations or other forms of government retaliation. Reporters occasionally suffer physical attacks or harassment in the course of their work. In February 2011, security forces barred journalists from covering antigovernment rallies in major Algerian cities. Police held Bilel Zehani, a photojournalist with the Algerian news agency Agence NewPress, for two hours and erased his camera’s memory card. Foreign media outlets continue to face barriers to free reporting. Officials block distribution of foreign papers when they carry content deemed subversive. In particular, foreign media coverage of issues related to national security and terrorism is restricted. The Algeria office of Qatar’s Al-Jazeera satellite television network remained closed in 2011.

Algeria has a vibrant but fragile independent press, which often acts as a more effective check on the government than opposition parties. There are currently more than 100 private daily and weekly newspapers, 29 of which print over 10,000 copies for each edition. Domestic television and radio, both of which are entirely state owned, broadcast biased information, display favoritism toward the president, and generally refrain from covering dissenting views. Encouragingly, the new media law passed in December 2011 does potentially open these sectors to private ownership. More than 60 percent of households have satellite dishes that provide access to alternate sources of information. The government has tremendous economic influence over print media, as most papers are printed on state-owned presses. In January 2008, the government placed six state-owned printing presses under the direct control of the Communications Ministry, threatening the editorial autonomy of half of Algeria’s privately owned newspapers. The state-owned advertising agency favors content with a progovernment bias by controlling the placement of ads for state entities and companies, which form the largest source of income for most papers.

About 14 percent of the population accessed the internet in 2011. In 2009, Algeria adopted a cybercrime law that gives the authorities the right to block websites deemed “contrary to the public order or decency.” The government monitors e-mail and online chat rooms, and internet service providers are legally liable for the content they host. Bloggers, like traditional journalists, are subject to defamation suits, and several have been fined for posting “defamatory material.” However, there were no reported cases of legal harassment against bloggers or online journalists in 2011. During the February protests, activists accused the government of shutting down internet service providers and attempting to block the social-networking site Facebook. The authorities denied these claims.

Andorra

Status: Free

Legal Environment: 1

Political Environment: 4

Economic Environment: 8

Total Score: 13

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	13,F	13,F	13,F	13,F	13,F

Angola

Status: Not Free

Legal Environment: 19

Political Environment: 27

Economic Environment: 21

Total Score: 67

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	67	67	67	67	67

Total Score, Status	62,NF	63,NF	61,NF	62,NF	64,NF
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Despite constitutional guarantees that protect freedom of expression and the press, media in Angola continue to operate in a restrictive environment, and conditions deteriorated during the year. In 2011, state-run media continued to be the principal source of information, as the government maintained tight control over private media outlets through legal, political, and security-related means.

Recent laws passed by parliament regarding state security and insult hamper the free activities of the media. In 2010, the Angolan parliament passed a new state security law to replace the old law, known as Article 26 of 1978, which was often utilized by the government to imprison opposition journalists and activists. While the new law is an improvement from the 1978 law, it still allows for the detention of persons who “insult” the Republic of Angola or the president in “public meetings or by disseminating words, images, writings or sound.” Defamation and libel continue to be crimes punishable by imprisonment, and politicians enjoy immunity from any reporting deemed to be “offensive.” In 2011, William Tonet, editor of the newspaper *Folha 8*, was sued for libel by the three prominent generals of the Angolan army in a high-profile case in which he accused senior army officials close to President José Eduardo dos Santos of corruption. In October, he was given a one-year prison sentence and fined the equivalent of \$105,000—an amount greater than the fine imposed for murder. The presiding judge threatened to prosecute journalists if they recorded the trial.

Since its independence in 1975, Angola has been politically dominated by two parties, dos Santos’s Popular Movement for the Liberation of Angola (MPLA) and the opposition National Union for the Total Independence of Angola (UNITA). The ruling MPLA continues to give preferential treatment to state-owned media and had been known to bar access to journalists covering pro-opposition events. Interviews with top politicians and state officials, as well as access to information related to the government, are usually only granted to progovernment or state-run outlets, and state-run media often demand payment to cover opposition politics. Angola is noted as being one of the first African countries to enact a freedom of information act, in 2006, allowing citizens access to government-generated information. However, despite the existence of this law, accessing information remains extremely difficult. The president, Ministry of Communication, and Ministry of Information also have the right to censor material. Self-censorship by journalists at both state-run and private outlets is commonplace.

An increasing number of journalists were harassed, intimidated, attacked, and imprisoned in 2011, although none were killed during the year. In March 2011, the Committee to Protect Journalists (CPJ) reported that authorities were barring journalists from covering opposition activities, including hearings in parliament and UNITA party meetings. Also that month, police detained journalists attempting to cover an antigovernment demonstration in the capital, Luanda, and three independent newspapers (*Folha 8*, *Jornal Angolense*, and *Agora*) reported that national authorities had broken into their printing presses to halt the production of newspapers bearing headlines of antigovernment protests slated to be held later that month.

In May 2011, Radio Despertar journalist Koqui Mukuta was detained and allegedly beaten by police for reporting on a peaceful antigovernment protest in Luanda; authorities confiscated his notebook and recorder. In July, Nelson Sul Angola of the *Angolense* newspaper and Ismael Smalata of *Folha 8* were physically threatened by Fernando Faustino Muteka, the governor of Huambo province, who warned them to stop investigating murders of affiliates of the MPLA lest they be prepared to endure “serious consequences.” In August, Catholic Radio

Ecclesia journalist Adão Tiago was arrested without warrant and held incommunicado by authorities for 23 hours for reporting on a spate of nationwide fainting incidents presumed to be the result of the failure of the state to control certain diseases. In October, Cabinda-based journalist José Manuel Gimbi, an employee of the U.S.-funded Voice of America radio program who was based in the northern exclave of Cabinda—where a secessionist movement had been active for years—had his house broken into by men who threatened and intimidated him, just three days after he filed a story critical of dos Santos.

According to CPJ, foreign journalists have also faced difficulties in receiving accreditation and press permits, particularly for reporting on sensitive issues or regions. This was evident in 2011 when two journalists from Mozambique were prohibited from entering the country to report on a meeting of the Southern African Development Community (SADC) held in Luanda.

The government both owns and keeps tight control over the largest media outlets in the country. The state-owned newspaper, *Jornal de Angola*, and television channel, Televisão Pública de Angola (TPA), remain the most widely utilized media sources in the country, and together with state-owned Radio Nacional de Angola (RNA) are the only outlets with a truly national reach. Independent newspapers critical of the government do exist, with *Folha 8*, *Agora*, and *Jornal Angolense* being the most prominent. While more than a dozen privately owned newspapers operate, most are owned by individuals with connections to the government or ruling party, and are distributed primarily in urban areas, particularly in Luanda. Privately owned radio stations are not allowed to use repeaters to extend their broadcast signals outside their base province; they must instead open a new station in every province in which they wish to broadcast, making privately owned radio penetration outside Luanda extremely limited. Denial of state and private advertising as a method of pressuring independent news outlets continues to be an issue. Some newspapers have also reported becoming suddenly unprofitable when advertising investors, presumably having been coerced by the government, collectively stopped purchasing advertisements. Authorities and private owners occasionally seize and destroy print runs of newspapers that carry stories critical of the government.

Internet penetration in Angola is rather low—at 15 percent of the population in 2011—and the medium is generally only accessible to a small part of the population in Luanda. Although the internet is comparatively freer than radio, television, and print media, the introduction in March 2011 of a much-criticized cybercrime bill into parliament would give the government greater latitude over the seizure of citizens' personal data if passed. Given that many in Angola have turned to the internet as an alternative to more restricted forms of media, some believe that the bill is the Angolan government's attempt to bring its capacity for internet censorship to a level equivalent to that which it exerts over other types of media outlets.

Antigua and Barbuda

Status: Partly Free

Legal Environment: 9

Political Environment: 16

Economic Environment: 13

Total Score: 38

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	38,PF	39,PF	38,PF	38,PF	38,PF

The constitution provides for freedom of speech and of the press, and the government generally respects these rights. Defamation remains a criminal offense, and cases are occasionally brought against journalists. A main source of friction between the authorities and the media is the lack of clarity about what subjects can be discussed on radio talk shows.

The islands have one daily newspaper, one biweekly paper, and more than 10 radio stations; these include the state-owned Antigua and Barbuda Network (ABN); the ruling United Progressive Party's Crusader Radio; ZDK Liberty Radio of the opposition Antigua Labour Party (ALP); and the independent Observer Radio. The ALP has voiced criticism that the government-run media does not offer equal access to the opposition. ABN runs the islands' only freely available television service, and there is one cable television company. Most private media outlets are owned by firms affiliated with either the current government or its predecessor. In April 2011, Antigua and Barbuda, as well as a number of other Caribbean islands, began receiving broadcasts from a new pan-Caribbean radio network, the Caribbean SuperStation (CSS), based in Trinidad. The network aims to fill the gap that resulted from the March 2011 closure of the British Broadcasting Corporation's Caribbean Service.

The country's recent economic decline continued to negatively impact the media in 2011. In response to financial difficulties, ZDK Liberty Radio asked its employees to take a pay cut in May 2011, while the Observer Media Group, the country's largest private media company, offered its 75-strong staff the option of voluntary severance in June. Chairman Winston Derrick said the company needed to reduce its costs by 25 percent. Due to an increase in the price of paper, the *Observer* newspaper had increased its advertising rates in December 2010, but did not change the price of its newspaper. A number of businesses have since been unwilling to advertise with the *Observer*, and the company has suffered. In 2010, Antigua and Barbuda's other daily newspaper, *Antigua Sun*, was forced to close down because of financial constraints.

There are no government restrictions on the internet, which was accessed by 82 percent of the population in 2011.

Argentina

Status: Partly Free

Legal Environment: 12

Political Environment: 22

Economic Environment: 16

Total Score: 50

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	49,PF	47,PF	49,PF	49,PF	51,PF

In 2011, tensions persisted between the government of President Cristina Fernández de Kirchner and critical media outlets. The hostile relationship has become an important obstacle to the practice of journalism in Argentina and to the public's right to be informed about matters of national interest. The constitution provides for freedom of the media and of expression. In a

positive step, libel and slander by journalists were decriminalized in 2009 and are no longer punishable by imprisonment, though fines can still be issued in cases of “real malice.” In September 2011, former president Carlos Saúl Menem filed suit against two journalists from *Noticias* for invasion of privacy. Press freedom groups are concerned that the case could set a negative precedent for privacy issues involving public figures. The case was ongoing at the end of the year.

In 2009, the legislature passed a controversial Law on Audiovisual Communication Services, which aimed to diversify ownership in the media sector. Fears that the law would be used against the government’s media opponents spurred lawsuits that hindered implementation for about a year, but in September 2010 the measure came into effect. Critics also raised concerns regarding the composition, independence, and authority of a new broadcast regulatory body. However, due to several injunctions, Article 161 of the law, which would force certain media companies to sell off assets, remained suspended during 2011 as it awaited a Supreme Court ruling on a challenge filed by the Clarín Group media conglomerate in 2010.

There were several other events of note on the legal front in 2011. In December, Congress passed an amendment to the antiterrorism law that increased penalties for terrorist acts. An interpretation of the law by the head of Argentina’s Financial Investigations Unit stated that news media could be held accountable under the expanded clauses if they published material that “terrorizes” the public. The executive branch was asked to clarify, but the question remained unresolved at year’s end. Also in December, Congress passed a measure that designated newsprint as a commodity of public interest, making it subject to government regulation. The only manufacturer of newsprint in Argentina is Papel Prensa, jointly owned by the government and the newspaper groups *La Nación* and *Clarín*. Under the new law, the government can increase its share of ownership in the company if it fails to produce enough newsprint to satisfy the demand of all newspapers in the country. A government-appointed commission, which includes representatives of every newspaper except for *Clarín* and *La Nación*, is tasked with overseeing the law’s implementation.

The move exacerbated an ongoing feud between the government and the country’s biggest newspapers, *La Nación* and *Clarín*. In January 2011, in connection with a labor dispute, the printing presses for *La Nación* and *Clarín* were blockaded, preventing the papers from being distributed. In March, their Sunday editions were blocked from distribution by union members at the trucking exits of their printing facilities. Workers claimed that the Clarín Group was harassing the union membership, but management called the incident an attempt to silence criticism of the government. The headquarters of a cable television channel owned by the Clarín Group was raided by 50 armed military police following a court order in a suit aimed at preventing a merger of the channel, Cablevision, with another television company. The Inter American Press Association (IAPA) denounced the raid as “an act of excessive public force in a conflict which, if it existed, should be resolved by more appropriate means.” At the end of December, the federal government ordered Clarín Group to freeze its basic cable rates for 2012, a detrimental action to the group, as cable and internet services accounted for nearly two-thirds of its revenues. Meanwhile, in July, authorities shut down two newspaper vendors at a food market when they failed to abide by an order from the market’s government-controlled board instructing employees to wear hats with the words “Clarín lies” printed on them. Eventually a federal court reversed the action.

Extreme violence against members of the press is very rare, and no journalists were murdered in 2011, but threats and physical or verbal attacks continued, with more than three

dozen such incidents reported during the year. In June, radio journalist Mario Sánchez's home was set on fire and his computer was stolen; the attack was suspected to be a result of his reporting with Sayhueque, a municipal radio station. In July, Carlos Walker, the editor in chief of a website and a reporter for the local FM Ciudad radio station, was robbed, beaten, and shot shortly after he took photographs of illegally displayed political posters. In November, there were arson attacks at the newspaper *La Verdad*'s printing plant in Buenos Aires Province and on transmission equipment belonging to Sapucay FM radio in Misiones Province. The attack took Sapucay FM, known for its critical reports on local officials, off the air. Separately, in September a court ordered several newspapers to provide detailed personal contact information for journalists who had reported on Argentina's inflation since 2006, after the domestic trade secretary accused the papers of publishing incorrect reports.

Argentina has a large private media sector, with more than 150 daily newspapers, hundreds of commercial radio stations, and dozens of television stations. However, private ownership is concentrated, with the Clarín Group commanding a significant share of the print, broadcast, and internet-based media markets. Many radio stations operate on temporary licenses pending regulatory reform. As in past years, the government was accused in 2011 of manipulating the distribution of official advertising to limit free speech, a practice termed "soft censorship" that had been institutionalized by former president Néstor Kirchner. The problem with selective placement of government advertising has persisted in Argentina even though the Supreme Court ruled in 2007 that "the government may not manipulate advertising by giving it to or taking it away from media outlets on the basis of discriminatory criteria." According to IAPA, in the first half of 2011, nearly 50 percent of state advertising was given to media groups close to the government, a dramatic increase from the previous year. The two newspapers with the largest circulation in the capital account for 60 percent of the readership but receive just 2.5 percent of government advertising. Meanwhile, two other newspapers whose combined press run is one-tenth the size of the two leading papers receive 38 percent of official advertising. Government advertising in television grew 282 percent in the first six months of 2011 compared with the same period in the previous year, according to IAPA. Other forms of economic pressure were also used against opposition-oriented media. In December 2011, a judge ordered the assets of *La Nación* and 22 other newspapers to be frozen in a dispute over unpaid back taxes. In 2009, the Supreme Court had ruled in favor of the newspaper and suspended payment of the debt, but the tax court judge ignored that ruling in his order to freeze the media companies' assets.

In 2011, 48 percent of Argentines accessed the internet, the third-highest usage rate in Latin America after Brazil and Mexico. There are no government restrictions on the internet, although authorities have sometimes censored search results to protect the privacy of celebrities and public figures.

Armenia

Status: Not Free

Legal Environment: 21

Political Environment: 24

Economic Environment: 20

Total Score: 65

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	64,NF	66,NF	68,NF	66,NF	65,NF

Despite constitutional and legal protections, press freedoms are restricted. The media environment in Armenia remains oppressive and has not significantly improved since the flawed 2008 presidential election. Although the government decriminalized libel in May 2010, eliminating imprisonment as a punishment, the move was followed by a rise in civil libel cases, of which there were up to 30, with some 11 cases opened in 2011. In most cases the plaintiffs were politicians, and the compensation sought was out of proportion to the damage allegedly inflicted. The opposition newspaper *Jamanak* was ordered to pay former president Robert Kocharian 3 million drams (\$8,250) for publishing allegations that he was involved in corrupt business deals during and after his time in office. Another opposition daily, *Haykakan Jamanak*, was ordered to pay three prominent businessmen—Samvel Aleksanian, Ruben Hayrapetian, and Levon Sargsian—a combined 6 million drams (\$16,500) for publishing allegations regarding their involvement in criminal activities. In early November, a court in Yerevan ordered that property of the newspaper *Hraparak* be seized pending a decision in a lawsuit seeking €34,000 euros (\$47,300) in compensation for allegedly slanderous readers' comments posted on the newspaper's website.

However, in a decision that brought Armenia closer to international standards on defamation, the Constitutional Court ruled on November 15 that media outlets cannot be held liable for “critical assessment of facts” and “evaluation judgments,” and that courts should avoid imposing hefty fines on media outlets, with an apology or other nonmaterial compensation as an alternative. The ruling stemmed from a case filed by Armenia's human rights ombudsman arguing that Article 1087.1 of the civil code, establishing monetary fines in libel cases, was unconstitutional. The court stopped short of such an absolute finding. Although Armenia passed freedom of information legislation in 2003, the government has since failed to adopt a number of regulations needed to implement the legislation.

The license of broadcaster A1+ remains suspended, despite a 2008 ruling by the European Court of Human Rights that the government had improperly revoked the license in 2002. In December 2011, the first committee discussion of amendments to the Law on Television and Radio aimed at supporting a conversion to digital broadcasting was held in the Armenian National Assembly. The amendments, which were developed by a working group headed by the human rights ombudsman, had been submitted in May but subsequently reworked and resubmitted by several members of the group, which represented the nongovernmental sector. Separately, the local television station Gala, based in Gyumri, has been under government pressure since it broadcast speeches by an opposition presidential candidate in 2007. In July 2011, the Court of Cassation upheld a lower court's decision ordering Gala to stop using the Gyumri television tower and to dismantle its transmitter. The station had to relocate its transmitter to another site.

Armenia's perceived lack of judicial independence, climate of impunity, and violence and harassment against the media continue to result in widespread self-censorship, particularly in the broadcast sector. In March 2011, Yerevan airport immigration authorities refused to issue entry visas to four reporters with the Finnish public broadcaster YLE. The reporters were collecting information for a documentary on the sensitive Nagorno-Karabakh conflict between Armenia and Azerbaijan. In May, Nikol Pashinian, an opposition member and the editor in chief of the independent daily *Haykakan Jamanak*, was released after the National Assembly pardoned

several opposition activists. Pashinian had been arrested in 2009 and sentenced to seven years in prison for inciting disorder and assaulting a police officer during the mass protests following the 2008 election. He frequently wrote investigative reports that were critical of the government.

Most of the dominant media are controlled by the government or government-friendly individuals. Television is the country’s primary medium, and one of the only stations with a national reach—Public TV of Armenia—is state owned, though several dozen other private stations operate. Russian and minority-language media are widely available. State and public media receive preferential treatment, with primary access to official news and the lion’s share of government advertising. Print media are available mostly in Yerevan and larger cities. Small state subsidies are available for private print media, but due to high distribution and licensing costs, newspapers are not profitable. Most media are dependent on narrow advertising resources and have little guarantee of editorial independence.

The internet penetration rate was 37 percent in 2011. Online news media and bloggers have played an important role in recent years in providing political information. The government does not require registration to access the internet or satellite television, and these are freely available.

Australia

Status: Free

Legal Environment: 4

Political Environment: 10

Economic Environment: 7

Total Score: 21

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	21,F	21,F	22,F	22,F	21,F

Press freedom in Australia is upheld by convention rather than by constitutional guarantees, except in the state of Victoria, where it is protected under the Charter of Human Rights and Responsibilities. The Uniform Defamation Laws, which went into effect in 2006, allow for individuals and corporations with less than 10 employees to sue over defamation. In September 2011, conservative journalist and commentator Andrew Bolt was found to have violated Australia’s Racial Discrimination Act in 2009, when he published two columns suggesting that “fair-skinned” politicians of Aboriginal descent had identified themselves as Aboriginal solely for political purposes. A federal court ordered that a public apology be negotiated and issued.

Following passage of the Australian Information Commissioner Act and the Freedom of Information Act in 2010, the Senate approved the Evidence Amendment Act in March 2011. The new law protects the identity of journalists’ sources and extends this protection to include bloggers, citizen journalists, independent media organizations, and anyone “active in the publication of news in any medium.” The act asserts that journalists are only compelled to reveal sources when it is proven that the public interest outweighs any potential harm to the source or the public caused by divulging the source’s identity. Although the new law will only be applicable in federal cases, several states plan to consider similar measures in the near future.

In November 2011, the Australian Press Council, which is responsible for “promoting good standards of media practice,” proposed to the Inquiry into Media and Media Regulation that it be given the ability to hand out fines of up to A\$30,000 (US\$31,000) and tighten media regulations, including by requiring journalists to have licenses, in order to maintain high ethical standards in the profession. The fines would be adjudicated by a newly created panel. The inquiry was expected to release a report detailing its findings and suggestions in 2012.

Attempts to exert control over media content occur occasionally. In April 2011, the British Broadcasting Corporation (BBC) threatened to withdraw its feed of a royal wedding in London from the Australian Broadcasting Corporation (ABC) due to the latter’s plans for the comedy group The Chaser to provide satirical commentary. ABC cancelled the commentary, although some segments that did not rely on the live feed were released through The Chaser’s website. In October 2011, the Australian government placed extensive restrictions on media coverage of immigration detention centers after the death of a seventh detainee at one of the facilities. According to the new restrictions, journalists must sign an agreement that regulates what they can report and establishes a system of prior approval for all photographs, video footage, and audio recordings before they are published or broadcast. Journalists must also comply with all rules set out by the immigration department. They have to fill out forms in which they identify not only themselves, the center they want to visit, and the date of their visit, but also the nature of the media content they wish to acquire and the equipment they intend to use. In the event of a disagreement, journalists must destroy any relevant material or face being expelled from the center.

While most media are privately owned, ownership is highly concentrated, with the print media dominated by the Fairfax Group and News Corporation. Australia also has a strong tradition of public broadcasting. The ABC, although state owned and entirely funded by the government, remains editorially independent.

In 2011, the internet was accessed by almost 79 percent of the population. The Australian Communications and Media Authority has the power to censor internet content hosted within Australia and maintains a “blacklist” of overseas websites. Since 2008, the federal government has proposed a system of mandatory filtering of overseas websites, which would require internet service providers to block access to banned material hosted on overseas servers. Although it lacks the political backing to introduce its internet filtering scheme, the government has persuaded the major telecommunications firms and internet service providers to adopt a voluntary system that does not require logging or incident reporting. Any new legislation on the issue is not expected to reach Parliament before 2013.

Austria

Status: Free

Legal Environment: 8

Political Environment: 8

Economic Environment: 5

Total Score: 21

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	21,F	21,F	21,F	21,F	21,F

The federal constitution and the Media Law of 1981 provide the basis for free media in Austria. Freedom of information legislation is in place, and in practice the government generally respects the law's provisions. Many press freedom advocates urge the Austrian government to revise its stringent civil and criminal libel laws, which currently serve to protect politicians and government officials. There is no official censorship, although any form of Nazi propaganda and anti-Semitism is prohibited by law. After a regional court ordered the Austrian Public Broadcasting Corporation (ORF) to release all tapes of a documentary in 2010, the Supreme Court reversed the decision in early 2011 and declared the journalistic material protected by editorial confidentiality. The tapes became controversial because Heinz-Christian Strache, leader of the Austrian Freedom Party, accused an ORF journalist, Ed Moschitz, of having encouraged two men to give a Nazi salute, illegal under Austrian law, at a rally. When there was no evidence found on the tape, the politician claimed that Moschitz had manipulated it. The case remained unsolved at year's end. In 2010, the government passed a Terrorism Prevention Law that penalized the preparation and organization of terrorist acts as well as training for terrorist purposes. Many critics argued that the law impinged on freedom of expression because it stipulates that individuals who incite hate speech or contempt against any group will face up to two years in prison.

There were both positive and negative legislative developments concerning press freedom in 2011. An amendment to the Security Police Act, which was still being reviewed at the end of the year, enables state authorities to monitor, tap, film, and locate individuals. Many press freedom advocates believe that the change could potentially limit journalistic work and intimidate investigative journalists. In a positive step, in December 2011 the National Council passed a Media Transparency Law, which for the first time forces public offices, like governmental departments, to disclose their media advertisements. Further, the ownership structure of all media outlets must be revealed in detail.

After its breakup in 2002, the Austrian Press Council was reestablished in 2010 and resumed work in 2011. Political influence in the ORF remained an important topic in 2011. At the end of the year, there was a controversial debate about a politician who held a high position in the ORF. Physical attacks or harassment of journalists are rare.

While daily national newspapers are fiercely competitive, the press is characterized by strong regional newspapers, dominating up to 90 percent of each regional market. According to the European Journalism Centre, typically one regional publisher dominates the newspaper market in almost every province (with the exception of two provinces) of Austria. Following amendments to the Broadcasting Law in 2004, Austria's public broadcasting network has faced growing competition for audiences from private outlets. Cable and satellite are widely available and provide both Austrian and German stations, with some of the latter tailoring programming for an Austrian audience. Media ownership is highly concentrated. The largest newspaper also owns the only radio station available in many regions of Austria, despite the fact that the Cartel Court has the authority to monitor the media environment to ensure media diversity.

Beginning in 1974, the Austrian government has provided all daily and weekly newspapers with annual direct payments, with larger amounts of money going to newspapers considered especially important contributors to the diversity of opinions. A 2003 law reformed this press subsidy scheme in order to promote regional diversity, professional development of journalists, and special projects. In recent times, these economic subsidies have helped

newspapers to survive and to contribute to media pluralism. Receiving these subsidies does not require any obligation regarding content.

Internet access is unrestricted, and 80 percent of the population accessed the internet in 2011. In April, the National Council passed a controversial data retention law, which will take effect in April 2012. Based on a European Union Directive, the law requires telecommunication companies and internet service providers to store telecommunications data for up to six months.

Azerbaijan

Status: Not Free

Legal Environment: 26

Political Environment: 32

Economic Environment: 22

Total Score: 80

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	75,NF	77,NF	78,NF	79,NF	79,NF

Conditions for freedom of expression in Azerbaijan remain dire, as authorities continue to imprison journalists and bloggers who express dissenting opinions. Violence against journalists has not abated, and the media are harassed with impunity. Although the 2000 Law on Mass Media guarantees freedom of speech and access to information, these rights are not protected in practice. Libel is a criminal offense, and the government frequently uses it in politicized ways. In the first half of 2011, there were 11 new cases filed under libel and insult provisions of the criminal code, and 27 cases from previous years were still pending. A draft bill that would decriminalize libel, prepared by the Press Council, has been awaiting discussion in the parliament for a number of years.

Various other criminal laws, including those pertaining to terrorism, hooliganism, narcotics, inciting hatred, and tax evasion, are used by the authorities to suppress critical reporting. In October 2011, court officers raided the weekly *Khural*'s newsroom and confiscated all of its equipment, alleging that editor in chief Avaz Zeynalli had failed to pay damages imposed by a Baku court in a 2010 defamation case. Zeynalli was then arrested in November on bribery and extortion charges stemming from a complaint filed by a member of parliament, and he was ordered by the court to be held in pretrial detention for three months. *Khural*'s website remained accessible, but the print edition stopped publishing. *Khural* has been critical of President Ilham Aliyev's policies toward journalists and political opposition.

The government has failed to appoint a special information ombudsman as required by 2005 freedom of information legislation, and transferred the role to an existing ombudsman's office. Authorities at all levels systematically refuse to respond to information requests. Lawsuits filed by media outlets and civil society representatives over state agencies' failure to act on information inquiries generally did not yield any results. The government nominates all members of the National Television and Radio Council (NTRC), the country's regulatory body. The authorities use various methods to censor the media, even though official censorship has been banned since 1998. For example, legal amendments adopted in 2009 restrict the ability of journalists to film or photograph individuals without their consent, even at public events.

In May 2011, Eynulla Fatullayev, a well-known investigative journalist and editor in chief of two of Azerbaijan's most popular independent newspapers, was pardoned and released from prison after serving four years on charges of defamation, terrorism, tax evasion, and drug possession. His case had received widespread international attention. Fatullayev had been reporting on the government's failure to solve the 2005 murder of his colleague at the *Monitor*, Elmar Huseynov, when he was arrested and found guilty of threatening terrorism and inciting ethnic hatred. He was sentenced to eight and a half years in prison. In July 2010, Fatullayev was sentenced to another two and a half years behind bars on the spurious charge of drug possession inside prison. He was freed a year after the European Court of Human Rights ordered the government to release him.

The political environment is dominated by the president and the ruling party. The rise of protest movements across the Arab world in 2011 resonated in Azerbaijan, with protesters taking to the streets in March and April and the government responding by cracking down on demonstrators. The authorities also targeted journalists and bloggers, preventing some from covering the protests and beating those who did.

Journalists continued to experience a high level of attacks and intimidation unrelated to the protests, and one journalist, Rafiq Tagi, was killed in 2011. Tagi died in November, four days after being stabbed outside his home by an unknown assailant. Along with editor Samir Sadagatoglu of the monthly *Senet*, he had been given a four-year prison sentence in 2007 for "incitement to religious hatred" in a philosophical essay published in 2006. Despite a fatwa issued against Tagi by an Iranian grand ayatollah, and subsequent threats to his life, the authorities had refused to grant him protection. His was the first murder of a journalist in the country since Huseynov's; both men had been penalized by the authorities for their writings, but their killings have gone unpunished.

In March, two correspondents for *Azadliq* newspaper were kidnapped and beaten one week apart, and warned to cease working for the newspaper. In September, family members of journalist Idrak Abbasov were beaten and their home was damaged by security personnel working for state-owned Binagadi Oil Company, which had been investigated by Abbasov, a member of the Baku-based Institute for Reporters' Freedom and Safety (IRFS). Journalists are regularly harassed in Nakhchivan, an autonomous Azerbaijani exclave. Foreign reporters have also faced abuses in the country. In April, three Swedish journalists were detained during an opposition protest and deported the next day. In June, Amanda Erickson, an American freelance contributor to the *Washington Post* and the *New York Times*, and Celia Davies, a British staffer at IRFS, were severely beaten. They had intended to meet with Fatullayev following his release. Four men followed and attacked Erickson and Davies outside their apartment building in Baku. The men, who were later detained by the authorities, denied knowing or targeting the journalists.

The media have also suffered as a result of Azerbaijan's conflict with Armenia over the disputed territory of Nagorno-Karabakh. In June, a photojournalist for the Bloomberg news agency, Diana Markosian, was denied entry to Azerbaijan. The Foreign Ministry said she did not have accreditation, but also stated that her safety could not be guaranteed due to her Armenian background. Russian daily *Izvestiya*'s correspondent Yuriy Snegirev was banned from entering Azerbaijan in July as a result of two articles about Nagorno-Karabakh that he had published in June.

State dominance of the media continues to harm diversity and pluralism. Ownership of print outlets is reserved mainly for government officials or the ruling party, although several opposition parties operate newspapers as well. The broadcast media are almost entirely in the

hands of the government and its allies, sometimes through nominal intermediaries; no verifiable information is available on the real owners. The authorities use economic pressure on distribution, printing, and advertising to control the print, broadcast, and online media industries. There is no effective method of distribution outside major cities. The allocation of state advertising and state subsidies is not conducted transparently. Most journalists work without employment security or contracts, and receive irregular salaries.

The British Broadcasting Corporation, Radio Free Europe/Radio Liberty (RFE/RL), and Voice of America have been off the air since January 2009 as part of NTRC regulations that banned foreign broadcasters from accessing national frequencies.

Online media have grown in recent years, including internet-based television, and internet penetration has risen substantially, to 50 percent of the population in 2011. However, internet access is mostly limited to Baku and several other major cities. Social-media platforms such as Facebook and Twitter are often used to promulgate critical opinions of the government. With some 27,000 blogs in existence, Azerbaijan’s blogosphere has also become a conduit for government critics to voice their opposition and illuminate subjects that are often ignored in the mainstream media. As a result, the government has increasingly turned its attention to bloggers and social-media activists. It has significantly increased its monitoring of internet activity and clamped down on social-media sites, news outlets, and blogs. Several online activists and bloggers were arrested during the spring 2011 protests. One, Jabbar Savalanli, was released in December after a presidential pardon, while Bakhtiyar Hajiyev and others remained in prison at year’s end despite multiple appeals and protests by human rights groups. Savalanli was arrested on drug-related charges, while Hajiyev was convicted of military service evasion. However, both of their arrests occurred immediately after they had posted criticism of the government online. Their cases spurred concerns regarding the government’s efforts to stymie dissent by arresting activists on dubious charges that are ostensibly not related to their work.

Bahamas

Status: Free

Legal Environment: 3

Political Environment: 10

Economic Environment: 7

Total Score: 20

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	17,F	20,F	20,F	20,F	20,F

Bahrain

Status: Not Free

Legal Environment: 28

Political Environment: 35

Economic Environment: 21

Total Score: 84

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	71,NF	71,NF	71,NF	71,NF	72,NF

The popular uprisings that broke out across North Africa and the Middle East in 2011 also reached Bahrain. Widespread, peaceful protests began on February 14, when prodemocracy activists—inspired by successful demonstrations in Egypt and Tunisia and mainly hailing from the economically disadvantaged Shiite majority—called for a “Day of Rage.” The government responded brutally to the protest movement, declaring martial law in March and bringing in military and security forces from regional allies, including Saudi Arabia and the United Arab Emirates. The media were subject to violent suppression, as journalists, photographers, and bloggers covering the demonstrations faced beatings, arrest, and torture, leading to the death of two journalists and a dramatic decline in overall press freedom.

Despite constitutional protections guaranteeing freedom of expression and of the press, the government continued to use the 2002 Press Law to restrict the rights of the media in 2011. The Press Law allows up to five years’ imprisonment for publishing criticism of Islam or the king, inciting actions that undermine state security, or advocating a change in government. Journalists may be fined up to 2,000 dinars (\$5,300) for a list of 14 other offenses. In 2008, the appointed upper chamber of the National Assembly proposed amendments to reform the harshest provisions of the Press Law, but conservatives in the elected lower chamber have thus far refused to consider the proposals.

There is no law guaranteeing freedom of information. The Information Affairs Authority (IAA) has the power to censor and prevent the distribution of local and foreign publications, close newspapers through court proceedings, ban books and films, block websites, and prosecute individuals. In addition to press and defamation laws, the government frequently uses counterterrorism legislation to curtail the activities of opposition groups and restrict freedom of expression.

Prior to the protests of 2011, the Bahraini media’s coverage of news and politics was more critical and independent than reporting in most other Gulf countries. Nonetheless, newspapers tended to avoid covering “sensitive” issues such as sectarian tensions, relations with surrounding countries, government corruption, demonstrations, and human rights violations. As the protests erupted in early 2011, media outlets and individual journalists came under increased legal pressure from the government.

In April, the independent daily *Al-Wasat* was shut down by security forces, and its editors, including cofounder and editor in chief Mansour al-Jamri, were forced to resign after allegedly publishing “false information” and “inciting the public” in their coverage of the prodemocracy demonstrations. When *Al-Wasat* reopened in August, its editorial staff had been replaced and ordered to adhere to state-imposed restrictions. However, al-Jamri was restored to his position as editor in chief by *Al-Wasat*’s board of directors. In October, al-Jamri and fellow editor Walid Nuwayhid, along with two colleagues, were fined \$2,650 for “publishing news that defamed the image of Bahrain abroad.” The journalists claimed that the articles in question had been planted by Saudi Arabia as a means to discredit them. In addition to the continued harassment of *Al-Wasat*–affiliated journalists, several other journalists and photographers were arrested, charged, or fined during the year for covering the demonstrations or working for foreign news organizations. In November, journalist Reem Khalifa faced defamation charges as part of the regime’s systematic campaign against its critics.

Aside from such legal harassment, journalists were subjected to arrests, beatings, and torture for their writings about the unrest. According to the Committee to Protect Journalists (CPJ), two members of the media were killed in connection with their work in 2011, the first such deaths in Bahrain since CPJ began keeping statistics in 1992. On April 2, Zakariya Rashid Hassan al-Ashiri, who moderated and wrote for a local news website in Al-Dair, was arrested on charges of inciting hatred and spreading false information. On April 9, he died in custody, allegedly after being tortured. On April 12, Abdul Kareem Fakhrawi, a cofounder of *Al-Wasat*, was reportedly tortured to death while in the custody of the Bahrain National Security Agency (BNSA). Several days earlier, he had responded to a summons to answer charges of “deliberate news fabrication.” In other cases of violence against journalists, in May, Nazeera Saeed, a Bahraini correspondent for France 24, was detained, beaten, and tortured for allegedly participating in demonstrations that she was covering. Bahrain’s Interior Ministry announced an investigation into the incident, but no report had been issued by year’s end. In September, Reuters reporter Hamad Mohamed Iqbal was hospitalized after being shot with rubber bullets by security forces while covering a peaceful protest in A’ali.

Several foreign journalists were either barred from entering Bahrain or ordered to leave, and many Bahraini journalists fled the country to escape prosecution. In July, a group of exiled Bahraini journalists organized the Bahrain Press Association in London to advocate on behalf of the media and the public regarding human rights violations. These violations include direct infringements on the personal safety of journalists, the targeting of private media organizations, attempts to impose the state media’s version of events, and the fabrication of charges against independent organizations and journalists.

There are six privately owned daily newspapers, four in Arabic and two in English. While several of these newspapers are critical of the government, only two, *Al-Wasat* and *Al-Waqt*, are considered truly independent. Although the government does not own any newspapers, the IAA maintains significant control over private publications. Media workers have reported being contacted directly by government representatives and warned not to report on subjects related to the prodemocracy demonstrations or sectarianism. Newspapers rely heavily on advertising revenue to sustain their operations, and often practice self-censorship to avoid offending advertisers that do not want their businesses associated with critical reporting. The government maintains a monopoly on broadcast media, allowing the regime to frame the official narrative of the February 2011 uprising and define it as a “sectarian conflict.” Private operating licenses are not awarded despite continued interest from media owners. However, there is some room for free expression on television call-in shows. Radio and television broadcasts are generally received without interference, and the majority of households have access to satellite stations; Qatar’s Al-Jazeera and Al-Arabiya, based in the United Arab Emirates, remain Bahraini citizens’ main sources of news.

Approximately 77 percent of Bahrain’s population accessed the internet in 2011. Under the 2002 Telecommunications Law, the government has considerable authority to regulate internet activity. All websites are required to register with the IAA, and religious and political content is heavily censored. The government is a major shareholder in Batelco, the country’s principal telecommunications company. Batelco monitors e-mail and filters internet content by routing traffic through proxy or cache servers. Website administrators are responsible for all content posted on their sites and are subject to the same libel laws as print journalists. In previous years, the government has filtered out thousands of websites under the pretense of protecting citizens from pornography and other offensive material, though many of the filtered sites were

reportedly targeted for their politically sensitive content. Despite restrictions on internet activity, Bahrain has a very active online community, with at least 200 blogs. However, the government has arrested individual bloggers for commenting on controversial religious and political issues.

Bloggers were also among those targeted in the crackdown that followed the February 2011 uprising. Prominent blogger and opposition activist Abduljalil al-Singace—who had been detained since August 2010—was released in early 2011, then rearrested in March. In June he was convicted and sentenced to life in prison as a result of his writings on the antigovernment protests. Al-Singace was among 21 bloggers, human rights activists, and opposition leaders who were convicted and sentenced that month; all were accused of belonging to terrorist organizations trying to overthrow the government. Bahrain Online blogger Ali Abdulemam, who was arrested in September 2010, was released from detention shortly after the protests began, and soon went missing. He was later tried in absentia and given a 15-year prison sentence. In July, the authorities arrested Hussein Ali Makki, the administrator of *Rasad News*, a chronicle of human rights violations in Bahrain. Officials reportedly took over the publication’s Facebook and Twitter pages and posted antiprotest and progovernment updates. *Rasad News* opened a new Facebook page to resume its work. In December, blogger and activist Zainab al-Khawaja—the daughter of prominent imprisoned human rights activist Abd al-Hadi al-Khawaja, who was among the 21 convicted in June—was arrested after participating in a peaceful protest, but was released five days later.

Bangladesh

Status: Partly Free

Legal Environment: 15

Political Environment: 21

Economic Environment: 16

Total Score: 52

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	66,NF	68,NF	63,NF	56,PF	54,PF

Bangladesh’s media environment, which had improved considerably in 2009 following the resumption of civilian rule, remained relatively open in 2011 despite some worrying signs of intolerance by the government. Although the constitution provides for freedom of expression subject to “reasonable restrictions,” the press can be constrained by national security legislation as well as sedition and criminal libel laws. The punishment for sedition ranges from three years to life in prison. The 15th amendment to the constitution, which was passed by Parliament in July, includes language that equates criticism of the constitution with sedition. Journalists can also be arrested under the 1974 Special Powers Act—which allows detentions of up to 90 days without trial—for stories that are critical of government officials or policies, or can be charged with contempt of court. The opposition-oriented daily *Amar Desh* has faced a barrage of legal and regulatory threats. Acting editor Mahmudur Rahman was released in March 2011 after spending nine months in jail. He had been arrested in June 2010 and charged with fraud, publishing without a valid license, sedition, and contempt of court. Over the past several years, various employees at the paper have been charged with defamation for articles about the ruling

party. The paper, whose publication had been suspended briefly in 2010, published regularly in 2011, but was awaiting a final resolution of its licensing application. In another case during the year, Mohammad Ekramul Haq, editor of the *Sheersha News* web portal and the *Sheersha Kagoj* weekly, was arrested in July on what appeared to be trumped-up extortion charges. He was released in late November after serving four months in jail, despite a court's earlier decision that he be granted bail.

Draft amendments to the criminal code approved by the cabinet in December 2009 would outlaw the arrest of editors, publishers, journalists, or writers in connection with cases of defamation filed against them. However, this promising reform had not yet been enacted by the end of 2011, and arrests stemming from defamation charges continued to occur. In September 2011, the Dhaka Metropolitan Magistrate issued a summons to three journalists—Saiful Alam, Salma Islam, and Jashim Chowdhury—from the daily *Jugantor*, following defamation charges brought against them by Shahjahan Khan, a government minister. The paper had published two reports that raised questions regarding travel expenses incurred by the minister and his political colleagues.

A 2009 Right to Information Act aimed to improve transparency. It applies to all information held by public bodies, simplifies the fees required to access information, overrides existing secrecy legislation, and grants greater independence to the Information Commission tasked with overseeing and promoting the law, according to the press freedom group Article 19. The chief information commissioner has called for the law to be extended to cover private corporations.

Following the Ministry of Information's adoption of the "Community Radio Installation, Broadcasting, and Operation Policy" in 2008, authorities approved the first community radio licenses in April 2010. Later that month, authorities ordered the closure of the private, opposition-oriented Channel 1 television station, citing violations of broadcasting regulations. A draft broadcasting act, which would update existing regulations and allow nonprofit entities to operate radio and television stations, remained under discussion in 2011. Local industry representatives called for the draft to conform to international standards and be finalized with sufficient input from relevant stakeholders. In September, the Ministry of Information approved a version of the draft that critics argued could significantly increase television censorship. It contained a number of restrictions that would severely limit program content, including bans on "kissing scenes," criticism of national ideology and "friendly" nations, and any scenes or footage of mutinies or political demonstrations.

The print media are generally allowed more leeway than broadcasters and new media, with private television channels that provide 24-hour news coverage facing particular scrutiny. In December 2009, authorities reportedly drafted unofficial guidelines for media houses regarding television talk shows, noting that "provocative statements" could lead to the banning of a show. Some journalists practice self-censorship when reporting on sensitive topics like the military and judiciary.

Journalists are threatened and attacked with impunity by organized crime groups, party activists, and Islamist groups. Although no journalists have been killed for the past six years, according to the Committee to Protect Journalists, there appeared to be an increase in harassment in 2011. In June, five journalists were injured by armed ruling party activists in the town of Comilla, and other attacks by party activists and criminal gangs were noted in September. The local rights group Odhikar reported that dozens of cases of threats and physical harassment leading to injury had taken place during the year. Impunity is the norm for those who perpetrate

crimes against journalists, with at least 16 murders since 1998 remaining unpunished, according to the International Press Institute. Investigations of such crimes generally proceed slowly, if at all.

A primary threat to journalists' physical safety comes from security forces, including the police and military intelligence. Police brutality toward reporters and photographers attempting to document political protests or other sensitive events remains a concern, as do occasional cases of arrest, detention, or custodial torture of journalists. No cases of custodial torture by security services were reported during 2011, but some journalists continued to receive threatening telephone calls from intelligence agencies seeking to prevent negative coverage. Criminal gangs and business owners also attempt to influence coverage through coercion or threats. In August 2011, senior crime reporter Jahangir Alam received telephone death threats from an organized crime group following his reporting on the drug trade and criminal activities.

With hundreds of daily and weekly publications, the privately owned print media continue to present an array of views, although political coverage at many newspapers is highly partisan. Private broadcasting has expanded in recent years, with more than a dozen satellite and cable television stations and three radio stations now operating; three new television stations, including two 24-hour news channels, started in 2010. A number of private broadcast outlets are owned by individuals with close political or official affiliations. The state owns or influences several broadcast outlets, including the public BTV, which remains the sole national terrestrial channel. Private outlets are required to air selected government-produced news segments and official speeches. Political considerations influence the distribution of government advertising revenue and subsidized newsprint, on which many publications depend. Private media owners and corporate interests are also able to influence content through allocation of advertising.

Access to the internet is generally unrestricted, but the penetration rate was just 5 percent of the population in 2011. During the last few years, the number of online news outlets, including news websites and internet-based radio stations, has increased dramatically. The government continues to monitor internet activity. Some journalists' e-mail correspondence is reportedly watched by police, and those brought in for questioning have been asked to supply personal internet passwords to intelligence officers. Certain Facebook pages were blocked by the government during 2011, including those with depictions of the prophet Muhammad and others that promulgated criticism of the prime minister and the leader of the opposition.

Barbados

Status: Free

Legal Environment: 3

Political Environment: 10

Economic Environment: 6

Total Score: 19

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	17,F	19,F	19,F	19,F	19,F

Belarus

Status: Not Free
Legal Environment: 29
Political Environment: 36
Economic Environment: 28
Total Score: 93

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	89,NF	91,NF	91,NF	92,NF	93,NF

Belarus's level of press freedom remained extremely restricted in 2011, as the government continued to aggressively restrict independent voices following the fraud-marred December 2010 presidential election, in which President Alyaksandr Lukashenka claimed to have won a fourth term. After the election, security forces violently dispersed thousands of protesters, arresting more than 600, including 26 journalists; 10 of those journalists were sentenced to 10 to 15 days in prison. In 2011, the government sustained its brutal crackdown on opposition activists, protesters, and journalists, in response to the Arab Spring uprisings, a mysterious subway bombing in April, and antigovernment flash mobs that were held in Minsk and other cities during the spring and summer. Throughout the year, the government clamped down aggressively on news coverage of the protests, as well as the deteriorating state of the economy. Lukashenka's moves to increase salaries and pensions in an effort to bolster his popularity for the 2010 election had sparked inflation, the devaluation of the Belarusian ruble, restrictions on the availability of hard currencies, and price controls on food. Lukashenka became further isolated as his crackdown alienated the European Union, and his refusal to accept economic concessions irritated the Kremlin.

Despite constitutional provisions for freedom of the press, criticism of the president and the government is considered a criminal offense, and libel convictions can result in prison sentences or high fines. Judges, prosecutors, police officers, tax officials, and bureaucrats from the Information Ministry regularly used politicized court rulings and obscure regulations to harass independent newspapers and websites during the year—especially those reporting on the postelection demonstrations. On January 17, KGB officers in the eastern city of Mogilev arrested Boris Goretsky, a reporter for the Belarusian language Poland-based Radio Racya, while he was interviewing relatives of detainees in a local KGB detention center, and then sentenced him to 14 days in prison. One of the journalists who was beaten and then detained after the December 19 election—Irina Khalip, the Minsk correspondent of the Moscow-based independent newspaper *Novaya Gazeta*—was held in a KGB detention facility until January 29 and indicted on charges of organizing mass disorder. During her detention, child welfare officials initiated an inquiry to determine if Khalip was fit to be a mother and if her three-year-old son should be removed from her custody, but dropped the inquiry after an international public outcry. After her release, she was placed under house arrest for three and a half months with two KGB officers posted in her Minsk apartment to monitor her. A brief trial was held and in May, she was convicted of “organizing and preparing activities severely disruptive of the public order” and sentenced to a suspended two-year prison term. Another journalist who was detained and beaten after the December 2010 vote and released from detention on January 28, Natalya Radina, the editor of *Charter 97*, a human rights news website, was also charged with organizing mass disorder during

the protests; Radina fled Belarus at the end of March. She eventually settled with the Charter 97 staff in Lithuania, where she was granted political asylum.

A draconian new media law took effect in 2009, forcing all media outlets to register with the Information Ministry. This made it easier for the government to deny required accreditation and to shutter outlets for coverage that did not “correspond to reality” or that “threatens the interests of the state.” The law also allows for penalties against outlets that merely report statements—for example, by political parties or nongovernmental organizations (NGOs)—that “discredit the Republic of Belarus.” In 2011, media regulators targeted the few local broadcast media that had given airtime to opposition candidates during the presidential campaign. In early January, the National Broadcasting Commission withdrew the broadcasting license of the private Minsk-based Autoradio station for airing what it alleged were “extremist” advertisements by opposition candidates during the December election campaign.

Officials continued pressuring the Belarusian Association of Journalists (BAJ) to cease its defense of journalists, with the NGO receiving a letter from the Justice Ministry in February demanding that it stop providing legal assistance to some two dozen journalists arrested after the December election and stop issuing membership cards, according to *Charter 97* and local press reports.

The government subjected both independent and foreign media as well as press freedom activists to systematic political intimidation for reporting on human rights abuses and unauthorized demonstrations, especially in the weeks following the presidential election. On January 10, police raided the office of the independent weekly *Borisovskiye Novosti*, based in the city of Borisov just outside of Minsk, and confiscated all of the newspaper’s technical equipment—12 computers, 3 fax machines, 3 cameras, a printer, a scanner, flash drives, computer discs, and the editor’s personal laptop and camera. On January 12, KGB officers raided the home of Larisa Shchirokova, a Gomel-based reporter for Polish-owned satellite television channel Belsat, and confiscated all of her technical equipment—three computers, dozens of DVDs, flash drives, and two voice recorders. In April, the Information Ministry filed a motion with the Supreme Economic Court of Belarus to shut down independent newspapers *Narodnaya Volya* and *Nasha Niva*, on the basis that the papers had received two official warnings within the previous year for publishing false information. (The media law allows the government to shut down outlets that receive two or more warnings from the Information Ministry in one calendar year.) The alleged false information was related to their coverage of the December protests and the subway bombing earlier that month. The motion was dropped in July after an outcry from domestic and international civil society groups. However, in August the two papers were fined 14 million rubles (\$1,660) each for the warnings they had received.

Foreign correspondents were regularly harassed and deported in retaliation for reporting on opposition activities and human rights abuses in 2011. Andrzej Poczobut, a local journalist based in the Western city of Grodno for the Polish daily *Gazeta Wyborcza*, faced a year-long campaign of harassment in retaliation for his reporting on the December 2010 protests—he was interrogated and beaten by police on January 8, had his technical equipment confiscated by KGB officers on January 12, was fined 1.75 million rubles (\$580) on January 13, sentenced to 15 days in prison on February 11, and on July 5 was convicted of defaming Lukashenka and given a suspended three-year prison sentence. In May, Rodion Marinichev, a reporter for the Moscow-based online television station Dozhd (Rain), was detained by police after interviewing the journalist Irina Khalip, and then searched, questioned, and deported to Russia. In August, Belarusian authorities expelled Lithuanian National Radio and Television correspondent Ruta

Lankininkaitė in retaliation for her reporting on antigovernment protests, and in October, Igor Karmazin, a reporter for the Moscow-daily *Moskovsky Komsomolets*, was detained, fingerprinted, photographed, and deported after he interviewed journalist Irina Khalip. Following the December 2010 presidential election campaign and throughout 2011, authorities censored criticism of Lukashenka in news programs on Russian television stations Channel One, RTR, and NTV, which were broadcast in retaliation for Lukashenka not joining a Russian customs union and not recognizing two Kremlin-backed secessionist regions in Georgia.

The state maintains a virtual monopoly on domestic broadcast media, which consistently glorifies Lukashenka and vilifies the opposition. Only state media broadcast nationwide, and the content of smaller television and radio stations is tightly restricted—with the procedures for obtaining a broadcasting license remaining highly secretive and politicized. Most local independent outlets regularly practice self-censorship—especially when it came to reporting on the family and business interests of Lukashenka and his closest allies—and this intensified in the wake of the December 2010 presidential election. Tax exemptions for state media give them a considerable advantage over private outlets. In the print sector, the government has banned most independent and opposition newspapers from being distributed by the state-owned postal and kiosk systems, from being printed by the state printer, and from any access to state advertising contracts or media subsidies. Independent papers are forced to sell directly from their newsrooms and use volunteers to deliver copies, but regional authorities sometimes harass and arrest the private distributors. Some of these restrictions were partly and briefly relaxed prior to the presidential election—allowing activists to distribute opposition newspapers somewhat freely—but reintroduced during the postelection crackdown and maintained throughout 2011. Due to the country's deepening economic crisis, independent newspapers also faced an 80 percent rise in the price of newsprint, while state newspapers received significant discounts on their higher process, the BAJ reported.

Although internet access continued to grow, reaching about 39.6 percent in 2011, the government continued to restrict and monitor internet use. A media law that took effect in 2009 requires domestic and international websites to register with the Information Ministry or be blocked, forcing many independent print publications to switch to domain names based in neighboring countries. The state-owned telecommunications company Beltelekom, which is the sole internet service provider (ISP), already controls all international data transfers and blocks some critical websites, while the KGB reportedly monitors internet communications. Journalists accused Beltelekom of increasing internet restrictions during the presidential election campaign and the postelection crackdown. The government continued trying to reduce the readership of independent news websites like *Charter 97* and *BelarusPartizan*, with the prosecutor general's office approving a resolution, which took effect on November 28, that required ISPs to block access to these two and some 33 other sites from all state, cultural, and educational institutions. During politically sensitive events throughout the year, such as antigovernment protests, independent news websites as well as social-networking sites were subject to cyberattacks from unknown sources. On July 6, more than two dozen independent reporters were beaten and detained—with at least nine of them sentenced to 10 to 12 days in prison—along with protesters participating in the weekly protests held around the county. Bloggers and citizen journalists responded to the repression by increasing their reporting on the protests via their websites and social-networking sites.

Belgium

Status: Free

Legal Environment: 2

Political Environment: 4

Economic Environment: 5

Total Score: 11

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	11,F	11,F	12,F	12,F	12,F

Freedom of the press is safeguarded under Articles 19 and 25 of the Belgian constitution, and the rights of the press are generally respected in practice. The law prohibits hate speech, including Holocaust denial, which carries a maximum sentence of one year in prison. Journalistic sources are protected under a 2005 law, which also protects journalists from search and seizure. A 1994 law allows individuals to obtain access to official documents held by executive and judicial authorities, and stipulates that public authorities must offer an explanation of the document if requested. Physical attacks on journalists are rare.

Media ownership is highly concentrated, and a small number of media groups own the main newspapers. Ownership and distribution are distinct in Belgium's two regions, Flanders and Wallonia. Three major companies dominate newspaper distribution in Flanders, and two in Wallonia. The two regions have completely autonomous public broadcasters, with one broadcasting in French and the other in Flemish; each also has its own domestic and international broadcasting networks. The Belgian media industry has suffered severely from the economic downturn that began in 2008, as outlets are largely dependent on advertising revenues. Most media companies have sought to reduce staff, by up to a third in some cases.

There are no government restrictions on use of the internet, and 78 percent of the population had access in 2011. Several major controversies occurred in the digital media environment during the year. In January, the government decided to investigate whether the U.S. technology giant Apple had abused its dominant position in the tablet computer market by no longer allowing free media subscriptions on its iPad tablet computer, forcing publications to make subscriptions available exclusively through the company's iTunes online store. In another case, the courts ruled in May that the U.S. technology firm Google had breached Belgian copyright and database law by posting articles without authorization on its Google News service. In reaction, Google blocked several Belgian Francophone newspapers from its web search results for a few days in July. In September, one year after a raid by the Belgian computer crime unit against servers that were distributing illegally copyrighted material, a Belgian court ordered two major internet providers to block access to Pirate Bay, ruling that the website was offering illegal content.

Belize

Status: Free

Legal Environment: 8

Political Environment: 8

Economic Environment: 5**Total Score: 21**

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	21,F	22,F	21,F	21,F	23,F

The constitution protects the right to freedom of expression, although there are several legal limitations to that right. The government may impose a fine of up to \$2,500 and up to three years in prison for anyone who questions the financial disclosures of public officials. Newspapers are subject to criminal defamation laws, and the Belize Broadcasting Authority holds the right to preview broadcasts with political content and remove material it deems libelous. In December 2010, the government announced that it was suspending normal relations with Belize's television station Channel 5, which included forbidding government officials from supplying the channel with any information or interviews. After an outcry by local groups, however, the cabinet decided to rescind this decision by the year's end, and relations stabilized in 2011.

While there are no daily newspapers in Belize, there is a vibrant market for weeklies. Papers are privately owned, with two weeklies directly affiliated with political parties. In general, reporting covers a wide range of opinions. Government-operated radio was privatized in 1998, and today there are 8 television stations and 33 licensed radio stations. The ruling United Democratic Party and the opposition People's United Party (PUP) both have radio stations with which they are affiliated. Concerns over government control of the broadcast industry began in 2009 with the "nationalization" of Belize Telemedia, the country's leading private telecommunications provider, in which the owners allegedly were offered no compensation. The PUP branded the action an "expropriation." In June 2011, Belize's Court of Appeal ruled that the government's nationalization of Telemedia was unconstitutional, and returned the company to its original owners. However, the government made additional amendments to the Telecommunications Act in order to renationalize Telemedia a second time in July.

While the government does not restrict internet access or use, lack of infrastructure and high costs limited usage to 20 percent of the population in 2011, according to Internet World Stats.

Benin**Status: Partly Free****Legal Environment: 11****Political Environment: 12****Economic Environment: 11****Total Score: 34**

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	30,F	31,PF	31,PF	33,PF	33,PF

Benin has traditionally been ranked among the best-performing African countries for press freedom, with freedom of speech protected by the constitution and largely respected by the government. However, a number of disturbing trends have persisted since the 2006 election of

the current president, Thomas Boni Yayi, who has used the country's 1997 Press Law criminalizing libel more liberally than his predecessor. This trend was particularly seen in the behavior of the government's media regulatory body, the High Authority for Audio-Visual Media and Communications (HAAC), which reprimanded a larger number of media outlets in 2011 for libel and "unethical reporting" in advance of the March 2011 presidential election. Most of these resulted in warnings, but a worrying number were temporarily shuttered as a result, both in March and later again in December. However, it is unclear if this increase was due to a government strategy to silence opposition media outlets or if it was the result of a genuine effort to combat the lack of professionalism within the Beninese media. What is more overtly problematic is the government's suspension of Radio France Internationale (RFI) broadcasts for the second year in a row. The 2010 suspension disrupted RFI's coverage of a Ponzi scheme scandal allegedly involving Yayi, while 2011's occurred just as RFI was about to begin airing a popular call-in show on the disputed March presidential election shortly after it was announced that Yayi had been reelected.

While Benin has not typically been known as a country where journalists are attacked for their work, there were a record number of such incidents in 2009 and 2010. The number of reports of attacks against journalists further increased in 2011, including incidents in which a reporter and a photographer with private media outlets were both beaten by police while covering opposition protests following Yayi's 2011 reelection. The police responsible for the attack received a warning from the HAAC, but were not otherwise punished.

Print media outlets are predominantly private, while the broadcast sector has a mixture of state-run and private radio and television stations. The many radio stations remain the primary source of news and information, though the state-run station, which lacks independence in its coverage, is the only one with national reach. Opposition political parties claim to have very little or no access to the state-run media. Benin's numerous well-established print outlets have a history of providing aggressive reporting and robust scrutiny of both government and opposition leaders. However, the media market became especially saturated in 2006 by the large number of politicized publications that emerged in the month preceding that year's highly contentious presidential election. These newspapers, many of which have persisted in one form or another, are little more than propaganda for political parties or particular politicians, and frequently receive direct funding from them, often as their primary source of funding. This situation once again became particularly problematic in advance of the 2011 presidential election, as presidential hopefuls scrambled to influence the information voters consumed. The lack of transparency in the system of media ownership is an area of concern. Furthermore, most outlets are fully reliant on the interests of their financial backers, as many are unable to garner any kind of profit from subscriptions or advertising. As a result, many of the journalists are susceptible to bribes from politicians, and according to the Africa Media Barometer, subsidies and advertising contracts from the government are both used to influence media content.

At a penetration rate of 3.5 percent in 2011, the internet cannot yet be considered a primary way for citizens of Benin to access information. The internet is primarily available via slow dial-up internet cafés. The government does not restrict access or censor content.

Bhutan

Status: Partly Free

Legal Environment: 18
Political Environment: 20
Economic Environment: 20
Total Score: 58

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	62,NF	61,NF	61,NF	57,PF	57,PF

The media environment continued to be somewhat restricted in 2011, and government influence on private media was evident in many instances. The constitution of the Kingdom of Bhutan, adopted in July 2008, guarantees the right to free speech, opinion, and expression. However, the 1992 National Security Act prohibits criticism of the king and has strict provisions on “words either spoken or written that undermines or attempts to undermine the security and sovereignty of Bhutan by creating or attempting to create hatred and disaffection among the people.” The constitution also guarantees the right to information, but efforts in 2010 to pass a right to freedom of information act, which would put into effect the provisions in the constitution, stalled in 2011. Media workers expressed concerns that the government was not committed to bringing the act to fruition. There are only a few registered media rights organizations, and there is no press council or broadcasting code.

There were very few incidents of threats and intimidation toward journalists in 2011, but there is a high level of self-censorship. Stories critical of the royal family and the clergy are not published and matters considered “sensitive,” such as exiled people of Nepalese origin in refugee camps, are not covered.

Seven newspapers, six radio stations, one television channel, four internet service providers, and one newsmagazine operated in Bhutan by early 2011. Almost all media agencies are based in Thimphu, the capital and largest city. Bhutan’s main print publication, the state-owned biweekly *Kuensel*, generally reports news that portrays the kingdom in a favorable light, but has increasingly been highlighting societal problems and carrying stories critical of the government. Except for the Dzongkha-language newspaper *Druk Neytshuel*, most of the other print media are English-language publications that carry Dzongkha-language supplementary inserts. There are no private television broadcasters, but cable television services carry uncensored foreign programming, albeit with bans on channels that provide “controversial content” as well as high sales taxes and regulatory obstacles that render costs prohibitive for many citizens. In February 2010, the Bhutan Media Foundation was established with the aim of supporting the development of mass media through scholarships, training programs, and internships. However, many journalists expressed fears that the foundation would be used by the monarchy to impede the independence of media outlets.

Internet usage is growing in Bhutan, but was accessed by only 21 percent of the population in 2011. The government occasionally restricts certain websites considered to be offensive to the state or pornographic.

Bolivia

Status: Partly Free
Legal Environment: 13

Political Environment: 22
Economic Environment: 12
Total Score: 47

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	37,PF	39,PF	42,PF	43,PF	46,PF

Press freedom remained somewhat constrained in 2011 as President Evo Morales continued his verbal attacks on the media and journalists felt the effects of two laws enacted in late 2010: the Law Against Racism and All Forms of Discrimination and a new electoral law. The former, which came into force in January 2011, attempts to address the portrayal of indigenous peoples in the media and their limited access to media outlets. In the past, the media have been accused of inciting violence against indigenous peoples, promulgating hate speech, and contributing to Bolivia’s entrenched culture of racism. The law was originally criticized for its vague language, but prior to its enforcement, the government issued regulations that clarified the ambiguities. According to Reporters Without Borders, the regulations specified that journalists would not be held responsible for reporting racist messages as part of “their coverage of a development.” However, the law does empower the authorities to shut down news outlets and arrest journalists for published material that they deem to be racist, potentially hindering freedom of information and opinion. Violations can also bring fines, the withdrawal of operating licenses, and imprisonment. Under Article 16 of the law, media organizations can face these sanctions even if a remark deemed to be racist is uttered by a source or interviewee and is not the position of the media organization. Article 23 does away with journalists’ right to appeal to press self-regulatory bodies, as called for in the country’s press law. Meanwhile, the 2010 electoral law restricts coverage of judicial elections, forbidding the publishing or broadcasting of any information about the candidates that is not released by the electoral authorities.

Bolivia’s 2009 constitution protects freedom of expression but also allows for some limitations. While Article 21 lays out an expansive right to communicate freely, Article 107 imposes a duty to communicate with “truth and responsibility.” Article 107 also clears the way for content-based restrictions by stipulating that the media must contribute to the promotion of the ethical, moral, and civic values of the nation’s multiple cultures. Defamation remains a criminal offense, with higher fines and jail sentences prescribed for those who insult high-level officials. In July 2011, journalist Richard Romero was detained by the authorities for allegedly committing “desacato,” or disrespect, against President Morales. Romero had disseminated videos of his documentary, *Union Dictatorship*, which depicts residents of the central province of Chapare condemning intimidation and harassment by members of coca workers’ unions, in which Morales had been involved before becoming president. Romero was released after 48 hours, and the case remained pending at year’s end.

Bolivia has no specific law on access to public information, and a draft bill released in 2011 fell short of international standards, according to the press freedom group Article 19. Currently, the Ministry of Institutional Transparency and Fight Against Corruption is responsible for the implementation and execution of the National Policy on Transparency for all national government entities. Press organizations consider this arrangement insufficient and have pressed for a law on access to public information. Exacerbating the problem is the lack of a requirement for the government to archive official documents.

The regulatory framework is increasingly being used to control media freedom. In August 2011, a new telecommunications law went into effect, establishing rules for the distribution of television and radio frequencies, the broadcasting of presidential messages, and wiretapping in certain extreme cases. The measure allots 33 percent of the frequencies to the government, 33 percent to the private sector, 17 percent to social and community-based groups, and 17 percent to “peasant and indigenous groups.” The law also stipulates that presidential addresses must be broadcast free of charge twice a year on national television. Local journalist advocacy organizations and press groups denounced the new rules, claiming that they would cripple Bolivians’ freedom of expression and information. In December, President Morales held a meeting to examine the work of the media and look into rewriting the country’s press law, which dates to 1925. Under the press law, media organizations are supposed to practice self-regulation and enforce their own code of ethics. The country’s three main journalism organizations issued a statement vehemently opposing the move as an attempt to infringe on press freedom.

Journalists work in a polarized political environment that features strong rivalries between pro- and antigovernment outlets. Government officials regularly use negative rhetoric against the news media, specifically those commentators who are critical of the president’s policies. As a result, journalists employed by antigovernment media often engage in self-censorship to avoid being persecuted or harassed by government authorities or supporters. Though there were no cases of official censorship in 2011, there were several instances of self-censorship, including a reluctance to conduct live interviews for television news broadcasts. According to the Inter American Press Association, an opinion poll of reporters and editors showed that 90 percent were practicing some sort of self-censorship because of the new antiracism law.

There were fewer threats and physical attacks against the news media in 2011, though incidents continued throughout the year. David Niño de Guzmán, the news director for the Agencia de Noticias Fides, was killed outside of La Paz in April in the year’s only murder of a journalist. In September, reporter Monica Oblitas began receiving death threats after her newspaper, *La Prensa*, published an exposé about corruption in the government’s Institute of Forensic Investigations. In November, a television station and a community radio station shut down after their offices were vandalized and computers stolen by supporters of the mayor of Ycapaní. Also in November, reporter Leopoldo Ibarra was stabbed eight times and beaten, apparently in retaliation for coverage of trade unions.

The television sector and Bolivia’s eight national and numerous local newspapers are for the most part privately owned, but many are tied to political parties, especially in La Paz. Newspaper readership is limited due to low literacy rates, and radio is often the principal news medium, with community radio stations playing a major role. In addition to the state-owned television station, the government operates a news agency, a weekly newspaper, and a growing network of community radio stations. Civil society groups have expressed concern over the significant expansion of state-run channels and the conversion of all public media into a “proselytizing force” for the president. The government news agency, Agencia Boliviana de Información, currently provides a free news service via the internet to both public and private channels nationwide. About 30 percent of the population had access to the internet in 2011, and thus far, the medium has not faced any official restrictions.

Bosnia and Herzegovina

Status: Partly Free

Legal Environment: 9

Political Environment: 23

Economic Environment: 16

Total Score: 48

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	45,PF	45,PF	47,PF	48,PF	48,PF

The constitution of Bosnia and Herzegovina (BiH) guarantees freedom of the press, but attacks on journalists increased during 2011. Since the Dayton Accords that ended the civil war in 1995, the country has been split into two semi-independent constituent entities: the Federation of BiH, populated mostly by Bosniaks and Croats, and Republika Srpska, whose population consists mostly of Serbs. Each entity has its own public broadcaster, private media, and political parties. Intimidation of the press is especially common in Republika Srpska.

Libel has been decriminalized since 2003, but the burden of proof in civil cases is placed on defendants, municipal courts are often biased, and suits can drag on for years. The Freedom of Access to Information Act is not always heeded by government bodies, and journalists rarely use it. Under the Law on Communications of 2003 in the Federation, broadcast media are licensed and monitored by the Communications Regulatory Agency. Although it is often exposed to political pressure, the agency is financially independent, and its licensing decisions are generally seen as fair and impartial. The print media are self-regulated by the Press Council of BiH, which in 2010 expanded to include online media. The Press Council handles complaints about the press from the public, but it has no power to fine, suspend, or close down media outlets. Instead, it mediates between the complainant and the publication, often resulting in a retraction or the publication of a response or denial from the complainant.

Political parties and leaders in both constituent republics exert considerable pressure on the media. As a result, the two largest public broadcasters in the country, Federation Television and Radio-Television of Republika Srpska, tend to behave as rivals and are generally organized along ethnic lines. In Republika Srpska, the limited number of media outlets that maintain editorial independence often complain of government interference in their work. While there is a countrywide public broadcasting service, Radio-Television of Bosnia and Herzegovina (BHRT), it is also exposed to considerable pressure and attacks from political parties and leaders across BiH. In December 2011, Milorad Dodik, the president of Republika Srpska, stated that BHRT should be abolished and that it is not in the interests of those living in his entity to finance it. In addition to such external pressure, the BHRT also faced internal changes that greatly undermined its editorial independence. In April, its statute was amended to give its steering committee, comprising four appointed members, full editorial and managerial control, including the authority to appoint editors and approve programming.

Attacks on journalists in BiH increased during 2011, with the Office of the High Representative, the international institution responsible for overseeing the implementation of the civilian aspects of the Dayton Accords, recording a 30 percent increase in attacks from January to September compared with the same period in 2010. During this period, the Free Media Helpline, a program of the Bosnia and Herzegovina Journalists' Association, recorded 42 cases

of threats, physical attacks, and denial of information against local journalists. In June, a group of Bosnian and Serbian journalists in a village near Bijeljina, Republika Srpska, were threatened with beatings and death while trying to cover the funeral procession of a well-known athlete. Even though police were present, they failed to intervene. Attacks against journalists also occurred in the Federation. In August, while reporting on the activities of Mehmed Butković during his suspension as the head imam of the Muslim community in Živinice, journalist Omer Hasanović and cameraman Emir Hrnčić were attacked by 10 men who seized their equipment. Witnesses claim that the attackers were Butković and his supporters. No arrests were made. Furthermore, during 2011, there were no significant developments in the case of Osman Drina, a television journalist who was verbally and physically assaulted by local policemen in the town of Zenica, where he was reporting on a women’s basketball league, in February 2010.

According to IREX’s Media Sustainability Index, BiH has 11 daily newspapers, 86 weekly and monthly newspapers and periodical magazines, 143 radio stations, 44 television stations, and six news agencies, of which two are state owned, two are privately owned, and two are owned by religious organizations. The public television and radio stations in the two constituent entities are the most influential broadcasters in the country, although there are also several private television stations with near-national reach. In November 2011, Qatar’s Al-Jazeera television network opened a station in Sarajevo to serve the whole Balkan region in its native languages. The print media are dominated by privately owned newspapers. BiH’s advertising market continues to be weak, with the number of media outlets outstripping the amount of available advertising revenue. This contributes to ethnic fragmentation and dependence on government and party financing, as well as self-censorship, as outlets are under pressure not to act against the economic interests of their owners.

The internet is unrestricted, and 60 percent of the population had access in 2011.

Botswana

Status: Partly Free

Legal Environment: 11

Political Environment: 17

Economic Environment: 12

Total Score: 40

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	35,PF	36,PF	37,PF	39,PF	40,PF

While press freedom is not explicitly guaranteed in the constitution, clauses guaranteeing freedoms of speech and expression undergird extensive legal protections for media outlets, and the government generally respects these freedoms in practice. However, the constitution also contains a number of provisions concerning national security, public order, and public morality that can be used to limit press freedom. Additionally, Botswana does not have a freedom of information law. The 2008 Media Practitioners Act established a statutory media regulatory body and mandated the registration of all media workers and media outlets—including websites and blogs—with violations being punishable by either a fine or prison time. The act also seeks to create a new Media Council, with which the minister of communication can exert significant

influence through control of essential committees. However, the act was not yet operational as of the end of 2011. Since the act's passage, there has been significant pushback from various sectors of civil society, including the Law Society of Botswana. In 2010, a group of 32 individuals and groups representing media outlets, nongovernmental organizations (NGOs), and trade unions filed a lawsuit challenging the constitutionality of the law; the case was filed in Botswana's High Court in April 2011, and was pending at year's end.

The government occasionally censors or otherwise restricts news sources or stories that it finds undesirable. In 2010, coverage of the split in the ruling Botswana Democratic Party (BDP) and the resulting formation of the Botswana Movement for Democracy (BMD) party was conspicuously absent from state-run radio and television broadcasts, and journalists were discouraged from interviewing BMD leaders. Under President Ian Khama of the BDP—who took office in October 2009—government-press relations have worsened significantly, and Khama has not held a domestic press conference since taking office. Fear of incurring reprisals for coverage critical of the new government has led to reports of increased self-censorship over the past three years.

In March 2011, “higher authorities” withdrew a story from the *Daily News* about the government's 1 million pula (\$150,000) donation to Japan following its earthquake and tsunami, claiming the information would be detrimental to the government's image during the public workers strike that occurred in spring 2011. In April 2011, BDP legislator Phillip Makgalemele sued the private Yarona FM radio station for 2 million pula (\$300,000) over a 2008 report alleging he was willing to take bribes to orchestrate losses by the national soccer team while head of the Botswana Football Association.

Journalists can generally cover the news freely and are seldom the targets of attacks, though harassment has increased in recent years. According to the 2011 African Media Barometer report on Botswana, there were three reports of photographers being arrested by the police while conducting their work in the first six months of the year.

A free and vigorous print press thrives in cities and towns, with several independent newspapers and magazines published in the capital. State-owned outlets dominate the local broadcast media, which reach far more residents than the print media, and provide inadequate access to the opposition and government critics. The private Gaborone Broadcasting Corporation television system and two private radio stations have limited reach, though Botswana easily receives broadcasts from neighboring South Africa. The country's widest-circulation newspaper, the state-owned *Daily News*, is free to readers and is generally the only newspaper available in rural areas. High printing costs and limited distribution networks mean that independent papers usually have modest print runs. The government has restricted buying advertisements in private newspapers deemed too critical of the government, and has even made efforts (albeit unsuccessful) to ban private advertising in the daily *Mmegi* and the *Sunday Standard*.

The government does not restrict internet access, though such access is rare outside cities, with 7 percent of the population using the medium in 2011. The most limiting factors regarding internet access remain the high cost of access and the small percentage of households with a computer. According to the 2011 World Economic Forum's *Global Information Technology Report*, only 4.9 percent of people in Botswana live in a household with a computer.

Brazil

Status: Partly Free
Legal Environment: 13
Political Environment: 20
Economic Environment: 11
Total Score: 44

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	42,PF	42,PF	42,PF	43,PF	44,PF

Brazil has a vibrant democracy with strong constitutional guarantees of freedom of expression. A public information access law was passed in 2011; however, journalists also experienced increases in violence, harassment, and censorship during the year.

In a significant victory for press freedom, in November Brazil became the 89th country with a freedom of information law when President Dilma Rousseff signed legislation passed by the Senate in October. The law guarantees public access to documents of the executive, legislative, and judicial branches of government, at the federal, state, and municipal levels. It also provides for access to information about private entities that receive public funding. Further, the law stipulates that information about human rights violations is not exempt from disclosure. However, the law lacks an independent body to monitor enforcement. The law had not gone into effect at year's end, as government agencies were given six months to prepare for implementation.

Also in November, the Senate gave initial approval to a bill, which had already passed the House of Deputies, requiring practicing journalists to have an advanced degree. This legislation has sparked controversy, as critics contend that it would limit constitutional guarantees of free expression and free speech. Congress was moving forward with the degree requirement despite the fact that the Supreme Federal Court had defeated such a requirement in 2009. The bill was awaiting further modifications and votes in the Senate at year's end. In May, a proposed "gag law" had been introduced in Congress that would make leaking or publishing information about confidential criminal investigations or trials a crime punishable by up to four years in prison.

In 2010, the judicial branch had been extremely active in issuing injunctions to prevent media outlets from covering numerous stories, often taking the sides of politicians and businesspersons. This trend continued in 2011, with press freedom groups denouncing what was seen as movement toward the courts becoming instruments of censorship. Courts issued fines and prison sentences, blocked publication of certain names or images, and in at least one case blocked publication altogether. In February, *Jornal Pessoal* editor Lúcio Flávio Pinto was threatened with jail time and \$120,000 in fines if he continued to publish stories about an ongoing fraud investigation involving prominent local businessmen. In September, an injunction by a court in Rio Grande do Sul (later overturned by a higher court) prohibited news media conglomerate Grupo RBS from publishing the name or image of a city councilman accused of corruption. Also that month, a court in Belo Horizonte prevented the circulation of magazine *Viver Brasil* after the publication ran a report criticizing the local administration. In other cases, in April a judge in the state of Tocantins blocked the news site *Portal Arnaldo Filho* from publishing complaints from ex-employees of a private school in the city of Araguaína, and in August the state court in Rondônia ordered the radio station Cultura FM not to name plaintiffs in ongoing legal matters. In August, two journalists and the publisher from *Folha do Espírito Santo*

newspaper were ordered to pay nearly \$170,000 for defaming a judge.

As the 2014 World Cup and 2016 Olympics approach, reports are emerging of reporters being censored and attacked by the army and police as they attempt to report on efforts to “pacify” Brazil’s favelas, or slums. In October, the newspaper *A Nova Democracia* and the news agency Agência da Notícias das Favelas posted a video of a favela resident being beaten by eight soldiers on their websites, and the army ordered reporters from those outlets who returned to the favela the following day to stop filming.

Three journalists were killed in Brazil in 2011, according to the Committee to Protect Journalists (CPJ), and there were numerous reports of violence against journalists and other members of the media during the year. Journalists working in provincial areas were especially vulnerable to attack. Radio and television journalist Luciano Leitão Pedrosa, known for his critical coverage of local officials and criminal gangs, was shot and killed in a restaurant in Pernambuco state in April. In June, newspaper editor and blogger Edinaldo Filgueira of the newspaper *O Serrano* was shot dead in the state of Rio Grande do Norte after receiving death threats for publishing criticisms of the local government. And in November, cameraman Gelson Domingos da Silva of Bandeirantes TV was killed when he was caught in a shootout between police and suspected drug traffickers in Rio de Janeiro. Brazil was re-added to CPJ’s Impunity Index in 2011 because while five suspects were arrested in July for killing Filgueira, the masterminds remain at large. No suspects have been arrested in connection with the other murders of journalists.

Beyond the killings, journalists remain exposed to a high level of criminal violence. In January, a reporter and camera operators working for RBS TV were threatened and assaulted by businessmen in the southern state of Santa Catarina. In Rio de Janeiro in March, blogger Ricardo Gama survived gunshots to the head, neck, and chest after criticizing state government officials and connecting a local businessman to drug trafficking. In October, the owner of the *Gazeta do Oeste* newspaper’s car was shot at by an unidentified individual in Paraná state. In part because of the heightened violence, in August the International News Safety Institute and the Brazilian Association of Investigative Journalism announced the opening of an office in São Paulo aimed at protecting journalists.

Brazil is South America’s largest media market, with thousands of radio stations, hundreds of television channels, and a variety of major newspapers. Control of mass media in Brazil continues to be highly concentrated among a few extremely large media companies. The Globo Organizations conglomerate enjoys a dominant position, controlling Brazil’s principal television, cable, and satellite networks as well as several radio stations and print outlets. Another company, Editora Abril, leads Brazil’s magazine market. Politicians often have strong interests in media companies, especially in regional or local markets. Although prohibited by law, in 2011, 68 Congress members held a television or radio license, which could lead to potential conflicts of interest. Hundreds of politicians nationwide are either directors or partners in some 300 media companies, most of them radio and television stations, according to the independent media monitoring group Media Owners (Donos da Midia). The media concentration has led to a lack of plurality, in part because of the difficulty in obtaining community radio licenses. According to freedom of expression group Article 19, many community broadcasters have been waiting for more than five years for a license. Further, the organization documented 326 lawsuits—154 of them criminal—against community radio stations.

The internet represents a new frontier for the Brazilian public, with about 45 percent of the population accessing the internet in 2011. Though the internet is seemingly an open forum

for all to express themselves, the judiciary has grown increasingly aggressive in its attempts to regulate content. In July, a São Paulo court blocked access to the blog of journalist Paulo Cezar Prado, who has faced about 30 lawsuits over his articles. In October, blogger Noel Júnior had his home office equipment confiscated as a result of a judicial order. Bloggers are frequently forced to pay fines for their online reporting. In September, journalist and TV host Paulo Henrique Amorim of the show *Domingo Espetacular* had to pay more than \$54,000 for criticizing a lawyer on his blog. Mossoró-based freelance journalist and blogger Carlos Santos was ordered to pay roughly \$3,400 for allegedly defaming the local mayor in February. Santos also was facing 27 other lawsuits and nine arrest orders for offending local officials. Besides court decisions, the legislature also represents a potential threat, as a proposed cybercrime law, known by critics as “AI-5 digital” in reference to a measure limiting civil rights during the military dictatorship, would limit user privacy and could restrict freedom of expression online.

Brunei

Status: Not Free

Legal Environment: 28

Political Environment: 25

Economic Environment: 22

Total Score: 75

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	76,NF	75,NF	75,NF	75,NF	75,NF

The absolute monarchy of Sultan Hassanal Bolkiah, as well as emergency laws that have been in effect for nearly half a century, continue to restrict journalists and limit the diversity of media content in Brunei. Since 2001, harsh press legislation has required that newspapers apply for annual publishing permits and noncitizens obtain government approval to work as journalists. The government has the authority to arbitrarily shut down media outlets and to bar distribution of foreign publications. Journalists can be jailed for up to three years for reporting “false and malicious” news. The May 2005 Sedition Act further restricted press freedom by expanding the list of punishable offenses to include criticism of the sultan, the royal family, or the national philosophy, known as the Malay Islamic Monarchy concept, which promotes Islam as the state religion and monarchical rule as the sole acceptable governing system. Under the amended law, persons convicted of such crimes, or any publishers, editors, or proprietors of a newspaper publishing items with seditious intent, face fines of up to BN\$5,000 (approximately US\$4,000).

No incidents of attacks on or harassment of journalists have been reported in recent years. The government has on occasion warned the media not to take chances while reporting on the sultanate. Media are generally not able to convey a diversity of viewpoints and opinions, and criticism of the government is rare.

The private press, including the country’s main English-language daily newspaper, the *Borneo Bulletin*, is mostly owned or controlled by the sultan’s family and practices self-censorship on political and religious matters to avoid angering the government. In July 2006, after receiving permission from the sultan, an independent media company run by a group of prominent businessmen launched a second English-language daily, the *Brunei Times*. The

paper’s global focus is intended to help foster international investment in light of the country’s dwindling oil and gas reserves, thus promoting current government priorities. It also offers a wider range of international, finance, and opinion pieces, as well as online polls on government policies. A smaller Malay-language newspaper and several Chinese-language newspapers are also published within Brunei. Foreign newspapers are available, but require prior government approval before distribution. There have been occasional blocks of some foreign media in the past. The only local broadcast outlets, including the country’s one television station, are operated by the government-controlled Radio Television Brunei, but residents can also receive Malaysian broadcasts, and international news is available via satellite channels.

In 2011, roughly 56 percent of the population accessed the internet, which is reportedly monitored by the government. The primary internet service provider is state owned. An Internet Code of Practice, included in the 2001 press law, makes individuals as well as content and service providers liable for publishing anything that is “against the public interest or national harmony or which offends against good taste or decency.” It also requires all sites that carry content or discuss issues of a religious or political nature to register with the Broadcasting Authority and makes failure to register punishable by imprisonment for up to three years and/or a fine of up to US\$200,000. In 2006, the government called on internet cafés to install firewalls to prevent users from viewing immoral content and, according to the U.S. State Department, the government continues to monitor private e-mails and internet chat room exchanges of citizens suspected of being subversive, which is believed to reduce the number of chat room visitors.

Bulgaria

Status: Partly Free

Legal Environment: 11

Political Environment: 15

Economic Environment: 10

Total Score: 36

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	34,PF	33,PF	36,PF	34,PF	35,PF

The constitution provides for freedom of speech and of the press, and the government generally respects these rights in practice. Defamation is punishable by large fines, and government officials have filed suits against journalists, but the courts tend to favor press freedom in such cases. In April 2011, the parliament passed legislation prescribing up to four years in prison for the instigation of hatred, discrimination, or violence based on race, ethnicity, nationality, religion, sexual orientation, marital or social status, or disability. The law was criticized by press freedom advocates for failing to define terms like “discrimination” and criminalizing speech that does not intentionally incite violence; it was adopted without prior public debate. The law on freedom of information is considered fairly strong, but state institutions often find ways to obstruct information requests. Other legislation passed in April reduced journalists’ access to an important official registry of private companies’ contracts and activities. The broadcasting regulatory body has been accused of politicization, corruption, and other irregularities when making licensing decisions.

Media outlets express a diverse range of public and political views, in most cases without government interference. However, officials occasionally restrict press freedom regarding sensitive issues of national identity. In January 2011, security agents seized the small press run of a news bulletin that urged ethnic Macedonians to register as such in a forthcoming census. In April, Bulgarian authorities barred a group of Macedonian journalists from entering the country to cover a commemoration of an Ottoman-era historical figure claimed by both nations. Most media coverage of the October 2011 presidential and municipal elections was not balanced or objective, partly due to electoral code provisions requiring that nearly all campaign-related content on public stations be purchased by the parties or candidates. Paid content also prevailed in private media.

Reporters continue to face pressure and intimidation aimed at protecting economic, political, and criminal interests. Impunity for crimes against journalists remains the norm, encouraging self-censorship. In a rare exception, former Bulgarian president Petar Stoyanov was fined in February 2011 for slapping a journalist in 2009. Bombings struck the offices of the weekly *Galeriya* in February and the vehicle of television journalist Sasho Dikov in October, though no one was injured in either attack. Those and other explosions during the year appeared to target critics of the government at sensitive times for Bulgaria's relations with the European Union, drawing speculation that they were designed to discredit the ruling party. Separately, beginning in September, reporter Miroluba Benatova of the private television station bTV was the target of a stream of threats and insults, mostly online, over her descriptions of anti-Roma protests that were triggered by a hit-and-run accident in the village of Katunitsa.

Two of the three leading national television stations, bTV and Nova TV, are owned by foreign companies. The third is state-owned Bulgarian National Television (BNT), which benefits from both state subsidies and advertising revenue. BNT and Bulgarian National Radio do not display a strong political bias, but observers have cast doubt on their editorial independence. Foreign media firms have also played an important role in the print and radio sectors, although at least three important newspapers—in addition to bTV—changed hands during 2010 as some companies reduced their regional holdings in a difficult economic climate. Print circulation has fallen sharply in recent years. Financial weaknesses leave many Bulgarian-owned media vulnerable to the direct or indirect influence of business groups or political parties, and ownership is not always transparent. An increasing number of media outlets have been acquired by the New Bulgarian Media Group, a company with close ties to the Movement for Rights and Freedoms political party. Economic difficulties also force many journalists to engage in corrupt practices or take second jobs. The advertising market has reportedly contracted by more than a third since 2008, raising the importance of public funds. State agencies collectively represent the second-largest source of advertising revenue in print media and are particularly important for local outlets. The private sector is far more prominent in broadcast media advertising.

Many traditional media outlets have established a presence on the internet, which is not restricted by the government and was accessed by about 51 percent of the population in 2011. Access in rural areas remains limited.

Burkina Faso

Status: Partly Free

Legal Environment: 13
Political Environment: 16
Economic Environment: 13
Total Score: 42

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	39,PF	41,PF	41,PF	41,PF	41,PF

Article 8 of the constitution and the information code of 1993 guarantee the freedoms of expression, information, and the press. Article 49 of the information code allows every journalist free access to sources of information, with exceptions for information pertaining to the internal and external security of the state, military secrets, strategic economic interests, ongoing investigations or legal proceedings, and anything that threatens the dignity and privacy of Burkinabés. In practice, these exceptions are used frequently by officials, and accessing government information remains difficult. Libel is a criminal offense, and the burden of proof is on the defendant, but few journalists have been charged in recent years.

Burkina Faso’s media regulatory body, the High Council of Communication (CSC), consists of 12 members appointed by the government, and has been criticized for inconsistent and mismanaged licensing procedures. The body has the power to summon journalists to hearings about their work, which can be followed by a warning that the CSC will not tolerate further “noncompliant behavior.” The council issues approximately five summonses each year. While the CSC has approved a growing number of private radio stations, newspapers, and television channels, as well as requests for radio frequency spectrum, critics argue that it should focus additional efforts on addressing the economic sustainability of media outlets.

To avoid aggravating public authorities, state-run outlets generally refrain from covering controversial subjects, though programming allows for coverage of the opposition. Conversely, the private media are generally free of overt censorship, do criticize the government, and investigate more sensitive topics. Journalists occasionally face harassment by public authorities for coverage that is deemed unfavourable, leading some to practice self-censorship. In April 2011, musician and radio presenter Sam K. Le Jah (Sama Karim) was prohibited from entering the offices of Ouga FM, the privately funded radio station where he worked. The station’s owner, Bakry Joachim, was apparently displeased that Le Jah had attended an opposition political party meeting earlier that day.

The media were affected by political tensions in the first quarter of 2011, when the military agitated for better service conditions, causing the president to declare a state of emergency. A press vehicle was seized by mutinous soldiers in March, preventing journalists with the Pan-African Television Network (Africable) from covering the release of a fellow reporter who had been held by the military; the vehicle was returned three days later. In April, soldiers ransacked and vandalized the premises of Savane FM, which had criticized the mutiny. Several protests during the same period featured instances of violence and attacks by the public and military against the media. In March, students from Ouagadougou University attacked Ahmadou Dicko and Urbain Somé of the state-owned Radiodiffusion Télévision du Burkina (RTB) for allegedly censoring a previous report on a protest during which a student died. Journalists Arsène Evariste Kabore and Issa Kafando, also from the state media, were prevented a few days later from covering a meeting between the Burkina Labor Union and the government

in retaliation for their outlets’ treatment of a “high cost of living” protest held earlier in the month.

More than 239 radio and television stations operate in the country, and there are at least five national dailies. A 2009 study by the Norbert Zongo National Press Center found that *L’Observateur Paalga*, a private newspaper, was the most popular print outlet in the country. The official daily, *Sidwaya*, displays a progovernment bias but also allows opposition figures some space to present their views. Although the private print media are growing, including through newsmagazines, ownership still lacks transparency. The print sector’s struggles with interrupted production, low literacy rates, and poor economic conditions make the broadcast media the preferred choice for news and entertainment. RTB was established as the national broadcaster in 1963, and remained the only television channel for many years. A handful of private television stations, including Canal 3, now compete with RTB. However, radio is still the country’s most popular medium and source of information. Community radio stations are prevalent throughout the country, and play a significant role in local development and community building. Foreign radio stations are able to broadcast freely. Low levels of training and expertise, as well as low salaries, affect the integrity of journalism as a profession.

Infrastructural deficiencies and poverty limited internet usage to 3 percent in 2011. There were no reported restrictions on internet content.

Burma (Myanmar)

Status: Not Free

Legal Environment: 28

Political Environment: 31

Economic Environment: 26

Total Score: 85

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	96,NF	97,NF	96,NF	95,NF	94,NF

Tentative openings in the general political environment—including parliamentary elections held in November 2010, the emergence of a functioning legislature and nominally civilian government, the election of former general Thein Sein as president in March 2011, and increased space for political parties to operate—also led to changes in the media landscape in Burma during 2011. Positive developments included the release of imprisoned bloggers, a softening of official censorship, fewer reports of harassment and attacks against journalists, and an increase in the number of private media outlets, which led to somewhat more diversity of content and less self-censorship. In addition, a number of exiled journalists were able to return to the country. But despite greater journalistic freedom and access to news and information, Burma remained one of the most repressive countries in Asia.

The 2008 Burmese constitution provides for freedom of expression and of the press, but these rights are not respected in practice, and many draconian laws still stand as impediments to media freedom. The 2004 Electronics Transactions Law prohibits any individual or group from sending electronically information regarding government issues, national security, or any message of a cultural or economic nature. In addition, Section 22 of the Penal Code of Burma

1957 outlaws criticism of the government or state in any media publication or broadcast. In the second half of 2011, the Burmese media began reporting on a purported draft of a new media law being readied by the government. By all accounts, the law remains “problematic.” As written, it suggests the state would allow greater tolerance for private media, but it would not necessarily give up its control of all forms of mass media. The Ministry of Information only issues licenses to private publishers if they print government-approved material exclusively, and the Press Scrutiny and Registration Department can suspend licenses of publications that print objectionable material. Publications regularly face suspension if they run afoul of the authorities.

While there was some improvement in the extent of official censorship, the majority of private periodicals remain subject to prepublication censorship under the 1962 Printers and Publishers Registration Act, which requires that all content be approved by the authorities. Under censorship rules announced in 2005, media outlets are allowed to offer “constructive” criticism of government projects and report on sensitive issues such as natural disasters and poverty, provided the coverage does not affect the national interest. In March 2011, the authorities announced that censorship policies would be relaxed when the new government took office. This change took effect in June when 178 journals and magazines—mostly those that cover subjects including sports, health, children, and technology—were given permission to publish without prior approval, though the censorship board issued warnings to some newspapers and magazines because they were thought to have published culturally inappropriate material. Nevertheless, an attempt by opposition leader Aung San Suu Kyi to publish an article in August faced potential cuts by the censorship board, and it was withdrawn.

Though self-censorship remains widespread, the Burmese press continued to push the envelope in 2011. As well as covering social issues such as health, education, and the environment, some media outlets became increasingly assertive in their coverage of political news, addressing topics that have in the past been considered off limits, including the activities of Suu Kyi and the conduct of the new parliament. Throughout the year, foreign embassies and international media development organizations hosted training sessions, seminars, and forums. Foreign journalists also found it much easier to obtain entry visas. In addition, given the changes in the country, several exiled media organizations sent representatives back home to explore the possibility of reopening media outlets based in Burma. A number of prominent media groups also found that government officials have been more accessible than in the past.

Despite fewer reports of harassment and attacks, instances of retribution against journalists remained a problem in 2011. Before the new government took office, a local video journalist was sentenced in February to 13 years in prison for violating the Electronics Act. The year did see the release of a number of journalists from prison, including five reporters in May. In October, Maung Thura, a blogger and comedian popularly known as Zarganar, was released from prison along with dozens of other political prisoners. He had originally been sentenced in 2008 to 59 years behind bars for violating the Electronics Transactions Law by publicly castigating the military regime for their delayed response to Cyclone Nargis, which claimed the lives of over 100,000 people. According to the Committee to Protect Journalists (CPJ), even after the release of Maung, Burma remained the fourth-worst jailer of journalists in the world, with 12 still behind bars at year’s end.

Media concentration remains high, even though a number of formerly exiled media organizations have begun opening outlets in the country. The government owns or controls all domestic broadcast media and daily newspapers, and exercises tight control over a growing number of privately owned weekly and monthly publications. In February 2011, the government

took control of the *Myanmar Times* and arrested its Australian editor and part-owner, Ross Dunkley, who was first charged with immigration violations but was later accused of attacking and drugging a supposed prostitute. However, the charges came amid a series of disputes among the owners of the paper; Dunkley also had a history of tense relations with the Burmese authorities due to the paper’s coverage of certain topics.

Authorities restrict the importation of foreign news periodicals. Due to high levels of poverty and illiteracy, as well as poor infrastructure and distribution networks, print media are accessible mainly in urban areas and broadcast outlets are the main source of news for most citizens. Although some people have access to international shortwave radio or satellite television, those caught accessing foreign broadcasts can be arrested. Nevertheless, as the only source of uncensored information, foreign radio programs produced by the Voice of America (VOA), Radio Free Asia, and Democratic Voice of Burma (DVB) are very popular. The monthly subscription fees to access satellite channels are high, so most Burmese viewers install the receivers illegally.

Access to the internet is expensive, tightly regulated, and censored, with the government controlling all of the several dozen domestic internet service providers. In addition to the poor infrastructure in the country, these factors mean that only 1 percent of the population accessed the internet in 2011. While there are no existing laws on monitoring internet communication, the government tracks internet activity and blocks certain websites, including some foreign news sources and foreign-hosted email services. However, in September, Reporters Without Borders confirmed that access to a number of previously banned foreign news websites—including the British Broadcasting Corporation, Reuters, the *Bangkok Post*, the *Straits Times*, Radio Free Asia, *Irrawaddy*, DVB, and the VOA Burmese service—had been unblocked, although internet connections continued to be very slow. In addition, a range of e-mail, blog, and social-media sites, including Gmail, Facebook, and YouTube, were unblocked. The government also remains wary of mobile communications. SIM cards for mobile phones in Burma remain the most expensive in Asia, and complicated schemes for pre- and post-paid services make short-message service (SMS) either out of reach or politically risky for those Burmese who sought to use them as another platform for news, information, or mobilization.

Burundi

Status: Not Free

Legal Environment: 23

Political Environment: 28

Economic Environment: 21

Total Score: 72

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	77,NF	74,NF	75,NF	73,NF	74,NF

Burundi’s constitution guarantees freedom of speech and of the press, but these rights are not respected in practice. The press laws are harshly restrictive, imposing criminal penalties on journalists for defamation, discrediting the state, insulting the head of state, and “threatening state security.” Government officials are openly hostile to critical media, and in 2011 they

stepped up attacks on the independent press. Burundi's 1997 Press Law forbids dissemination of "information inciting civil disobedience or serving as propaganda for enemies of the Burundian nation during a time of war." The 2003 Media Law provides for harsh fines and prison terms of up to five years for the dissemination of information that insults the president or is defamatory toward other individuals. The law also prohibits racially or ethnically motivated hate speech.

In 2011, the Burundian authorities increased their harassment of critical independent media—especially Radio Publique Africaine (RPA) and Radio Isanganiro—through frequent summonses and arrests of journalists, as well as threats to close outlets. The government also arrested several lawyers, including those who defended journalists. Analysts said the judiciary's record in cases involving crimes against government critics raised questions about its neutrality. Journalists were harassed for activities including interviewing a government opponent in exile, quoting a speech by the U.S. secretary of state in which she mentioned the uprisings in the Middle East and North Africa, and quoting the head of the law council who criticized judges for repeatedly jailing people at the behest of the prosecutor's office.

In April, the National Council for Communication (CNC), the state agency that oversees the enforcement of media laws, suspended an RPA talk show for four days based on allegations that a caller had abused the head of state. The station said phone lines to its studio were disconnected for seven days in May, apparently on the orders of the National Telecommunications Office, to prevent listeners from participating in live phone-in programs. However, the station subsequently aired several more live and taped interviews with opposition leaders without repercussions.

After a September attack by armed gunmen near the village of Gatumba that killed more than 30 people—which was blamed on the National Liberation Forces (FNL) rebel group—the government imposed a one-month ban on broadcasting or publishing any information about the incident. Communication Minister Concilie Nibigira justified the one-month ban on the grounds of "guaranteeing peace and security" and ensuring "the successful conclusion of the investigations," and said those who defied the ban would be in breach of the 2003 Media Law. A few days after the directive, most radio stations simultaneously broadcast interviews about the Gatumba massacre in a show of defiance; the government took no action against them, and the stations resumed complying with the order. In November, the public prosecutor summoned and questioned Radio Bonesha FM director Patrick Nduwimana and RPA editor in chief Bob Rugurika—who was questioned by police repeatedly in 2011—after they broadcast reports about the Gatumba attack after the deadline had passed. The prosecutor also questioned the directors of RPA and Radio Isanganiro about suspicions that their stations' funding sources were linked to the rebel group.

In November, **Hassan Ruvakuki**, a reporter for Radio Bonesha and a correspondent for the Swahili service of Radio France Internationale, was arrested for interviewing an alleged leader of a new rebel group. He was charged with supporting the activities of a rebel group, and later with engaging in terrorist acts. Radio Bonesha continued to be harassed by the security services, who demanded information on the group. The CNC reportedly issued a ban on media coverage of the new group after the interview had aired. Ruvakuki remained in custody at the end of the year.

The government dominates Burundi's media industry. It runs Radio Télévision Nationale du Burundi (RTNB), the sole television and radio stations with national coverage; and *Le Renouveau*, the only newspaper that publishes regularly. RTNB broadcasts in Kirundi, Swahili, French, and English, and boasts a wider reach than the proliferating privately owned stations,

most of whose programming comprises music and entertainment. The law explicitly prohibits political parties, labor unions, and foreign nongovernmental organizations from owning media outlets.

Internet access remains very low, at 1.1 percent, due to the high cost of the service. However, the number of mobile phone subscribers grew to around 25 percent of the nation’s eight million people in 2011, according to the telecommunications regulator. In May 2011, Jean-Claude Kavumbagu, the editor of the independent online newspaper *NetPress*, who had been in detention for 10 months on charges of treason and defamation, was acquitted of these charges. Prosecutors had asked judges to sentence him to life imprisonment over an opinion article that questioned the capability of the country’s security forces to adequately respond to a terrorist attack. Kavumbagu was instead found guilty of publishing an article “liable to undermine the state’s credibility and national economy,” and sentenced to eight months in prison and a fine of 100,000 Burundian francs (\$80). He was immediately freed because he had spent more than 10 months in pretrial detention.

Cambodia

Status: Not Free

Legal Environment: 21

Political Environment: 23

Economic Environment: 19

Total Score: 63

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	58,PF	60,PF	61,NF	61,NF	63,NF

Press freedom in Cambodia remained under attack in 2011, as the authorities continued to develop and utilize legal mechanisms to silence independent media. For much of the year the government pushed for passage of the Law on Associations and Non-Governmental Organizations (LANGO), but domestic and international objections forced officials to postpone the legislation in late December. The law would impose an opaque registration process and other requirements that were expected to fetter the work of community groups, including grassroots media outlets.

Other laws regulating the media are vaguely written and unevenly applied. The 1993 constitution guarantees the right to free expression and a free press. However, media personnel are often prosecuted under provisions of the 1995 press law that prohibit reports deemed threatening to political stability. A new penal code that took effect in 2010, replacing an older version established by the UN Transitional Authority in Cambodia (UNTAC), continues to criminalize defamation, barring written criticism of public officials or institutions. Those convicted of defamation face a potential fine of 10 million riel (\$2,500). Separately, in August 2011, the Anti-Corruption Law came into effect, threatening whistleblowers with criminal penalties if their allegations are determined to be false. Movement during the year on a potential Access to Information Act was promising, though the legislation was in its early stages.

The government uses defamation and other criminal charges to intimidate journalists, and the courts lack independence, as most judges are closely tied to the ruling Cambodian People’s

Party (CPP). Cases sometimes linger for years, and individuals are often charged arbitrarily or through the retroactive application of new laws. In January 2011, a coordinator with the local rights group ADHOC was fined 1 million riel (\$244) and ordered to pay 3 million riel (\$732) in compensation to a company—owned by the wife of the minister for industry, mines, and energy—that he had “defamed” during an interview with Radio Free Asia (RFA). The interview, however, occurred in 2009, before the new penal code under which he was charged came into effect. In October, the provincial prosecutor of Siem Reap sued Pen Samithy, editor in chief of the *Rasmei Kampuchea* newspaper, for publishing two articles on illegal logging in the province. Also that month, RFA journalist Sok Rathavisal was summoned to appear in court to answer incitement charges dating back to 2009, when he covered a land dispute in Ratanakiri Province. The case was still open at year’s end.

Attacks on journalists have decreased, as the government now relies more on legal intimidation and sanctions to control the press. However, physical intimidation does occur. At a press conference in January 2011, anticorruption official Om Yentieng ordered an aide to confiscate the recording devices of journalists after a reporter asked a question about an unsolved 1997 grenade attack against opposition activists. Earlier that month, police grappled with *Phnom Penh Post* photographer Sovan Philong, seizing his camera and deleting photos he had taken of controversial evictions at Boeung Kak lake. The cases of 10 journalists murdered since 1993 all remain unsolved.

In Cambodia’s highly politicized environment, most media outlets are openly aligned with a political faction, leaving little space for balanced views and journalism conducted in the public interest. The majority of the approximately 20 Khmer-language newspapers in operation are owned by individuals associated with or sympathetic to the ruling party. Editors and owners of opposition-aligned outlets are often pressured financially or legally to close their publications. Only two active opposition newspapers remain. A few international publications such as the *Phnom Penh Post* exist, but the longtime French-language *Cambodge Soir* shut down in 2010 due to financial difficulties. In August 2011, the Ministry of Information repealed the licenses of the *Water and Fire News* and the *World News*, two papers owned by Keo Amnot Sangkhem, as a result of perceived insults to the ruling party.

All television and most radio stations, the main sources of information for the two-thirds of the population who are functionally illiterate, are owned or controlled by either the CPP or Prime Minister Hun Sen’s family and associates. Opposition outlets are often denied radio and television frequencies. However, access to international broadcasts, including RFA and Voice of America (VOA), and local independent radio services such as Voice of Democracy, is generally unrestricted. Cambodia’s poor economy presents added financial challenges to opening and operating independent media institutions. Due to low literacy rates, print media are often unable to attract enough advertising to be financially sustainable. Journalists’ pay is very low, and accepting bribes to run or not run particular stories is not uncommon.

Owing to infrastructural and economic constraints, only 3.1 percent of the population accessed the internet in 2011. However, the government has grown concerned with the internet’s potential as a medium for opposition voices. For several weeks in February, many opposition websites, including the popular news aggregator and commentary blog KI-Media, were inaccessible. Though VOA and the *Phnom Penh Post* reported receiving official and leaked documents indicating that the Ministry of Posts and Telecommunications ordered the shutdown, the government denied involvement.

Cameroon

Status: Not Free

Legal Environment: 21

Political Environment: 26

Economic Environment: 21

Total Score: 68

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	67,NF	65,NF	65,NF	66,NF	67,NF

Press freedom in Cameroon in 2011 remained constrained by the use of both laws and extralegal detention to harass journalists. The “Liberty Laws” passed in 1990 include safeguards for independent print and audiovisual media, and the protection of sources is guaranteed by the Social Communication Law, though judges can compel journalists to reveal their sources in closed sessions. The 1996 constitution guarantees the freedoms of expression and the press, though libel and defamation remain criminalized. The burden of proof rests with the defendant in libel cases, and a guilty verdict can carry prison terms and heavy fines. Laws against libel and the publication of obscene materials were used against journalists several times in 2011. In March, editor Jean-Marie Tchatchouang of the weekly *Paroles* was convicted of defamation related to the publication of letters that alleged mismanagement and abuse by the chief executive of the main bus company in Douala. Tchatchouang received a six-month suspended prison sentence, an indefinite ban on his newspaper, and a fine of 185,200 CFA francs (\$390), in addition to 1 million CFA francs (\$2,100) in damages. Also that month, Raphaël Nkamtchuen of *La Boussole* was charged with alleged unauthorized communication with a detainee following an interview with a jailed former finance minister, and with possession of a confidential administrative document. The document, which was reportedly leaked from the office of a top presidential adviser, informed the vice prime minister for justice that the president had approved the arrest of top government officials on corruption charges. Nkamtchuen was held for six days by the military police and then released pending trial, but he went into hiding after receiving threats via telephone.

Radio and television stations must be licensed, and both the application process and annual fees can be burdensome. Print media licensing ended in 1990, but new publications must submit a declaration to authorities and have it approved in order to begin publishing. No new broadcast licenses were issued in 2011, though the government tolerated numerous stations operating without licenses. Rural nonprofit radio stations are exempt from licensing fees but barred from discussing politics. There is no law granting citizens access to government information, and the government does not generally make documents or statistics available to the public or the media. Representatives from privately owned media are not accredited with the president or the prime minister, and do not accompany the president on official trips.

Although much of the independent press reports critically about the government, the threat of prosecution leads many journalists, particularly within the broadcast media, to self-censor. Radio call-in shows and television debate programs in particular carry strong criticisms of the government and individual officials, but they operate under the threat of repercussions for exceeding the limits of “administrative tolerance,” as public officials are empowered to shut

down a publication or broadcaster and arrest citizens for comments judged to be threats to public order. The media environment demonstrates a widespread lack of professionalism and ethical standards. Sensationalist and careless reporting, bias, and fabrication of facts are common among journalists, and there is no independent body to regulate the media. Numerous journalist associations exist, but they are often redundant and disorganized.

Several attacks on journalists were reported in 2011, including a January attack on Rodrique Tongue of *Le Messager* by a police commissioner, and a September assault on Ulrich Fabien Ateba Biwole of *Le Jour* after he investigated the suspicious detention of civilians by armed men who were later identified as police officers. Journalists repeatedly faced extralegal abuse for investigating corruption—and the government’s failure to address it—or other sensitive topics. Lamissia Adoularc of *Le Jour* was placed in administrative detention for five days in March after inquiring about the arrests of two employees of a state-run company. He was held on the grounds that he needed protection, though the authorities did not explain the nature of the supposed threat. Many instances of extralegal abuse involved official attempts to uncover journalists’ sources despite legal safeguards. In September, François Fogno Fotso of the private bimonthly *Génération Libre* was interrogated for four days and pressured to identify his sources for a 2010 article alleging corruption by a tax official.

Cameroon has 25 regularly published newspapers, both private and state owned, as well as about 400 others that publish sporadically due to a lack of consistent funding. A single private newspaper distribution company has a near-monopoly in the industry, which has kept prices high and circulation limited largely to urban areas. The state-owned CRTV operates both radio and television outlets, and dozens of private community stations have more limited reach. CRTV is widely considered to be biased in favor of the government in its news and current affairs reporting, and the owners of mainstream private media have also been reported to influence content. The first private broadcast licenses were granted in 2007. Radio is the most important medium for most of the population, with about 375 privately owned stations, 75 percent of which are in large urban areas. There are 19 independent television stations, and television has a high level of influence in cities and towns. More remote parts of the country can go weeks or months without a television or radio signal due to malfunctioning and outdated infrastructure. Foreign broadcasters are permitted to operate within Cameroon and are widely accessible to those who can afford the necessary equipment. However, such stations are required to partner with a national station in order to broadcast. The government is the largest advertiser, and it has been accused of using this financial heft to influence content. Official funding to support private media outlets is also disbursed selectively. Corruption is pervasive, due in large part to low wages for journalists.

Internet usage was limited to 5 percent of the population in 2011. Users continue to endure slow connections and high fees at internet cafés, though the government is investing in a new fiber-optic network that will enhance speed and quality. Cameroon is burdened with some of the highest bandwidth charges in West and Central Africa despite its access to the SAT3/WASC submarine cable, which links it to Europe. New media are experiencing rapid growth in the country, due in part to the increasing number of people who access the internet from their mobile phones. There are generally no official restrictions on access to the internet, though the government is reportedly planning to filter electronic content and restrict access to certain sites in the future. The government allegedly blocked the microblogging service Twitter on a local mobile operator’s network in March 2011 in an apparent reaction to the popular uprisings in North Africa and the Middle East, in which online social networks played an integral

role. The Ministry of Posts and Telecommunications officially denied having initiated the blockage, although some government officials said intelligence services had ordered the move. The suspension of service lasted only 10 days.

Canada

Status: Free

Legal Environment: 5

Political Environment: 8

Economic Environment: 6

Total Score: 19

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	17,F	18,F	19,F	19,F	19,F

Canada's 1982 constitution guarantees freedom of expression and freedom of the press. The government may legally restrict free speech with the aim of ending discrimination, ensuring social harmony, or promoting gender equality, but hate speech is punishable by law and its definition remains vague. In November 2010, the Supreme Court began hearing the case *Saskatchewan Human Rights Commission v. William Whatcott*, in which Christian activist William Whatcott's flyers and messages against same-sex relations were found to be in violation of the Saskatchewan Human Rights Code by the local human rights tribunal. In October 2011, Whatcott's lawyer argued that defining "hate" is extremely difficult. The Supreme Court continued to review this issue, and the case was ongoing at year's end. In previous cases, the Supreme Court has ruled that inciting hatred is a criminal offense, but the threshold of guilt for such an act is high: it must be proven that the person engaged in hate speech willfully and publicly.

In 2009, the Supreme Court attempted to strike a balance between freedom of expression and protection of reputation, creating greater protection for journalists against libel lawsuits by allowing them to evade liability if they are able to show that they acted responsibly in reporting a matter of public interest, even if the statements were untrue. Despite this law, in April 2011 a criminal libel complaint was filed against three Canadian Broadcasting Corporation (CBC) journalists because of a so-called international conspiracy against fashion mogul Peter Nygard. If guilty, the journalists could face prison sentences; the case had yet to be resolved at year's end.

Legislation requiring journalists to reveal their sources in criminal cases continued to be used in 2011, weakening media rights in an otherwise vibrant environment. In January, Elaine O'Connor, reporter at Vancouver's the *Province*, was ordered to identify a source by a British Columbia judge. O'Connor had reported on campaign overspending in October 2007, and the allegations were made by an unnamed source. She was ordered to tell the court the name and method of communication with the source. This is among a string of recent source confidentiality cases. In May 2010, the Canadian Supreme Court ordered the Toronto-based *National Post* to forfeit documents in a case concerning the constitutional right to protect confidential sources that could have potentially broad implications for journalists' freedoms. The court ruled that in this case, the public interest in the truth was greater than the need for protecting the identity of informants. In a separate case in October, journalist Daniel Leblanc

won the right to protect his sources. The Supreme Court in this case said journalists should be able to protect confidential sources if they can demonstrate that it is in the public interest. This disparity between cases will continue to lead to confusion regarding the issue until a clearer distinction is articulated.

Despite the Access to Information Act (ATI) that passed in 1983, it remains challenging to obtain information from the federal government. There are typically long waits, and acquiring the information is hampered by the federal democracy as well as by the governing party. According to local group Canadian Journalists for Free Expression, 44 percent of requests made under the ATI exceeded the required 30-day limit. Further hindering the public’s right to know, in January 2011 the Canadian Supreme Court ruled that media outlets will not be allowed to film or record outside the courtroom. They also ruled that media outlets will not be allowed to broadcast audio recordings of court proceedings. Because of the 2004 ruling that limited the media from reporting by electronic means from court, this ruling further hinders the ability of the media to report the occurrences in court.

Journalists in Canada are generally free from violence or harassment, and there were no cases reported in 2011. However, in 2010 there were issues concerning the treatment of journalists surrounding the Winter Olympics in Vancouver as well as the G-20 summit in Toronto.

Both print and broadcast media, including the public broadcaster CBC, are free to express diverse views. The CBC broadcasts in French and English. Broadcasting rules stipulate that 30 to 35 percent of material must be Canadian. This is part of an effort to maintain Canada’s national identity because of the proximity and influence of the United States. Concentration of media ownership remains an issue and is spreading to the broadcast sector. Bell Canada, the country’s largest telecommunications company, spans its control across various sectors, including television broadcasting and content creation, radio broadcasting, wireless internet, and mobile phones.

Internet use is widespread and unrestricted in general, with 83 percent of the population accessing the internet in 2011. In a minor victory for press freedom, the Supreme Court ruled that simply providing a hyperlink to a defamatory story “does not make the author of the link a publisher of, or liable for, what is contained in the hyperlink.” The court also recognized that the internet cannot convey information without links, and that hindering this would have a chilling result on access to information on the internet.

Cape Verde

Status: Free

Legal Environment: 6

Political Environment: 9

Economic Environment: 12

Total Score: 27

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	29,F	28,F	28,F	28,F	27,F

Cape Verde has historically been among the freest media environments in both Africa and the

broader Lusophone world, a trend that continued in 2011. The constitution directly provides for freedom of the press as well as confidentiality of sources, access to information, and freedom from arbitrary arrest. A 1999 constitutional amendment still excludes the use of freedom of expression as a defense in defamation cases; however, there have been no such libel cases since 2002. The law requires broadcasters to obtain operating licenses, and government approval is needed to establish new newspapers and other publications. However, there were no reports that the government denied or revoked licenses for political reasons in 2011.

The government of Cape Verde has consistently demonstrated its commitment to respect and protect media freedom. Prime Minister José Maria Neves proclaimed in 2011, with no visible dissent, that when it comes to freedom of the press, “Cape Verde is a first-world country.” The government does not generally restrict access to or content on the media that it controls. Self-censorship, a somewhat underdeveloped journalistic cadre, and an incomplete incorporation of local Creole dialects into media working in the country prevent Cape Verde from blossoming into an even freer media environment.

Intimidation of journalists in Cape Verde is rare, though 2011 did see one instance in which the national police detained a reporter from state-run Televisão Nacional de Cabo Verde, or TCV, for several hours after he refused to stop filming an interview in San Miguel. The Association of Cape Verdean Journalists condemned the act as an “attempt to curtail press freedom.” During the campaign for the August presidential election, *Visão Global*, the country’s only political debate program, was suspended after actions by commentators allegedly violated an electoral law that prohibits media organizations from making any comments about the stakeholders in the election after a certain date in the electoral process.

Many media outlets are state-operated, although there are a growing number of private publications and broadcast outlets. The state runs TCV and a radio station, Radio Nacional de Cabo Verde. In addition to the state-run outlets, about a dozen independent and community-run FM radio stations broadcast regularly. Print media include a government publication appearing twice weekly and a handful of independent weeklies (including *A Semana*, the largest paper, as well as *Expresso das Ilhas* and *A Nação*) and monthlies, such as *Artiletra*. Portuguese and Brazilian newspapers are also readily available. Geographic barriers and harsh terrain in a country made up of several islands also constitute impediments to the distribution of newspapers and other media products. This has contributed to a growth in the importance of the community radio sector. Difficulties raising funds and a lack of specific regulations governing community radio have been identified as major issues for the sustainability of this sector, and community radio advocates have called for government help with operating costs and new legislation. Internet usage has risen dramatically over the last few years, from 8 percent in 2007 to 32 percent in 2011. The cities have numerous cybercafés, giving residents regular access to the internet. There were no reports that the government restricted internet access or monitored e-mail messages.

Central African Republic

Status: Not Free

Legal Environment: 20

Political Environment: 23

Economic Environment: 19

Total Score: 62

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	58,PF	61,NF	61,NF	61,NF	61,NF

The 2005 constitution provides for freedom of the press, though authorities have continued to use intimidation, suspension of outlets, and legal harassment to limit reporting, particularly on sensitive topics such as official corruption and rebel activity. A 2004 press law that went into effect in 2005 abolished imprisonment for many press offenses, such as libel and slander, but criminal penalties remain for some defamation charges, incitement of ethnic or religious hatred, and the publication or broadcast of false information that could “disturb the peace.” According to IREX, a 2009 court order sought to decriminalize a number of these offenses. However, in mid-2011, independent newspaper editors Faustin Bambou and Emmanuel Cyrus Sandy were detained on charges of “inciting hatred” against the government after they published allegations of embezzlement against the country’s defense minister. Those charges were eventually dropped, but the two men were fined 300,000 CFA francs (\$590) on a lesser charge of libeling the minister. The Central African Media Observatory has decried the continued arrest of journalists for press offenses despite the 2009 court order.

In the absence of a legal framework, access to official information remains challenging for journalists. The High Council for Communications, tasked with granting licenses and promoting press freedom, is nominally independent, but in practice it seems to be controlled by the government. Most journalists are not paid regularly for their work and are poorly trained, although a journalism department was established at the University of Bangui in 2009.

Journalists continue to face harassment and threats from the authorities, and some, particularly those who work for state-owned media outlets, practice self-censorship to avoid reprisals. Complaints filed against authorities regarding press freedom violations are often ignored. However, several newspapers routinely criticized the president, the government’s economic policies, and corruption in 2011 without legal consequences. Many also provided a certain amount of diverse political coverage in preparation for presidential and parliamentary elections in January 2011, in which incumbent president François Bozizé won a new term with 66 percent of the vote. Journalists cannot always operate safely outside the capital due to increased activity by the Lord’s Resistance Army (LRA), a Ugandan rebel group. The LRA, which does not have popular support, is primarily active in the southeast, near the borders of Uganda and the Democratic Republic of the Congo.

Several private newspapers offer competing views, including five dailies published in French. However, even papers that provide political coverage have limited influence due to low literacy levels, high poverty rates, and the lack of a functioning postal service to deliver periodicals outside the capital. Radio continues to be the most important medium for the dissemination of information. The state owns Radio Centrafrique and a television broadcaster, and both outlets reflect predominantly progovernment views. Due to technical deterioration, the reach and broadcast capacity of even state-owned outlets have decreased dramatically. While the government monopolizes domestic television, there are privately owned alternatives to Radio Centrafrique, including Radio Ndeke Luka (funded by the United Nations), international broadcasters such as Radio France Internationale and Voice of America, and a number of community radio stations. Financial problems and the lack of an advertising market plague many

newspapers, and some journalists are motivated by poverty to accept bribes to cover certain stories.

Internet access is unrestricted, and there are no reports that the government monitors e-mail. However, only 2.2 percent of the population was able to access the internet in 2011.

Chad

Status: Not Free

Legal Environment: 23

Political Environment: 31

Economic Environment: 21

Total Score: 75

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	74,NF	74,NF	76,NF	77,NF	75,NF

Chad’s constitution allows for freedom of expression, but authorities have routinely used threats and legal provisions to censor critical reporting. A 2008 press law, Decree No. 5, increased the maximum penalty for false news and defamation to three years in prison, and the maximum penalty for insulting the president to five years. Also in 2008, the High Council of Communication (HCC), Chad’s media regulatory body, banned reporting on the activities of rebels and any other information that could harm national unity. Law No. 17 of 2010 removed Decree No. 5’s prison sentences, but introduced sentences of six months to a year in prison and fines for inciting racial or ethnic hatred and “condoning violence.” Defendants bear the burden of proof in defamation cases and face a prejudiced judicial process. The previous two years’ lull in the legal harassment of the press and a slight shift away from draconian legal penalties continued in 2011. However, officials periodically threatened to shut down newspapers or fine journalists for “irresponsible” reporting.

Newspapers criticized the government during 2011 without incurring violence against their journalists. However, reporters and publishers risked harassment, especially from the authorities, when publishing critical articles, and many practiced self-censorship to avoid reprisals. Impunity remains the norm for perpetrators of harassment against journalists. The ruling and opposition parties agreed on a requirement that radio stations provide equal coverage for all candidates during the legislative and presidential elections in 2011, but the stations lacked the will or capacity to implement it in practice.

While private newspapers circulate freely in the capital, they have little impact on the largely rural and illiterate population. The state-run Chad Press Agency is the only news service in the country. Permission from the prosecutor’s office, the HCC, and the Ministry of Commerce is required to establish a newspaper. The only television station is state owned, but the government does not interfere with the reception of foreign channels. Radio is the primary means of mass communication, and licenses are granted by the HCC, which is considered to be greatly influenced by the government. The licensing fee for commercial radio stations remains prohibitively high at five million CFA francs (\$11,000) per year. The HCC is also said to monitor and control radio content. There are over a dozen private and community-run stations on the air, many of which are owned by religious organizations. Internews recently built three

community radio stations in the eastern region of the country, which has been flooded by Darfuri refugees and displaced Chadians, in order to address vital or taboo topics such as gender-based violence, security, water distribution, and food rations. Advertising is scarce, but it is the main source of revenue for media outlets, as government subsidies and other alternatives are even less reliable.

In 2011, 1.9 percent of Chadians accessed the internet. There are no reports that the government restricts internet access, but the internet infrastructure remains government owned.

Chile

Status: Partly Free

Legal Environment: 8

Political Environment: 14

Economic Environment: 9

Total Score: 31

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	30,F	30,F	29,F	30,F	29,F

Status change explanation: Chile declined from Free to Partly Free due to harassment, detention, and attacks against visual media journalists attempting to cover protests and strikes during 2011. Also, a small bomb exploded outside the offices of the media company Copesa, and cyberattacks were launched on news websites. The independent media remained stifled by the existing ownership duopoly, especially in the print sector.

Chile has a number of latent structural, legal, and public security policy weaknesses that can result in press restrictions. These conditions result from incomplete media law reforms after the Pinochet dictatorship (1973–90) as well as the country’s particular political and economic models. In 2011, public security operations and the legal and structural foundations of poor media diversity took center stage. Massive political mobilization against educational and environmental policy during the first conservative government since the return to democracy in 1990 provided the context for the violations of press freedom that arose during the year.

Freedoms of speech and of the press are guaranteed in Chile’s constitution. However, criminal defamation and *desacato* (insult) laws have been used to silence journalists sporadically since the return to democracy, often leading to public outcry and the abrogation of some laws.

Amendments in 2010 to a 1994 community radio law allowed community broadcasters in theory to increase their minimal signal strength and carry advertising from companies not physically present in the areas they cover. The law also created a path to licensing for noncommercial stations linked to community organizations. However, the changes have not been promulgated by the current president, conservative businessman and former television network owner Sebastián Piñera, generating legal and financial uncertainty. Further, the new law does not abrogate Article 36B of the General Telecommunications Law, which calls for criminal penalties and high fines for those who broadcast without a license. In a small victory, a lower court judge in December ordered the government to return the equipment confiscated from Radio Tentación de Paine in 2010 and allowed director Marcelo Muñoz to continue to operate the station as long

as it broadcast only community service announcements. Muñoz must attest to upholding the ruling every six months.

In 2011, several journalists were harassed or detained as a result of their reporting during protests against costly and inequitable education access and the HydroAysén project, which would build five hydroelectric dams in the southern Patagonia region. Foreign Correspondents Association President Mauricio Weibel said police violence against journalists and impunity had increased “at a frightening rate.” At least nine such cases were documented as of October. In the education protests, which began in May and continued through the end of the year, many of the journalists targeted were photographers or cameramen who were filming clashes between the *carabineros*, or national police, and the demonstrators.

Marcela Rodríguez, a photographer for the Mapuexpress website, was arrested in May with 10 others during a protest against the HydroAysén dam project. She was eventually acquitted, but had faced up to 300 days in jail and a fine for disturbing public order. Since 2008, a number of journalists and documentarians have faced legal and physical harassment while covering land conflicts of the Mapuche indigenous people in southern Chile.

Additionally, in April 2011, a documentary depicting the Mapuche land struggles was denied access to national distribution on grounds it “attacked the image” of the southern Araucanía region. The filmmaker, Elena Varela, had been charged with “links with a terrorist group” and held for three months in 2008 while making the documentary, *Newen Mapuche*. She was acquitted in 2010.

Repression of media coverage of other sensitive subjects continued, and in November, two journalists were detained by the national police during a controversial tribute to a former officer convicted of human rights crimes during the Pinochet dictatorship.

In addition to journalists being physically attacked, news sources were victims of attack. In November, a homemade bomb exploded outside the offices of Copesa, the media company that publishes *La Tercera*, a mainstream daily. No one was injured, though some windows were shattered. Also, three news websites were hit with cyberattacks from an unknown source in early November, forcing them to close for 24 hours. In October, Argo TV, a community television station, had the cables to its broadcasting tower cut, rendering it unable to broadcast.

Despite these incidents, journalists generally do not exercise self-censorship.

Chile’s commercial press is concentrated in the hands of two media conglomerates, the El Mercurio group and Copesa. These organizations consolidated their positions during the Pinochet dictatorship, and continue to receive government subsidies estimated at \$5 million annually. Media groups are tied to financial and advertising interests, and control distribution channels throughout the country, creating high barriers to entry for new publications. The editorial positions of both publications are considered center-right to right-wing in orientation. In radio, the Spanish group Prisa owns 60 percent of open-air broadcast stations and commercial radio owners work with government prosecutors to shut down alternative and community stations, which find it difficult to obtain licenses or finance production. Kimche, a Mapuche radio station, may be forced to close for its “interception of telecommunications” as a result of a complaint filed by Gilberto Santana, a local councilor and owner of commercial station Radio Lanco.

There are no government restrictions on the internet, which was accessed by 54 percent of the population in 2011. In 2010, a net-neutrality law went into effect, and it forbids internet service providers from restricting or interfering with content or access to content by users.

China

Status: Not Free

Legal Environment: 29

Political Environment: 34

Economic Environment: 22

Total Score: 85

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	84,NF	84,NF	85,NF	84,NF	85,NF

China's media environment remained one of the world's most restrictive in 2011. Authorities sharply curbed coverage of the popular uprisings in the Middle East, forcibly disappeared dozens of online activists, and tightened controls on investigative reporting and entertainment programming. The measures were taken in advance of a sensitive leadership change scheduled for 2012 and following media defiance of censorship orders related to a fatal high-speed rail crash in Wenzhou in July. Despite the possible repercussions, Chinese journalists and millions of internet users continued to push the limits of permissible expression, and sometimes succeeded in driving media coverage by drawing attention to incipient scandals or launching campaigns via domestic microblogging platforms.

Article 35 of the constitution guarantees freedoms of speech, assembly, association, and publication, but such rights are subordinated to the discretion of the Chinese Communist Party (CCP) and its status as the ruling power. In addition, the constitution cannot, in most cases, be invoked in court as a legal basis for asserting individual rights. Judges are appointed by and generally follow the directives of the CCP, particularly in politically sensitive cases. There is no press law that governs the protection of journalists or punishment of those who attack them. Instead, vague provisions in the penal code and state secrets legislation are routinely used to imprison journalists and other citizens for the peaceful expression of views that the CCP considers objectionable. Criminal defamation provisions are also occasionally used to similar effect. A 2010 revision of the state secrets law made internet and telecommunications firms partly responsible for preventing dissemination of "secret" content. An open-government ordinance that took effect in 2008 was hailed by some observers as an advance for freedom of information. However, according to Hong Kong University's China Media Project, journalists have had limited success in using it due to an official culture of secrecy and a lack of legal recourse. Journalists and other media workers are required to hold government-issued press cards in order to be considered legitimate, and must pass annual political tests to maintain their registration. Those who violate content restrictions risk having their press-card renewals delayed or rejected, being blacklisted outright, or facing criminal charges.

The CCP maintains direct control over news media coverage through its Central Propaganda Department (CPD). This is reinforced by an elaborate system of vaguely worded regulations and laws. Routinely taboo topics include calls for greater autonomy in Tibet and Xinjiang, relations with Taiwan, the persecuted Falun Gong spiritual group, and criticism of CCP leaders. In addition, the CPD and provincial censors issue secret directives that are communicated almost daily to website administrators, and periodically to traditional media editors, restricting coverage of breaking news and other broad areas of content. Specific party

directives in 2011 sharply curtailed news and discussion of the Arab Spring protests in the Middle East, with even the word “Egypt” censored online at one point. Other forbidden or restricted topics during the year included the fatal high-speed rail crash, an oil spill, the contentious death of a herder in Inner Mongolia, labor unrest, and the names of individual human rights activists, journalists, and lawyers. According to a study by scholars at Harvard University, online postings that could lead to collective action were more likely to be censored than those voicing individual criticism of the government.

CCP leaders use control of the media to propagate positive views of the party and government, while vilifying those deemed to be their enemies. During 2011, the authorities also continued to employ more subtle means to “guide” news coverage. These included proactively setting the agenda by allowing key state-run outlets to cover negative news in a timely but selective manner, then requiring other media to restrict their reporting to the established narrative. The aim is to preempt less favorable coverage by bloggers, foreign journalists, and more aggressive commercial news outlets. In another example of how the party guides news coverage, following the high-speed train crash in July that killed at least 40 people, propaganda directives instructed the media to focus their reporting on government rescue efforts and to avoid questions about the causes of the crash.

Journalists who attempted to investigate or report on controversial issues, criticized the CCP, or presented a perspective that conflicted with state propaganda directives faced harassment, dismissal, and abuse, while news outlets that carried such material risked closure. Several such cases occurred in 2011. In April, the weekly *Business Watch Magazine*, published by a state-sponsored think tank, was discontinued within a year of being temporarily suspended for discussing state electricity monopolies. In July, a prominent investigative reporting team at the *China Economic Times* was dissolved after producing reports of government wrongdoing, including an exposé on the fatal mismanagement of vaccines in 2010 and a piece on the mysterious death of a land rights activist in 2011. In September, Beijing’s municipal propaganda bureau announced that it was taking control of the *Beijing Times* and *Beijing News*, which were previously overseen by higher-level authorities and known for their relatively bold reporting. The move was interpreted as punishment for the two newspapers’ defiance of official censorship directives in their reporting on the high-speed train accident.

According to international media freedom watchdogs, 27 journalists were in jail in China in 2011, including many Uighurs and Tibetans. At least 70 online activists remained behind bars at year’s end for disseminating proscribed information. That estimate is likely to be low, given the difficulty of collecting accurate and comprehensive information on each reported case of arrest. Fewer new cases of long-term judicial imprisonment were reported in 2011 relative to previous years. Instead, the authorities appeared to favor extralegal tactics in silencing dissenting voices. Beginning in February, after calls for a Tunisian-style “Jasmine Revolution” in China appeared online, security forces carried out a campaign of abductions and disappearances that targeted dozens of bloggers, activists, and lawyers, making it one of the worst crackdowns on dissent in years. The most prominent of the detainees was artist and blogger Ai Weiwei, who was abducted in April and held incommunicado for over 80 days. In November, he was forced to pay 8.7 million yuan (\$1.3 million) as part of an apparently politically motivated tax case; the final results of the case were pending at year’s end. Many of the detainees reported being beaten, deprived of sleep, and forcibly medicated while in custody. As a condition of release, they were instructed to limit their public statements and advocacy, particularly via social media. The harsh extralegal crackdown generated a significant chilling effect, with many of those who had been

detained remaining unusually silent for several months. Not all of those abducted were ultimately released. Chen Wei, an activist from Sichuan Province who was detained in February 2011, was sentenced in December to nine years in prison on charges of “inciting subversion,” having written several prodemocracy articles for overseas websites.

In an indication of the harsh treatment faced by some imprisoned online dissidents, Zhang Jianhong (also known as Li Hong) died at the end of 2010 as a result of a medical condition that deteriorated badly as he served a six-year prison term for his online writings. Prison officials had finally released him on medical parole in June 2010, at which point he was permanently on a respirator.

In recent years, journalists have also faced growing violence from nonstate actors. As in 2010, one journalist was killed under such circumstances during 2011. Li Xiang, a television reporter in Henan Province, was stabbed to death in September by unidentified thugs. The authorities described the murder as part of a robbery, but bloggers raised concerns that it was linked to Li’s reporting on a food-safety scandal involving tainted cooking oil.

Members of religious and ethnic minorities are subject to particularly harsh treatment for their online activities, writings, or efforts to disseminate information that departs from the CCP line. Several of the journalists serving the longest prison terms in China are Uighurs and Tibetans. In addition to journalists, ordinary Tibetans, Uighurs, and Falun Gong practitioners have been imprisoned for accessing, possessing, or transmitting banned information. On several occasions during the year, local authorities completely shut down communications networks in Tibetan areas of Sichuan Province, where self-immolations to protest Chinese repression had occurred. In Inner Mongolia, people who disseminated text messages about large-scale protests in May 2011 were summoned by the authorities.

Chinese authorities continued to make substantial investments in media platforms designed to spread state-sanctioned messages overseas. The official Xinhua News Agency launched an English-language news channel to broadcast internationally, and the state-run *China Daily* expanded its foreign operations. At the same time, conditions for foreign journalists and publications in China remained severely restricted and fell short of international standards. In September, censors ripped the back pages out of copies of *Newsweek* to remove an interview of Ai Weiwei. On several occasions in 2011, police or security agents assaulted foreign correspondents who were trying to cover newsworthy events. Since 2007, foreign journalists have been free of internal travel restrictions in most areas and allowed to conduct interviews with private individuals without prior government consent. However, the looser rules do not apply to correspondents from Hong Kong, Macau, or Taiwan. In addition, travel to Tibet and other politically sensitive regions still requires prior approval and close supervision by authorities. During the year, access for foreign journalists to Tibet and Tibetan-populated regions of neighboring provinces was especially restricted.

Thee CCP’s robust censorship apparatus was unable to completely stop the circulation of unfavorable news in 2011, particularly given the prevalence of microblogs, online circumvention tools, and overseas Chinese news outlets. Although Twitter remains blocked in China and domestic microblogging services engage in government-directed censorship, the latter have nonetheless rapidly grown in influence as a source of news and an outlet for public opinion, in part because the rapid sharing of information among microblog users sometimes outpaces censors’ deletions. In one of the most notable examples from 2011, journalists defied censorship orders to avoid critical coverage of the fatal high-speed rail crash in July, with some printing prominently placed lists of incisive questions to the government about the crash. This reporting

was spurred by microblog activity, as citizens circulated real-time updates and photographs of the incident, injured passengers, and official attempts to bury a damaged train car. Official sources were ultimately forced to change their version of events and initiate a more in-depth investigation into the causes of the crash.

A growing number of Chinese use proxy servers to circumvent internet restrictions and receive illegal satellite transmissions. Although the Chinese authorities continue to jam radio broadcasts by U.S. government-funded stations such as Radio Free Asia and Voice of America, dedicated listeners access them online with the use of circumvention tools. Meanwhile, the Hong Kong-based independent station iSun TV and the New York-based New Tang Dynasty Television, run by Falun Gong practitioners, broadcast uncensored news into China via satellite.

Media outlets are abundant in China, but the measured reforms of recent decades have allowed the commercialization of outlets without the privatization of ownership. Some publications have private investors, but a majority stake is required by law to be retained by the government. Most cities feature at least one newspaper published by the local government or party branch, as well as more commercialized subsidiaries whose revenue comes from advertisements rather than government subsidies. Some observers argue that the commercialization of the market has shifted the media's loyalty from the party to the consumer, leading to tabloid-style and sometimes more daring reporting. Others note that the reforms have opened the door for economic incentives that serve to reinforce political pressure and self-censorship, as publications fear the financial costs of being shut down by the authorities or losing advertising should they run afoul of powerful societal actors. In 2011, Chinese leaders appeared to be retreating from the commercial reforms, prioritizing propaganda over commercial viability and consumer demand. Particularly notable were a series of new government regulations restricting entertainment programming. These included a one-year suspension in September for *Super Girl*, one of the country's most popular television shows. The talent-competition program had already faced a ban on text-message voting by viewers since 2007, apparently because the quasi-democratic process unsettled the authorities. Another 2011 regulatory decision mandated that, beginning in January 2012, provincial satellite television stations would be allowed to air only two entertainment shows of no more than 90 minutes per week during prime time. In the most extreme example of restrictive regulations at the local level, authorities in Chongqing forced the city's satellite television station to replace all commercials with propaganda clips in March, causing viewership to drop dramatically and the managers to dismiss dozens of employees due to the loss of revenue.

The prevailing salary arrangements generally pay journalists only after their stories are published or broadcast. When a journalist writes an article that is considered too controversial, payment is withheld, and in some cases the journalist must pay for the cost of news gathering out of pocket. A small number of elite media outlets combat such deterrents to aggressive reporting by paying journalists even for reports that are subjected to censorship. This has resulted in a few outlets championing popular causes and printing embarrassing exposures of official malfeasance, though personnel who engage in such journalism can be fired or arrested. Corruption among Chinese journalists continued in 2011, and it remained common for public relations firms to pay journalists for attending press conferences.

China is home to the largest number of internet users in the world, with the figure surpassing 500 million, or approximately 38 percent of the population, in 2011. Over 200 million were active on domestic microblogging services by the end of the year. However, the government has also implemented the world's most sophisticated and multilayered apparatus for

censoring, monitoring, and manipulating online content. Nationwide technical filtering restricts users' access to uncensored information hosted outside of China, contributing to citizens' limited awareness of global events such as the Arab Spring protests in the Middle East. One of the most important functions of the filtering system has been to permanently block international social media applications like the video-sharing website YouTube, the social-networking site Facebook, and the microblogging platform Twitter. With such services out of reach, domestic equivalents have gained popularity, but they are legally liable for content posted by users and risk losing their business licenses if politically sensitive information is circulated widely. The firms consequently employ automated programs and thousands of human censors to screen user-generated content and delete relevant posts per CCP directives. One academic study of censorship across nearly 1,400 blog-hosting and bulletin-board platforms estimated that 13 percent of posts were deleted, many within 24 hours of a particular term becoming sensitive or indicating the potential for collective action. Foreign internet companies whose websites are accessible in China have also cooperated with the Chinese government on censorship enforcement. Throughout 2011, top officials—including members of the powerful CCP Politburo Standing Committee—made personal visits to leading internet companies to call for tighter controls. In December, authorities in Beijing, Shanghai, and other major cities announced rules requiring microblog users to register with their real names, though these measures had not been fully implemented by year's end. The authorities have also taken steps to actively guide online discussion. Since 2004, CCP and government officials at all levels have recruited and trained an army of paid web commentators, known informally as the Fifty Cent Party. Their tasks include posting progovernment remarks, tracking public opinion, disrupting or diverting criticism, and participating in online chats with officials to provide the appearance of state-citizen interaction.

Despite these efforts, owing to technological advancements and the dedication of domestic and overseas activists, the suppression of information has become more difficult in recent years. The sheer volume of internet traffic and the speed with which information can spread—particularly via microblogging platforms—has created some opportunities for exposure of local corruption and open political discussions, so long as taboo keywords are avoided and sensitive news is spread before censors can react. During 2011, major focal points of user activism included a notorious hit-and-run case involving the son of a powerful official, a campaign to identify abducted children, a bid to name and shame corrupt officials based on their luxury watches, and efforts by independent candidates to run for local council seats.

For a more comprehensive assessment of internet freedom in China, see the country chapter in Freedom on the Net 2012.

Colombia

Status: Partly Free

Legal Environment: 11

Political Environment: 28

Economic Environment: 16

Total Score: 55

Survey Edition	2007	2008	2009	2010	2011
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Total Score, Status	57,NF	59,PF	59,PF	60,PF	56,PF
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Press freedom is guaranteed by Colombia’s 1991 constitution, and there was modest improvement in the media environment in 2011. However, attacks and threats against reporters persisted, primarily in provincial areas. Defamation continues to be an issue, and in June the Supreme Court upheld provisions in the penal code on criminal defamation, ruling that they did not contradict the country’s international obligations. There was one major defamation case in 2011. In September, columnist Luis Agustín González of the newspaper *Cundinamarca Democrática* in Fusagasugá was convicted of libel and slander for a 2008 editorial about a gubernatorial candidate. He was sentenced to 20 months in prison, but his case was under appeal at year’s end.

Also in September 2011, the government proposed a new electoral code containing multiple regulations on political communication during election periods. The draft rules included restrictions on political and state advertising, campaign expenses, electoral information, opinion polls, and contracting. Article 75 of the bill requires impartiality, equity, balance, and pluralism in election news, as well as reports on campaigns to the National Electoral Council. Articles 136 and 138 prohibit any electoral advertising, rallies, communiqués, or political interviews on the day of the election, and no public affairs programming supporting candidates or political parties is allowed. Many media experts believe that these regulations would be unconstitutional, and due to continuing debate, the proposals had not been passed by year’s end. Antidiscrimination laws and economic norms against misleading advertising also concerned media experts in 2011. A proposal in the Senate to revive professional memberships and identification cards for journalists, as well as sanctions for reporters through honor tribunals, drew criticism for its apparent contravention of national and international jurisprudence.

The constitution guarantees the right to freedom of information—for individuals and political parties—in Articles 15, 74, 78, and 112. The 1985 Law Ordering the Publicity of Official Acts and Documents stipulates that any individual may examine and request a copy of actual documents held by government agencies. The only exceptions are for documents protected by the constitution, by another law, or by the government for security purposes.

Two official bodies are responsible for regulating and licensing the broadcast media. The Ministry of Communications regulates the licensing of radio outlets, while the nominally independent National Commission on Television (NCT) handles the television sector. The NCT is extremely politicized in practice, and often distributes licenses based on political motives. No licensing is necessary for print media.

Death threats via pamphlets, telephone calls, and mailed messages are common in Colombia, especially in response to reporting on sensitive topics. Consequently, self-censorship remains a serious problem, particularly in rural settings and during elections. Topics considered sensitive include corruption, local mafias, issues of public order, and extrajudicial executions. In rural or provincial areas, criminal gangs and paramilitary groups target journalists, human rights defenders, community leaders, trade unionists, organizers of displaced persons, and those seeking land restitution. In May 2011, the Black Eagles paramilitary group threatened the president of the Colombian Federation of Journalists (FECOLPER) and other prominent journalists in the country as a result of their reporting. A number of media outlets—including Radio Nasa in Toribío and La Voz del Cañaguate in Valledupar—were also attacked in 2011, and dozens of incidents of harassment of individual reporters were recorded by local press freedom organizations. Other journalists, such as Gonzalo Guillén in Bogotá in July, suffered

break-ins at their offices or homes, with perpetrators stealing files or computer equipment to prevent the publication of sensitive stories. There were increased media restrictions during the local elections in October. Journalists reported being harassed by political candidates, but this occurred mostly in regions where armed conflict was more intense.

One journalist was killed in 2011. In June, freelancer Luis Eduardo Gómez, the celebrated “father of journalism” in the conflict-racked region of Antioquia, was fatally shot by an assailant on a motorcycle, most likely for his investigations of corruption among paramilitary groups, local authorities, and politicians. Two journalists left the country in 2011 as a result of threats. In July, Félix de Bedout of La W Radio left the country to work in the United States after a decade of reporting official wrongdoing and corruption. In August, Mary Luz Avendaño of *El Espectador* and *Hora 13 Noticias* in Medellín left the country after being threatened by city police members allied with drug gangs and corrupt public officials. Five more reporters abandoned their regions due to intimidation. The Human Rights Division of the Ministry of Interior and Justice provided protection to over 200 journalists through a dedicated program during 2011.

In a major step against impunity, the Attorney General’s Office confirmed accusations implicating former congressman Francisco Ferney Tapasco González, suspected material assassin Henry Calle Obando (alias “Botija”), and brothers Fabio and Jorge Hernando López Escobar in the 2002 murder of journalist Orlando Sierra, deputy director of the daily *La Patria*. Hit men Luis Miguel Tabares and Luis Arley Ortíz had already been convicted for the crime. In a number of other cases, relatives of murdered journalists and human rights monitors filed appeals at the Inter-American Court of Human Rights in 2011 because the statute of limitations in Colombia had expired after 20 years of impunity.

Media ownership is highly concentrated among groups of private investors, and television is the dominant news medium. Independent and privately owned print and broadcast media are generally free to express a variety of opinions and cover sensitive issues without official restrictions. All print media in Colombia are privately owned. The government operates one educational and two commercial television stations, along with a national radio network. There are hundreds of community radio stations, although they sometimes receive pressure from the government and armed groups. Officials from the region of Magdalena attempted to impede the flow of news and information in June 2011 by purchasing an entire Sunday edition of the Barranquilla daily *El Herald*. In October, government officials collected all issues of *El Informador* before its distribution to suppress an exposé about a mayoral candidate. There is a widespread perception that journalists accept bribes in exchange for biased coverage. Local media depend heavily on advertising by regional and municipal government agencies to stay in business, encouraging collusion among media owners, journalists, and officials.

There are few government restrictions on access to the internet, and 40 percent of the population had regular access in 2011. An increasing share of the public is using social-networking websites such as Facebook, and digital communication is a new and effective tool against censorship, violence and repression, administrative corruption, drug trafficking, and ecological destruction for many journalists. A recent study identified 88 exclusively digital news organizations, operating mostly in Bogotá, Antioquia, Atlántico, Santander, and Valle del Cauca. However, local multimedia outlets have complained of personal harassment, hacking, e-mail threats, and stolen or damaged equipment. A recent proposal in the Senate aimed to regulate online copyright infringements and give internet service providers the power to either remove or block content that is considered to violate exclusive rights, without a court order.

Comoros

Status: Partly Free

Legal Environment: 14

Political Environment: 19

Economic Environment: 15

Total Score: 48

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	48,PF	54,PF	50,PF	50,PF	48,PF

The 2001 constitution protects freedom of speech and of the press, but the Comorian government partially restricts these freedoms in practice. Journalists are subject to harsh defamation laws, and self-censorship is reportedly widespread. The authorities have in past years arrested journalists, seized newspapers, and silenced broadcast outlets for reports that were found to be objectionable, although these practices have been less common since President Ahmed Abdallah Sambi took office in 2006. Former vice president Ikililou Dhoinine was sworn in as Sambi's successor in May 2011, after winning a December 2010 election.

In the past, the media environment has varied considerably among the union's three islands, with slightly greater levels of freedom on Grand Comore and Moheli and greater levels of repression on Anjouan. Since the removal of renegade Anjouan president Colonel Mohamed Bacar by an African Union (AU) military force in 2008, all journalists in detention on the island have been released, and there have been no reports of media harassment. In March 2011, Ali Moindjié, editor of *Al-Balad*, a privately owned daily newspaper, and Hadji Hassanali, editor of bimonthly *La Tribune des Comores*, were charged with "publishing false news" by a public prosecutor in the capital Moroni, located on Grand Comore. The charges stemmed from reports that Dhoinine's inauguration might be delayed past the scheduled May 26 date. The prosecutor alleged that these reports, which were politically sensitive due to allegations by the opposition that the presidential transition was being dragged out in order to extend Sambi's term in office, were "of a nature to trouble public order."

Comoros has six independent newspapers and one state-owned weekly, *Al-Watwan*. In addition to the state-owned Radio Comoros and Television Nationale Comorienne, several other regional and private stations have proliferated in recent years and are funded predominantly by donations from locals as well as from citizens living abroad. The Anjouan regional government operates its own stations under Radio-Television Anjouanaise. Public radio from the French island of Mayotte, as well as metropolitan France's Radio France Internationale, are also available in some areas.

Although the internet is available and unrestricted by the government, poverty, illiteracy, and a poor telecommunications infrastructure limited access to 5.5 percent of the population in 2011.

Congo, Republic of (Brazzaville)

Status: Partly Free

Legal Environment: 16

Political Environment: 22

Economic Environment: 17**Total Score: 55**

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	51,PF	51,PF	53,PF	54,PF	54,PF

There was little change in the press freedom environment in the Republic of Congo in 2011. The constitution and the law recognize freedom of the press, but certain types of speech, such as incitement of violence or ethnic hatred, are criminalized and carry monetary penalties. The law provides for revoking the accreditations of journalists at government and foreign-owned media outlets if their reporting reflects adversely on the government's image, although there have been no reports of such revocations in recent years. Since May 2010, when the High Council on Freedom of Communication issued new censorship orders, several newspapers and broadcasters have run afoul of the regulatory body. The weeklies *Le Trottoir* and *Le Choc* as well as Forum TV and Radio received suspensions for critical commentary of the government in 2010. In December 2011, two private weeklies, *L'Amicale* and *La Voix du Peuple*, were shut down for six and three months respectively for allegedly inciting hatred and ethnic division. *L'Amicale's* suspension resulted from its reporting on the large number of President Denis Sassou-Nguesso's Mbochi ethnic group in powerful government positions; *La Voix du Peuple* was accused of defaming a nephew of the president and "incitement to tribal hatred" for an exposé on nepotism and abuses by some members of the Mbochi ethnic group in the government.

The government under Sassou-Nguesso has a long history of human rights violations, including extrajudicial killings, arbitrary imprisonment, abuse of detainees, official impunity, and restrictions on freedom of the press and freedom of association. In 2009, journalist and activist Bruno Jacquet Ossébi died of injuries sustained in a house fire that killed his companion and her two children. Ossébi had recently reported on corruption in the management of Congo's oil wealth. The Brazzaville fire service identified the cause as a short circuit, although in a subsequent interview with the Committee to Protect Journalists (CPJ), the commander of the Brazzaville fire rescue center admitted that the finding was not based on a forensic investigation. The fire coincided with a similar fire at the house of exiled dissident Benjamin Toungamani in France. Toungamani and Ossébi had been planning to join an international lawsuit against Sassou-Nguesso. Ossébi's death was ruled an accident, and no further developments in the case have subsequently come to light. Reports of harassment of journalists continue to surface. In 2010, Jean-Claude Mbongolo, director of the satirical weekly *La Rue Meurt*, received threats over his coverage of the Movement for Democracy and Integral Development (MDCCI), a party allied with the ruling Congolese Labor Party (PCT).

Most Congolese get their news from television and radio. There are 39 television stations in Congo, of which 15 are privately owned. State-run Télé-Congo generally expresses the government's views, and a number of private channels are owned by government officials and their relatives. However, there have been reports that some of the other private channels have been more critical of the government in recent years. Of the country's 23 radio stations, 4 are owned by the government. Congo's first community radio station, Radio Biso na Biso, commenced operations in 2009, serving predominantly rural communities in the Congo Basin in 12 indigenous languages. Print media are more independent and critical, occasionally publishing letters from opposition leaders, but are heavily concentrated in Brazzaville and do not reach far into rural parts of the country.

The internet and satellite TV are unrestricted but not widely used, with only 5.6 percent of population having access to the internet in 2011. Prospects for increased internet penetration improved in 2011 with the introduction of broadband in Brazzaville as part of the submarine fiber optic West Africa Cable System (WACS) project. In August 2011, a France-based prodemocracy blogger critical of the government, Eric Patrick Mampouya, was detained, questioned, and had his passport confiscated on his arrival in Brazzaville; he was released after 10 hours with a warning to adhere strictly to the law.

Congo, Democratic Republic of (Kinshasa)

Status: Not Free

Legal Environment: 25

Political Environment: 34

Economic Environment: 24

Total Score: 83

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	80,NF	81,NF	81,NF	81,NF	81,NF

The state of press freedom in the Democratic Republic of Congo (DRC) remained deplorable in 2011, with historical structural weaknesses compounded by widespread intimidation of journalists in connection with the country's November presidential and parliamentary elections.

The laws of the DRC and the country's 2005 constitution provide for freedom of speech, information, and the press, but these rights are limited in practice by President Joseph Kabila's government and various nonstate actors. Officials have used an array of regulations and laws to restrict free speech and suppress political criticism, including bringing criminal charges against journalists and shutting down broadcast operations. Several journalists were charged under the DRC's repressive criminal defamation laws in 2011. Of note was the month-long sentence handed down in June to Freddy Mulumba Kabwaya, managing director of one of Kinshasa's largest private daily newspapers, *Le Potentiel*, for defamation against a leading politician. Journalists were also subject to a range of vague anti-state charges. For instance, Dédé Ilunga, a reporter for Radio Océan, was held for 17 days in September as a result of his criticisms of the government. Another recent legal trend has seen national authorities closing down media outlets due to alleged unpaid taxes and fees. In May, private TV station Radio Télé Kin Malebo (RTKM) had its offices closed and its signal suspended for not paying about \$850,000 in taxes; similarly, five community and faith-based radio stations were shuttered in November—one week before the elections—for allegedly failing to pay license fees of \$15,000. On December 31, French station Radio France Internationale had its broadcasts suspended by the communications minister for about a week for its critical coverage of events after the elections.

Local media outlets are subject to regulation by the High Authority on Media (HAM). The agency's mandate is to ensure freedom of expression, but it has the power to temporarily suspend outlets for hate speech and other serious ethical transgressions, and its decisions have at times been criticized as politically biased. In October 2009, the National Assembly passed a bill establishing yet another regulatory agency, the High Council for Broadcasting and Communication (CSAC); Kabila appointed the CSAC's 15 members in August 2011.

In September, in an effort to provide a semblance of balanced coverage of the election campaign, the media and political parties signed a CSAC code of conduct that called for open access to media coverage for all presidential candidates and the elimination of hate speech. The 11 presidential candidates received an hour each on national outlets and private stations, as well as time on Radio Okapi, an independent radio station funded by the UN peacekeeping mission and other international donors. However, the European Union election observer mission noted that media coverage of the candidates was significantly preferential to Kabila in the lead-up to the elections, with the incumbent receiving more than 85 percent of television airtime. In December, Congolese press freedom group Journaliste en Danger (JED) called for the closure of the CSAC due to its frequent manipulation by politicians and apathy in following up on basic instances of press freedom violations.

The trend of attacks and harassment that journalists have faced in the past continued in 2011. Reporting that was perceived as sympathetic to opposition parties faced the worst intimidation. One journalist was killed in the DRC in 2011, bringing to nine the number of journalists killed in the country since 2005, according to Reporters Without Borders and JED. In June, radio journalist Kambale Musonia was gunned down in North Kivu province by armed men who were waiting for him as he returned home. Also, in March, technician Hardy Kazadi Ilunga of Radio-Télévision Mosaique was murdered in front of his house in the southern town of Likasi by assailants wearing police uniforms.

Frequent harassment of journalists in the country comes from multiple sources, including national and local government officials, the security services, and nonstate actors. Government officials and security agents throughout the country frequently harass journalists and media outlets via the National Intelligence Agency (ANR). In August 2011, Yves Kisombe, a member of the National Assembly, threatened to rape Radio Télévision Satellitaire 1 (RTVS1) editor in chief Eugénie Ntumbain after she made an audio recording of a phone conversation in which she asked for his comments on the opposition's call for transparent elections. Dozens, if not hundreds, of journalists were detained in the DRC during 2011, often arrested with no warrants and held on unclear charges. Also, local authorities were frequently responsible for the intimidation of journalists. In February, the community radio station Radio du Peuple Oïcha, in Beni, North Kivu province, was forced to close down after angering the deputy provincial administrator by hosting a call-in show in which citizens lamented the worsening state of security in the area. In June, arsonists in support of the provincial governor raided and burned down part of the private network Radio Télévision Lubumbashi JUA, allegedly because of its broadcasts questioning his leadership. Nonstate actors, including armed groups, also subjected journalists to threats and abuse. Radio host Baby Balukuna, a supporter of opposition presidential candidate Etienne Tshisekedi, was attacked by a mob of men with machetes and sticks in June. Journalists working in the war-torn east of the country, especially in the Kivu provinces, where a multiyear military offensive against foreign-origin armed groups is ongoing, were particularly vulnerable to threats and self-censorship.

Attacks on journalists worsened significantly in November and December, when dozens of journalists reported incidents and the government enacted tight controls to cope with pre- and postelection turmoil. As the presidential campaigns reached a head in November, journalists reported increased instances of harassment, including threats, beatings, intimidation, and confiscation of equipment. Various provincial governors began censoring television and radio programs, including international outlets. In Kinshasa, two television channels, Canal Futur Télévision (CFTV) and Radio Lisanga Télévision (RLTV), had their broadcast signals

disconnected, widely believed to be the result of their support for opposition politicians. As the election unfolded on November 28, violence, repression, and arrests continued. Journalists were widely detained and questioned, and opposition party television stations, such as RLTV, were raided and overtaken by national authorities and members of the CSAC. International media outlets, such as Jeune Afrique, also reported being barred from entering the country.

The population of the DRC largely relies on radio broadcasts for the news, due to high rates of illiteracy and the relatively high cost of newspapers and television. Many private newspapers are nevertheless published, particularly in Kinshasa, and although they are not always objective, they are often highly critical of the government. There are several hundred privately owned radio and television stations, in addition to three state-owned radio stations and a state-owned television station. The state broadcasters reportedly favor Kabila’s party, though other political parties represented in the government are occasionally given airtime. The only nationwide independent radio network, Radio Okapi, has set new standards for reporting and media objectivity in a volatile political scene. Many media outlets are reportedly owned by public figures and businessmen, and are used for political propaganda rather than objective reporting. Journalists at major outlets are usually poorly paid and lack sufficient training, leaving them vulnerable to bribery and political manipulation.

While internet access has spread in urban areas thanks to the proliferation of private internet cafés, only 1.2 percent of the population accessed the internet in 2011. The government was widely criticized by journalists’ and human rights groups for its decision to suspend text-messaging capabilities across the country from December 3 to December 28. The government claimed the move was necessary to “to maintain public order and protect the safety of property and people” in the wake of disputes and protests over the presidential election results.

Costa Rica

Status: Free

Legal Environment: 5

Political Environment: 8

Economic Environment: 6

Total Score: 19

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	20,F	19,F	19,F	19,F	18,F

Costa Rica’s constitution guarantees press freedom, and this right is generally upheld. However, punitive press laws, particularly concerning defamation, are occasionally used to restrict the operations of the media. In 2004, the Inter-American Court of Human Rights overturned the 1999 conviction of a Costa Rican journalist for criminal defamation, ruling that the country needed to amend its outdated criminal defamation laws. In addition, in a landmark ruling in February 2010, the Supreme Court eliminated a provision from the country’s anachronistic 1902 printing press law that had imposed prison sentences for defamation. And in December 2011, the Costa Rican courts created an appeals process for overturning criminal libel sentences. However, despite these advances and calls for further reform, journalists remain vulnerable to criminal charges for defamation, with punishments including excessive fines and

the placing of one's name on a national list of convicted criminals. The constitution also reserves for readers the right of reply to newspapers in response to information that the readers deem incorrect or egregious. The parliament in 2011 continued to postpone discussion of a bill that would expand the scope of the right of reply from information to opinions. The Inter American Press Association has warned that the bill could reduce press freedom and freedom of expression.

Accessing government information continues to be difficult. In 2011, a bill before the legislature related to transparency and access to information was dismissed, and discussion of the Freedom of Expression and Press Freedom Bill, originally introduced in 2002, was postponed yet again. Local journalism groups criticized a measure announced by the government that would limit the number of journalists attending the president's weekly press conference and the number of questions they would be allowed to ask.

Journalists are not often victims of physical threats or violence in Costa Rica. However, the Journalists' Union of Costa Rica sent a letter to President Laura Chinchilla complaining of aggressive behavior by her security staff toward journalists during 2011. Separately, a reporter with the *Diario Extra* was physically attacked on December 28 by a private security guard while attempting to cover a public annual holiday event.

Costa Rica has a vibrant media scene, with numerous public and privately owned newspapers, television outlets, and radio stations. There are nine major newspapers, and cable television is widely available. Radio is the most popular outlet for news dissemination. The press is relatively free to cover sensitive political and social issues, and to openly criticize the government. Private media ownership is highly concentrated, however, and tends to be conservative.

The internet served as an additional source of unrestricted information and was accessed by more than 42 percent of the population in 2011. New online news organizations have become very popular.

Côte d'Ivoire

Status: Not Free

Legal Environment: 20

Political Environment: 31

Economic Environment: 19

Total Score: 70

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	68,NF	66,NF	67,NF	66,NF	68,NF

Since the onset of civil conflict in 2002, press freedom has generally not been respected in Côte d'Ivoire, despite constitutional protections. While gradual improvements had been seen over the previous few years, with a reduction in the number of attacks on the media and a tentative opening of the space for independent reporting, the situation deteriorated in connection with the long-delayed presidential election held at the end of 2010. The incumbent, Laurent Gbagbo, refused to relinquish power after losing to opponent Alassane Ouattara, leading to a protracted conflict in which both men claimed the presidency. Ouattara finally assumed power in April

2011, and Gbagbo was arrested, but the fighting left 3,000 people dead and an estimated one million displaced.

While imprisonment for defamation was abolished in 2004, defaming the head of state or other state institutions is still punishable by fines of up to 20 million CFA francs (\$44,000). During the postelection violence in 2011, journalists were arrested on a regular basis and imprisoned for a variety of offenses. In January, two journalists were held for 20 days on allegations of rebellion and threatening national security. Even after Ouattara assumed the presidency in April, journalists who criticized him often faced a similar fate. In July, Hermann Aboa, a presenter on the national broadcaster, Radiodiffusion Télévision Ivoirienne (RTI), was arrested and put in a military detention facility on charges that included inciting racial hatred. He was provisionally released in December after persistent pressure from international press freedom organizations. Also in December, three journalists with the pro-Gbagbo newspaper *Notre Voie* were charged with “inciting theft, looting, and destruction of property in the media,” but were cleared after 13 days in custody.

Media regulatory bodies were frequently used to control critical journalism during the year. In February 2011, Gbagbo replaced the entire leadership of the National Press Council (NPC), which is responsible for regulating the print media, with his supporters. The council then fined, suspended, and banned pro-Ouattara outlets, including *Le Nouveau Réveil* and *Nord-Sud*. The former head of the NPC had resisted government pressure to forcibly close such outlets following the 2010 election. After Ouattara assumed power, his administration continued to use the NPC as a political tool, filling it with staunch supporters who worked to suppress opposition voices. The pro-Gbagbo *Le Temps*, in particular, was targeted multiple times by the Ouattara administration and repeatedly suspended on accusations of inciting hatred.

Throughout the postelection crisis, control of information available to the public was of the highest importance to both sides, putting the media and journalists squarely in the middle of the conflict. Gbagbo’s camp violently attacked and threatened journalists who recognized Ouattara’s presidency; raided and often torched the offices of opposition media houses; banned all international media, including Onuci FM, a UN radio station, from operating and broadcasting inside the country; and attacked and prevented Edipresse, the country’s main newspaper circulation service, from distributing newspapers. There were numerous reports of journalists and newscasters being killed by both sides. Pro-Ouattara forces were reportedly responsible for the violent death in February of Marcel Légré, an operator at La Réfondation Printing Press, which produced *Notre Voie*. Near the end of the conflict in early April, pro-Ouattara forces attacked and virtually destroyed the offices of RTI, which had been operating as a source of pro-Gbagbo propaganda. The United Nations and other international organizations had previously criticized Gbagbo for his use of RTI and state-owned *Fraternité Matin* in a calculated campaign of disinformation about the opposition and the UN-led peacekeeping force. RTI journalists fled and broadcast intermittently from a truck. Ouattara’s eventual success in blocking the dissemination of pro-Gbagbo media represented a significant turning point in the conflict.

Although the pro-Gbagbo forces were defeated in April, the situation for the media did not markedly improve. Instead, forces loyal to Ouattara continued to directly target pro-Gbagbo journalists. In late April, the offices of La Réfondation were destroyed in an arson attack attributed to Ouattara’s vigilante security forces. These groups also controlled a number of the formerly pro-Gbagbo media outlets for months. Many outlets relocated to other sites and were not able to resume distribution until late May. Also that month, Sylvain Gagnetaud, a pro-

Gbagbo journalist, was arrested and executed by Ouattara supporters. A hit list of pro-Gbagbo journalists reportedly circulated after Ouattara officially became president, and his government stated that it would prosecute journalists involved in the Gbagbo regime's propaganda operation.

Côte d'Ivoire has a history of vibrant reporting despite its unstable political situation. However, the media became extremely polarized during the postelection conflict, as journalists were harassed and intimidated into taking sides; very few were able to remain independent in their coverage. By the end of the year, opposition outlets were still recovering, and the pro-Ouattara camp dominated the information landscape; RTI was directly controlled by the Ouattara administration, and *Fraternité Matin* switched allegiance after Gbagbo's arrest. The new broadcast regulator, the High Commission for Audiovisual Communication (HACA), stated that safeguards had been put in place to prevent RTI from resuming a divisive role.

State-run media comprise the largest radio stations, including the only one with national reach, the largest daily newspaper, a news agency, and the national television broadcaster, RTI. With three public radio stations and more than 100 low-power, noncommercial stations, radio is the most popular medium in Côte d'Ivoire, though a 2004 press law prohibits the transmission of any political commentary by private radio outlets. There are about 20 daily papers, more than 30 weeklies, and several monthly journals available. Although most newspapers are privately operated, politicians and politically engaged businessmen have a considerable share in their ownership. The government-controlled daily newspaper, *Fraternité Matin*, has the largest circulation among print media and rarely criticizes the government, but a number of private papers compete with it and contain more critical coverage. Foreign media are generally accessible, though during the postelection conflict all international stations were suspended.

While only 2.2 percent of the population was able to access the internet in 2011 as a result of infrastructure limitations, online news sites and particularly blogs are becoming a more popular source of information among urban Ivoirians. Gbagbo's administration restricted mobile-telephone communications after the election and through the first half of 2011. The Côte d'Ivoire Telecommunications Agency (ATCI) announced its intention to block access to several independent and anti-Gbagbo websites early in the year, but the sites remained unblocked. This period also represented the first time bloggers were targeted for harassment and punishment by the Ivoirian government.

Croatia

Status: Partly Free

Legal Environment: 9

Political Environment: 16

Economic Environment: 15

Total Score: 40

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	37,PF	36,PF	38,PF	40,PF	41,PF

Croatia is currently in the process of accession to the European Union (EU), which has exerted some pressure on the government to fight corruption and provide the conditions for independent media. As amended in June 2010, the constitution recognizes the right to information as well as

freedom of the press. Nevertheless, the state has often tolerated harassment of journalists and used legal action as a weapon against critical media outlets. There was improvement in this area in January 2011, when a Zagreb criminal court dismissed charges brought against journalist Željko Peratović by Interior Minister Tomislav Karamarko. Over the past two years, Karamarko has initiated several cases against Peratović, accusing him of violating the confidentiality of a judicial investigation, defamation, and divulging information liable to disturb the public order. Defamation remains a criminal offense, but it is only punishable by a fine. Hate speech, however, carries a maximum prison sentence of five years.

Despite the country's Act on the Right of Access to Information, journalists continue to find it difficult to request and acquire information, including material that is open to the public domain, from the government. Amendments that expanded the definition of classified information in late 2010 raised further concerns about the law's implementation.

Broadcast licenses are handled by the Croatian Telecommunications Agency, which has been criticized by media analysts for its lack of both transparency and independence from political control. The Croatian Journalists' Association, representing more than 90 percent of the country's journalists, has a code of ethics to which the majority of journalists adhere, and reviews complaints from individuals and institutions. However, it is anticipated that a new body established in 2011, the Council for Media, with a membership of nearly 90 percent of Croatian media outlets, will handle such complaints beginning in January 2012. The council will be able to issue reprimands published in all of the members' outlets, with the goal of enhancing the credibility of the media.

Reporters, especially those covering corruption and organized crime, face harassment and attacks as a result of their work. In many cases, little is done to hold the immediate culprits accountable, let alone the organizers behind the attacks. In June 2011, three years after a brutal beating left journalist Dušan Miljuš with facial injuries, a broken arm, and a concussion, prosecutors withdrew all charges against the two individuals detained in his case due to lack of evidence. In September, in reaction to a story carried by *Večernji List* on illegal party finances and electoral campaigns, police summoned one of the authors, Josip Bohutinski, to testify. When Bohutinski refused to reveal his sources, Prime Minister Jadranka Kosor announced that whistleblowers had to be found and that a thorough investigation would be carried out. In December, journalist Drago Hedl received death threats just one day after accepting an award from President Ivo Josipović for defending human rights. Due to his investigations into war crimes committed during the 1990s, Hedl had been physically attacked, targeted by lawsuits, and repeatedly threatened with death over the years.

The state-owned public broadcaster, HRT, is funded by advertising and a license fee. During 2011, journalists working for HRT continued to face considerable pressure from political parties and business groups. HRT is also criticized for censoring and suspending programs without explanation, top-down appointment of editors without professional credibility, public suspension of journalists, lack of transparency, and a lack of respect for professional standards. Over the past three years, the broadcaster has faced serious managerial difficulties. At the end of 2009 and the beginning of 2010, the head of HRT, Vanja Sutlić, and the chief editor of the news programming division, Hloverka Novak-Srzić, were dismissed by HRT's program council after a petition signed by thousands of citizens accused the two of censorship and violation of laws on freedom of expression. However, in July 2010 the program council appointed Novak-Srzić as acting programs director over the protests of several of its members, who tendered their

resignations. Furthermore, HRT faced financial problems in 2010 that forced it to shut down its Belgrade bureau.

There are dozens of private television and radio stations, both local and national, and cable and satellite access is common. Many private media owners allegedly hold interests in nonmedia businesses, creating commercial and political pressure that can reduce critical news coverage of the government and influential companies. In an effort to increase the transparency of electronic media ownership, an amendment to the Electronic Media Act was adopted in July 2011. However, transparency of ownership remains an issue for both print and broadcast media. German-owned Europa Press Holdings and Austria’s Styria control most of the print media market, in apparent violation of a media law stating that no private owner should be allowed to control a market share of more than 40 percent. Poor economic conditions and a weak advertising market, along with journalists’ fear of being laid off, has led to increased self-censorship and hyperproduction, reducing the overall quality of reporting. Many media outlets avoid discussion of government fiscal policy because they fear repercussions in the form of tax claims or increases. In 2011, the Electronic Media Agency notified civil society organizations running nonprofit online newspapers that they will now be subject to an annual tax, threatening the sustainability of such outlets.

The government did not restrict access to the internet, which was used by 71 percent of the population during 2011.

Cuba

Status: Not Free

Legal Environment: 29

Political Environment: 34

Economic Environment: 28

Total Score: 91

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	96,NF	94,NF	94,NF	93,NF	92,NF

Cuba has the most restrictive laws on free speech and press freedom in the Americas. The constitution prohibits private ownership of media outlets and allows free speech and journalism only if they “conform to the aims of a socialist society.” Article 91 of the penal code imposes lengthy prison sentences or death for those who act against “the independence or the territorial integrity of the state,” and Law 88 for the Protection of Cuba’s National Independence and Economy imposes up to 20 years in prison for committing acts “aimed at subverting the internal order of the nation and destroying its political, economic, and social system.” Cuba’s legal and institutional structures are firmly under the control of the executive branch. Laws criminalizing “enemy propaganda” and the dissemination of “unauthorized news” are used to restrict freedom of speech under the guise of protecting state security. Insult laws carry penalties of three months to one year in prison, with sentences of up to three years if the president or members of the Council of State or National Assembly are the objects of criticism. The 1997 Law of National Dignity, which provides for prison sentences of 3 to 10 years for “anyone who, in a direct or

indirect form, collaborates with the enemy's media," is aimed at independent news agencies that send their material abroad.

In February and early March 2011, the last three journalists detained in the 2003 crackdown on political dissent and independent journalism known as the "Black Spring" were released. At the time, the government swept up a total of 29 journalists, tried them in secret—on broad antistate charges—and sentenced them to prison terms of up to 27 years. The end of the Black Spring raised hopes that the Cuban government might be on the verge of showing a newfound respect for media freedom. Such sentiments were reinforced by the April release of Albert Santiago Du Bouchet, the last remaining journalist in prison. Du Bouchet, head of the independent *Habana Press* agency, had been detained in April 2009 and was serving a three-year jail sentence on charges of "disrespect" and distributing enemy propaganda.

However, in a report published in July 2011, the Committee to Protect Journalists (CPJ) claimed that the government had not in fact abandoned the kind of repressive practices intended to stifle the free flow of information. The CPJ investigation found that the government continued to aggressively persecute critical journalists, using methods such as arbitrary arrests, short-term detentions, beatings, smear campaigns, and surveillance. During March and April, CPJ found that journalists were targeted in more than 50 instances of repression. Often, these journalists were detained on their way to cover a demonstration or political event and were held in local police stations for hours and in some cases days. In at least 11 cases, the arrests were carried out with violence. A particular focus of state-sponsored intimidation was *Hablemos Press*, an independent Havana-based news center. Between April and June, 14 of its correspondents were threatened and 10 briefly detained on at least one occasion. In late September, *Hablemos Press* correspondent Calixto Ramón Martínez Arias was arrested and held at the Alternative Penal Center in Havana. Martínez had already been arrested three times in 2011—on April 23, May 25 and June 2—and was said to be awaiting deportation to his home town of Camagüey. The hounding of *Hablemos Press* journalists appeared to be part of a new crackdown on anyone trying to express dissident views.

Foreign journalists continued to be censored and harassed. In April, Spanish journalist Carlos Hernando, a contributor to *El Mundo* and the maker of a short documentary about Cuban dissident journalist Guillermo Fariñas, was arrested and held for five hours in Havana. Accused of "counterrevolutionary activity," he was ordered to leave Cuba within 48 hours. In early September, the government decided not to renew the press credentials of Mauricio Vincent, a 20-year veteran correspondent for the Spanish daily *El País* and radio network Cadena SER.

The government owns all traditional media except for a number of underground newsletters. It operates three national newspapers, four national television stations, six national radio stations, and one international radio station, in addition to numerous local print and broadcast outlets. All content is determined by the government, and there is no editorial independence. Cubans do not have the right to possess or distribute foreign publications, although some international papers are sold in tourist hotels. Private ownership of electronic media is also prohibited.

Approximately 23 percent of the Cuban population accessed the internet in 2011. However, the vast majority of internet users have access only to a closely monitored Cuban intranet, consisting of an encyclopedia, email addresses ending in ".cu" used by universities and government officials, and a few government news websites. Outside hotels, only a few privileged individuals have a special permit to access the international network of the World Wide Web. The regime threatens anyone connecting to the internet illegally with five years in prison, while

the sentence for writing “counterrevolutionary” articles for foreign websites is 20 years. However, the authorities do not have the means to set up a systematic filtering system. This forces the government to count on several factors to restrict internet access, including the exorbitant cost of connections—about \$1.50 per hour from the points of access to the state-controlled intranet and \$7 per hour from a hotel to access the international network (the average monthly salary is \$20)—and infrastructural problems, particularly slow connections. The CPJ report found that many independent journalists make daily or weekly trips to foreign embassies to use free internet connections, but noted that this practice put them under further government scrutiny.

It had been hoped that a \$70 million fiber-optic cable project would open up internet access, particularly by increasing connection speeds. Work on the project, financed by the Venezuelan government and laid by the French company Alcatel-Lucent, began early in 2011 and was supposed to have been completed by the middle of the year. However, by the end of 2011, the state media was making no further mention of it, leading to speculation that the project was never completed due to corruption in the Cuban government. Despite the difficulties in gaining unfettered internet access, there is a small but vibrant blogging community. Bloggers in Cuba have yet to be jailed for their work, but they often face harassment and intimidation. Some, such as Yoani Sanchez, have also been prevented from traveling abroad to receive awards for their work.

Cyprus

Status: Free

Legal Environment: 5

Political Environment: 9

Economic Environment: 8

Total Score: 22

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	22,F	22,F	22,F	22,F	22,F

Freedom of speech and expression are guaranteed under Article 19 of the constitution. These rights are generally respected on the Greek part of Cyprus, where the independent press is vibrant and frequently criticizes authorities. The 1989 Press Law supports freedom of the press through guaranteeing the circulation of newspapers, the right to not reveal sources, and access to official information. Because there is not a formal press council, journalists must use self-regulation to deal with “complaints or noncompliance with journalistic standards.” There are some press freedom laws on the Turkish side of the island, but authorities are hostile to the independent press, and journalists can be arrested, put on trial, and sentenced under the “unjust actions” section of the criminal code.

Reports of physical attacks or harassment on the Greek side of the island are rare. In contrast, the Northern Cyprus government has frequently targeted independent newspapers and journalists who choose to cover controversial issues. Many journalists working in this region are subject to daily press freedom violations. For instance, in 2011, *Afrika*, a Turkish-language newspaper, was a major target, with four attacks against it. In February, the office was attacked

and editor in chief Sener Levent’s door was shot at, with the attacker leaving a warning that next time they would target him, not just the door. Levent also received a death threat in March, and in July, the same man went to the *Afrika* office in search of Levent and shot an employee, though he was not injured. In November, police raided the *Afrika* office and removed a banner that expressed solidarity with a general strike called by the Trade Union’s Platform because they deemed it disrespectful to the Turkish prime minister, who was visiting at the time.

There were additional cases of harassment in Northern Cyprus: in May, journalists covering a Turkish Airlines protest were subject to violence and attacks, and some had their cameras broken. Also in May, the news editor of Turkish Cypriot Kanal T Television, who was also a reporter for the daily *Kibris*, had bombs placed in his car on two separate occasions. He suffered minor injuries and believed that the attack was a result of articles he had published about city planning problems. In July 2011, Cent Mutluyakah, editor in chief of Turkish Cypriot opposition daily *Yeniduzen*, was threatened as a result of an article that he published. Though there are legal open borders, journalists based in the north are frequently denied access to the Greek part of the island, and are harassed by border guards and nationalist groups.

Cypriots have access to Greek and Turkish broadcasts throughout the island. There are 7 daily newspapers and 31 weeklies. Broadcast ownership consists of a mix between state and private operators. The Cyprus Broadcasting Corporation (CyBC), a state-funded broadcasting organization, is the main broadcaster in the Greek part of Cyprus, operating two television channels and four radio stations. There are also several monthly and other occasional publications; however, many daily newspapers are closely linked to political parties. The Turkish-controlled zone has its own press and broadcasters, and news outlets in general mirror the island’s political division. In Northern Cyprus, there are several daily newspapers available, although mainland Turkish papers are generally preferred. The government in Northern Cyprus owns the broadcaster, Bayrak Radio-TV, which operates two television channels—BRT 1 and BRT 2— as well as four radio stations.

The internet is not subject to any known government restrictions, and 58 percent of the population accessed the internet in 2011.

[Although the narrative covers both Greek and Turkish Cyprus, the numerical rating for Cyprus is based on conditions on the Greek side of the island only.]

Czech Republic

Status: Free

Legal Environment: 4

Political Environment: 8

Economic Environment: 7

Total Score: 19

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	18,F	18,F	18,F	18,F	19,F

Freedom of the press is constitutionally guaranteed, though the Charter of Fundamental Rights and Freedoms prohibits speech that might infringe on national security, individual rights, public

health, or morality, or that may evoke hatred based on race, ethnicity, or national origin. Libel remains a criminal offense, but prosecutions are rare. The Press Law provides a sound basis for independent journalism, and media protections have been bolstered by Constitutional Court and other institutional rulings. According to the Institute for the Protection of Journalists, members of the Czech Syndicate of Journalists—the largest professional organization of journalists in the country—are “often consulted on media matters by judges.”

In June 2011, the Senate approved an amendment to the controversial 2009 “muzzle law,” which banned the publication of information—particularly the names of individuals—obtained from police wiretaps, as well as information about individuals involved in criminal acts (both victims and perpetrators). Violators are subject to exorbitant fines and up to five years’ imprisonment. The new amendment, which took effect in August, makes an exception for information considered to be of “public interest.” However, courts retain the authority to determine whether the level of public interest outweighs the privacy rights of those involved. In 2010, legislators had already softened the law to allow journalists to publish the names of politicians or other state officials involved in criminal proceedings related to corruption, and reduced the severity of the law’s prescribed punishments.

Freedom of expression advocates were shocked by an unusual March 2011 raid on the offices of Czech Television, the public broadcaster, which was conducted by 10 armed military police officers in masks. The officers confiscated newsroom computers, lists of news sources, personal items, and papers unrelated to an allegedly classified version of a 2007 declassified military report that supposedly sparked the raid. The television station lodged a formal complaint of abuse of office, leading Defense Minister Alexandr Vondra to immediately suspend three officers who led the raid.

National print media consist of a variety of daily newspapers, weeklies, and magazines representing diverse points of view, though the economic crisis may have increased pressure on outlets to please major advertisers. German and Swiss corporations own 80 percent of newspapers and magazines. There are three broadcasting companies on the national market: one public, Czech Television, and two private, TV Nova and Prima TV. The media market is growing due to the rise of digital services, with over half the population in 2011 subscribing to digital television. Media-related legislation includes minimal ownership restrictions, and none on foreign ownership. Most electronic media outlets are privately owned, and they generally convey diverse views without fear of government or partisan pressure. Media advocates have expressed concern that while public media are widely respected, their financial sustainability is being undermined by tighter control of public funds and increasing restrictions on advertising. Observers also point to declining depth and quality of reporting in Czech news media, with weak accountability among the tabloids in particular, which gained popularity at the expense of the traditional press during 2011.

The internet continues to develop rapidly, with 73 percent of the population enjoying regular and unrestricted access in 2011.

Denmark

Status: Free

Legal Environment: 2

Political Environment: 5

Economic Environment: 5**Total Score: 12**

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	11,F	10,F	11,F	11,F	13,F

Freedom of speech is protected in Section 77 of the constitution, and the government generally respects this right in practice. However, certain legal restrictions exist for libel, blasphemy, and racism. In January 2011, free speech advocate Lars Hedegaard was found not guilty of making racist statements about the treatment of Muslim women that had been published on a blog unbeknownst to him. However, the decision by a Frederiksberg court was overturned in May by the Eastern Superior Court in Copenhagen. Hedegaard was fined 5000 kroner (\$985) for his remarks. He planned to appeal his sentence and take the case to the Supreme Court, and as of the end of 2011 there were no further developments.

The 1985 Access to Public Administration Files Act permits any person to request documents located in an administrative file and requires authorities to respond in a timely manner to requests; if the request is expected to take longer than 10 days to process, they must inform the requestor of the reason for the delay and when an answer is expected. In October 2011, the former immigration minister came under fire by the parliamentary ombudsman Hans Gammeltoft-Hansen for grossly delaying the release of information about illegally rejections of citizenship for stateless youth born in Denmark that had been requested by the *Jyllands-Posten* newspaper. The minister and her staff took two months to hand over information about the scandal.

The aftermath of the 2005 prophet Muhammad cartoon controversy still affects the Danish media in terms of threats made against journalists and media houses. The cartoonist, Kurt Westergaard, continues to receive protection by the authorities. In January 2010, Somali national Mohamed Geele entered Westergaard's house and attempted to murder him with an axe. In February 2011, Geele was found guilty of attempted terrorism, attempted manslaughter, and attacking a police officer. A trial began in November 2011 for three residents of Norway who were arrested in 2010 for a terror plot against *Jyllands-Posten*, which published the cartoons; the plot was allegedly spurred in some part by the cartoons. Some journalists have also claimed that the cartoon controversy contributed to a higher level self-censorship in the Danish media.

The private print media are vibrant, although many papers have clear political sympathies. The 2008 financial crisis led to severe revenue problems for the press, but as yet no major changes have taken place. Government subsidies and the VAT exemption are vital for the press, and state support is available for struggling newspapers. Danmarks Radio (DR), the public broadcaster, operates two general interest television channels, a 24-hour news channel, and four national radio channels. TV2 is a privately run but government-owned television network. State-run television and radio broadcasting is financed by an annual license fee. Public service radio is dominant, but tightly regulated commercial, national, and local radio has some importance. Satellite and cable television are also available, as is a variety of internet-based news.

In 2011, 90 percent of the population had access to the internet. The government does not restrict use of the internet, but some observers continue to contend that a system designed to block child pornography mistakenly blocked other sites. In June 2011, the Ministry of Justice initiated a proposal that would require public internet locations—such as internet cafés—to verify a potential user's identity before giving them access. The point of this law was to make it easier for

the Danish government to attach names to information searched for and gathered on the internet in an effort to combat terrorism. Critics called this a huge loss of privacy.

Djibouti

Status: Not Free

Legal Environment: 24

Political Environment: 27

Economic Environment: 23

Total Score: 74

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	69,NF	72,NF	73,NF	73,NF	73,NF

The prodemocracy demonstrations that spread across the Middle East and North Africa in 2011 arrived in Djibouti in early February with tens of thousands of people taking to the streets in the capital in opposition to the government of President Ismaïl Omar Guelleh. The ensuing government crackdown resulted in several deaths and numerous injuries. The media environment suffered for the rest of the year as the government enforced an almost-total blackout of the Arab Spring in the state-run and -controlled media and imposed severe restrictions, arrests, and closings on the opposition media. Even before the demonstrations, the media environment was among the most restrictive in Africa, with almost complete government ownership of print and broadcast media, very low levels of internet access, severe limitations on free speech, and frequent harassment of journalists.

Although Article 15 of the constitution affords the right to free expression, in practice the government imposes restrictions on the independent press. Free speech is limited by prohibitions on libel and distributing false information. The 1992 Freedom of Communication Law provides for prison sentences for media offenses and imposes age and nationality requirements on anyone establishing a private news outlet; the creation of a National Communication Commission, charged with issuing radio and television broadcasting licenses, has been delayed for 10 years.

The U.S. military presence in Djibouti creates additional pressures for self-censorship, as journalists are encouraged to refrain from reporting on soldiers' activities. Journalists generally avoid covering sensitive issues, including human rights, the army, the rebel group the Front for the Restoration of Unity and Democracy (FRUD), and relations with Ethiopia. The official media, which accounts for almost all the outlets in the country, does not criticize the government and practices widespread self-censorship.

The February crackdown ensnared several journalists, as well as others who attempted to cover the unrest. Jean-Paul Noël Abdi, president of the Djiboutian League of Human Rights, was arrested on February 9 for his reporting on the demonstrations. He was released from prison 12 days later, but the charges of participation in an insurrection remained. Also arrested for insurrection in early February were six reporters and informants for the opposition radio station La Voix de Djibouti. Held for over four months, they were released in June, but placed under judicial control pending trial. Two reporters, Farah Abadid Hildid and Houssein Robleh Dabar, were rearrested on November 21 and reportedly tortured before being released four days later.

The domestic media sector is very limited. Because of high poverty levels, radio is the most popular news medium, as few Djiboutians can afford newspapers, televisions, or computers. The government owns the principal newspaper, *La Nation*, as well as Radio-Television Djibouti, which operates the national radio and television stations. Community radio, which has gained great popularity across Africa, is nonexistent, and Djibouti is one of the few countries in Africa without any independent newspapers (one periodical run by an opposition party still publishes). Although Djiboutian law technically permits all registered political parties to publish a newspaper, the opposition-oriented *Le Renouveau* newspaper was permanently closed by the authorities in 2007 on the grounds of libel, after it printed an article stating that a businessman had paid a bribe to the national bank governor, the president's brother-in-law. Printing facilities for mass media are government-owned, which creates obstacles for those attempting to publish material critical of the government.

While there are no private radio stations within the country, a clandestine independent radio station operating from abroad, *La Voix de Djibouti*, started broadcasting in the country in January 2010. Foreign newspapers and magazines are sold freely in Djibouti, and foreign radio broadcasts are available from the British Broadcasting Corporation, the Voice of America, and Radio France International, offering alternative sources of information to the public.

Approximately 7 percent of the population was able to access the internet in 2011. The only internet service provider is owned by the government. Although there are no reports that the government monitors e-mail or internet activity, the Association for Respect of Human Rights in Djibouti claims that its site is regularly blocked. During the February demonstrations, opposition activists reported that the government had blocked the mobile network to prevent dissemination of information by phone and short-message service (SMS), and social-media networks are closely monitored.

Dominica

Status: Free

Legal Environment: 5

Political Environment: 11

Economic Environment: 7

Total Score: 23

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	20,F	22,F	22,F	23,F	23,F

Dominican Republic

Status: Partly Free

Legal Environment: 7

Political Environment: 21

Economic Environment: 13

Total Score: 41

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	40,PF	39,PF	40,PF	39,PF	40,PF

Although the recently adopted 2010 National Constitution guarantees freedom of expression and access to public information, the authorities often disregard or undermine these guarantees. Defamation is a criminal offense punishable by fines and jail time, and libel lawsuits against journalists are common practice among government officials and private business executives when reporting threatens their economic or political interests. In September 2011, a court ruled in favor of investigative reporter Nuria Piera, ordering the superintendent of insurance, Euclides Gutiérrez Félix, to withdraw a criminal defamation lawsuit he had filed against her and her television program’s advertisers after she accused him of not accurately reporting his assets.

Access to information and courtroom proceedings is often restricted, especially in cases related to drug trafficking and other serious crimes. In January 2011, television reporter María Esperanza Ceballos of *Cadena de Noticias* was harassed by a guard at the Supreme Court of Justice for carrying a politically charged sticker and was refused entry to the courtroom. In February, President Leonel Fernández announced proposed amendments to Law 6132 on freedom of expression and the Law on Access to Public Information, as well as introducing three new laws that would regulate commercial and state advertising and the internet. These proposals remained pending at year’s end.

Attacks and intimidation against the press by both state and private actors continued to be a problem. Police brutality, arbitrary detentions and inspections, equipment confiscations, threats, and verbal and physical harassment are becoming regular occurrences experienced by the media in both urban and provincial areas. In August 2011, José Agustín Silvestre de los Santos, a host of Caña TV and director of the magazine *La Voz de la Verdad* (*The Voice of the Truth*), was kidnapped, shot, and killed near the southeastern city of La Romana. Silvestre had previously published an article on the murder of a local businessman and his driver, implicating a reputed drug trafficker, Matías Avelino Castro, who the attorney general accused of masterminding Silvestre’s attack. While police arrested six men, allegedly belonging to a drug cartel, for their involvement in the attack, Avelino Castro remained at large at year’s end. At the time of his death, Silvestre had also been in the middle of a libel lawsuit brought against him by a La Romana prosecutor who Silvestre had accused of having ties with drug traffickers. Journalists and owners of community media are also vulnerable to threats, attacks, and censorship pressures. In December, the community radio station Vida FM, which speaks out against crime and drug trafficking, was hit with a homemade bomb in Nagua.

The Dominican Republic has several daily newspapers, more than 200 radio stations, and many terrestrial and cable television stations. Ownership of many of these stations and the country’s newspapers is concentrated in the hands of a few powerful individuals and companies. Self-censorship as a result of pressure from owners due to their political and economic interests is reportedly a concern. There are two state-owned television stations and one state-owned radio station. Community radio and television stations, as well as websites, are also becoming increasingly active.

Approximately 36 percent of the population accessed the internet during 2011. There are no reports of internet censorship, and there are several online news sources in English and Spanish. Usage of social-networking websites is increasing substantially.

East Timor

Status: Partly Free

Legal Environment: 11

Political Environment: 11

Economic Environment: 13

Total Score: 35

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	42,PF	38,PF	37,PF	35,PF	35,PF

The media environment in East Timor remained stable in 2011, largely owing to the implementation of a new penal code in 2009 that decriminalized defamation. Freedom of the press and expression is protected under Articles 40 and 41 of the constitution. The controversy over five draft media laws proposed by the UN Development Programme continued, as Timorese and regional press organizations argued that the laws would place new restrictions on journalists. The London-based freedom of expression advocacy group Article 19 noted a number of positive features in the laws, such as a provision giving the Media Council the power to mediate defamation cases. However, the council would also be given the authority to fine journalists and news organizations for violations that Article 19 called “vaguely defined.” Cases that could not be resolved by the Media Council would be sent to the courts.

A culture of deference and respect for hierarchy continues to pervade journalism in East Timor, and most news reported out of Dili, the capital, features verbatim accounts recorded during organized press conferences. While most public officials pay lip service to freedom of the press, not all are comfortable with its actual practice, and there is a sense among many—including some international advisers—that journalism should ideally be linked with the process of nation-building. However, journalists are able to cover the news freely, and there are few cases of reporters being harassed or attacked.

One weekly and three daily newspapers operate on a regular schedule in East Timor, and several more appear sporadically. Circulations are very small, and are hampered by the high price of papers relative to low consumer purchasing power, illiteracy, and a lack of distribution outside Dili. After the country gained independence in 2002, broadcast media became dominated by public radio and television outlets, but community radio stations—many with international funding—also play an important role in the media landscape. According to a 2009 Southeast Asian Press Alliance fact-finding mission, there are more than 15 community radio stations across the country, along with 1 national and 3 commercial stations. There is one national and one private television station. However, technical difficulties limit the reach of many broadcast media outlets in rural areas, leaving an estimated 16 percent without access to any media. A 2011 nationwide media survey commissioned by the UN Integrated Mission in Timor-Leste found that radio still has the highest reach of any communication medium (a weekly reach of 55 percent), with television trailing not far behind (a weekly reach of 48 percent).

The presence of internationally funded media-assistance organizations has had mixed effects on journalism in East Timor. These organizations have made significant financial contributions, thereby decreasing the importance of funding from the state and arguably increasing journalistic independence. At the same time, evidence suggests that their presence has contributed to what some Timorese journalists call a “project mentality,” in which news

organizations become dependent on grants from nonstate actors and find it difficult to be independently sustainable. International media development organizations have had limited success in attempting to train a new generation of local journalists, but media work continues to be poorly paid, and journalists with good language and writing skills can easily find work in other industries.

Internet access was limited to just 0.9 percent of the population in 2011 due to poverty and inadequate infrastructure. Nonetheless, the government does not censor websites or restrict users' access to diverse content. More households have mobile phones, and they are becoming an important communication tool, especially in Dili, where 90 percent of the households surveyed owned a mobile phone.

Ecuador

Status: Partly Free

Legal Environment: 20

Political Environment: 24

Economic Environment: 14

Total Score: 58

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	41,PF	41,PF	44,PF	47,PF	52,PF

The media environment in Ecuador became even more polarized in 2011, as President Rafael Correa continued to disparage the media as “assassins with ink.” A controversial communications bill, on the table for over a year, had still not been approved by the legislature at year’s end. This bill would introduce prior censorship by the state, stricter mandatory licensing of journalists, and obligatory registration for media outlets with a Communication and Information Board that would control editorial content. The bill would also weaken safeguards that guarantee the anonymity of sources. An electoral law that forbids the media to disseminate any direct or indirect “promotion” that may influence the public in favor of or against any candidate came under fire in 2011, but had not passed by year’s end. This law would forbid publishing or transmitting any type of information, including photographs and opinion pieces, about the electoral process for 48 hours before the voting. Additionally, the media must abstain from reporting on political campaigns 90 days before the election. Correa is expected to seek reelection in 2013, and this law will make it difficult for the news media to cover the campaign and inform citizens about candidates.

Libel and defamation remain criminal offenses, and there were several highly publicized actions by Correa during the year. According to the Committee to Protect Journalists, criminal defamation laws in Ecuador are being systematically used to punish journalists who are critical to the government. The most high-profile case was an \$80 million libel lawsuit against opinion editor and columnist Emilio Palacio and the directors of the newspaper that employed him, *El Universo*. Correa sued *El Universo* after it published an article by Palacio criticizing Correa’s handling of a police uprising in September 2010, which the government called an attempted coup d’état. In July 2011, the court quickly ruled in favor of the president, but reduced the damage award to \$40 million. The directors of the paper, brothers Carlos, Cesar, and Nicolas Perez, as

well as Palacio, were each sentenced to three years in prison. Palacio was ordered to pay \$10 million of the \$40 million award. He left the country in August 2011, saying that he was being politically persecuted, and now writes a blog from Miami. The speed in which the judge read the 5,000-page case and produced a 156-page ruling raised questions about the judicial independence in the case. In another criminal defamation suit, in October radio journalist Carlos Ignacio Cedeño was sentenced to six months in prison for airing a program that accused a doctor of stealing medical equipment from a public hospital. In December, Jaime Mantilla Anderson, an editor of the newspaper *Hoy*, was sentenced to three months in prison for a series of articles without bylines that reported that Correa's cousin, the president of the central bank, was influencing the government behind the scenes.

In a referendum in May, a measure was narrowly approved to create a media regulatory council. Although it had yet to become law, it did raise the likelihood of direct censorship and still greater control of the news media. Meanwhile, the National Communications Council (CONATEL) continued to create licensing restrictions. CONATEL is still considered to be highly dependent on the government, with four of six members answering directly to the president, and thus often subject to government influence. In August 2011, CONATEL cancelled Telesangay TV's license, apparently due to its opposition to the Correa's government. Additionally, the Telecommunications Superintendent (SUPERTEL) took legal action against seven radio stations in September 2011 for broadcasting programs promoting freedom of expression and allegedly failing to notify SUPERTEL of its intent to air these programs. These sanctions were later dismissed after SUPERTEL admitted that it did not find any sound arguments to substantiate its allegations and therefore decided not to take the case forward.

Cases of censorship also continued to occur, though not to the extent seen in 2010. A journalist for a newspaper in Machala had an opinion piece censored because the newspaper wished to avoid legal trouble. Because of the increased crackdown on the media, cases like this also lead to self-censorship, as journalists and newspapers alike fear legal issues similar to the *El Universo* case, and therefore do not publish critical articles. Two radio journalists resigned from their positions from Radio Satelital as a result of being pressured to "tone down their rhetoric." According to a, self-censorship has become more acute. Despite these types of report on the media in Ecuador from the Inter-American Press Association pressures, some journalists continue to push the limits in their reporting. Jose Cadena was accused of damaging the image and honor of Orlando Grefa, a local prefect in September 2010. Though the lawsuit is at a standstill, Cadena continued to report on critical issues.

In December, a working group of the Organization of American States (OAS) studying the operations of the Inter-American Commission on Human Rights (IACHR) submitted a report that included three recommendations introduced by Ecuador that would effectively marginalize the office of the special rapporteur for freedom of expression. The special rapporteur issues alerts calling attention to incidents of infringement of press freedom throughout the Americas, including several in Ecuador during Correa's presidency. The working group's recommendations would result in a severe budget cut for the special rapporteur's office; eliminate its annual country-by-country report on freedom of expression in the Americas, reducing it to merely a chapter in a larger IACHR report; and create a code of conduct governing the office's operations, which would severely limit its independence. This action has implications not only for monitoring press freedom in Ecuador, but throughout the Americas, and has been criticized by Ecuadorian and international press watchdog organizations. At year's end, the recommendations were headed for a debate and a subsequent vote in the OAS.

Attacks on journalists and media houses continue to rise. In 2011, Fundamedios, the national press freedom watchdog organization, cited nearly 150 incidents of aggression (physical, verbal, and legal) against the media by authorities as well as by ordinary citizens, an increase on the previous year. For example, in May a news crew from Ecuavisa TV attempted to film outside of the ruling party's headquarters, but was prevented from doing so by police officers who claimed that they had orders to stop filming of the building while a meeting was being held. Also in May, two camera operators from state-owned television stations were attacked and had their cameras destroyed by an individual while covering an operation to control the sale of alcoholic drinks. In June, Tony Quishpe, a cameraman for Teleamazonas, was attacked by a mob with sticks and stones during a police drug raid in Guayaquil.

Journalists and advocates also were the subject of targeted threats. Juan Alcivar, a correspondent for the daily *La Hora* in La Concordia, received numerous telephone death threats starting in June 2011 for reporting on a power struggle among local authorities. In November, journalist Christian Zurita of *El Universo* was drugged while doing paperwork early in the morning at the Social Security Institute building. Doctors speculated that Zurita had been given a substance known as scopolamine; the perpetrators and possible motive for the attack were not clear. Cesar Ricaurte, executive director of Fundamedios, started receiving death threats after his group presented a report on press freedom violations to the IACHR in Washington, D.C., in October. The same month, Juan Carlos Caldero, journalist and coauthor of the controversial book *Big Brother*, received threatening phone calls likely resulting from his lawsuit against Correa for "moral damages."

The majority of media outlets, both print and broadcast, are privately owned. However, the government controls—directly or indirectly—20 outlets, including six television and cable stations, five radio stations, three newspapers, four magazines, and a news agency. Twelve of the outlets under government control had been private until the 2008 financial crisis, when the state took ownership of them to settle their parent company's debt from bankruptcy. By law, the government was required to promptly divest itself of the companies, but after more than three years, it has not done so. Those private media outlets not under government influence tend to have combative relationships with the government. Nevertheless, private television and radio stations are required by law to disseminate official government messages and programs for up to one hour a day. These *cadenas*—official statements spontaneously broadcast on television and radio that preempt regular programming—are used by the government to promote its own agenda. Between 2007 and May 2011, according to a report by the World Association of Newspapers and News Publishers (WAN-IFRA), there were 1,025 *cadenas* broadcast in Ecuador.

The government is also the country's largest advertiser, which gives it further influence over privately owned media. Public advertising is equitably distributed between private and public TV stations, according to a study by the nongovernmental organization Participación Ciudadana. In October, the communications director for the municipality of Loja threatened to withdraw all municipal advertising from the radio station Radio Satelital if it did not cut an interview with a city council member.

An antimonopoly law passed in July 2011 threatens to further weaken media organizations. It stipulates that individuals who own a 6 percent or larger stake in a media company or financial institution must transfer assets they have in other companies by July 13, 2012. Under the law, both media moguls and banking chiefs would not be able to diversify their

investments by holding assets in other sectors. This is likely to discourage investment in private media and result in the closure of some media outlets.

The internet is accessed by about 31 percent of the population in 2011, with most users living in urban areas, and there are no reported restrictions on access.

Egypt

Status: Partly Free

Legal Environment: 20

Political Environment: 22

Economic Environment: 15

Total Score: 57

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	62,NF	59,PF	60,PF	60,PF	65,NF

Status change explanation: Egypt improved from Not Free to Partly Free as a result of the flourishing of new, independent media outlets, less self-censorship, and some loosening of centralized editorial control over state media after President Hosni Mubarak stepped down in February 2011 after nearly 30 years in power. However, by year’s end there were worrying indications that these gains were being reversed.

Egyptian President Hosni Mubarak was forced to resign on February 11, 2011, after nearly 30 years in power, a result of 18 days of popular protests against his authoritarian regime. Mubarak’s government had attempted to crack down on the protests, including stepping up repression of the press and briefly shutting down the country’s internet and mobile phone network. After Mubarak stepped down, a military council, the Supreme Council of the Armed Forces (SCAF), took over, leading to widespread openings in the legal, political, and economic environment for the media. However, the SCAF’s attempts to postpone the transfer to civilian rule led to further protests later in the year, and there were troubling signs that the military rulers were employing some of the Mubarak government’s methods to control and crack down on the press.

On March 30, 2011, the SCAF adopted a provisional constitution, but the existing press laws, penal code, and Emergency Law remained in effect at year’s end. Article 12 of the provisional constitution guarantees freedom of expression and opinion “within the law,” but at the same time recognizes that criticism contributes to national development. Article 13 provides for freedom of the press and outlaws censorship—including administrative actions such as stopping or preventing publication—with the exception of threats to national security, and during states of emergency and times of war. Egypt’s press laws remained in place and unchanged from the Mubarak era, including more than 30 articles that allow journalists to be prosecuted for their reporting. Although there were efforts by civil society to amend these laws, criticism of the military government remained off-limits.

Egypt had been under a state of emergency since 1981, and one of the central demands of the revolution leaders was the lifting of the Emergency Law, which allows Interior Ministry officials to indefinitely detain people without charge or trial. The SCAF not only kept the law in

place, but also expanded it to include “the spreading of false information harmful to national security.” On June 19, *Al-Fagr* editor in chief Adel Hammouda and reporter Rasha Azab appeared before the military prosecutor on accusations of publishing false information as a result of an article about a meeting between the SCAF and activists campaigning against the use of military trials for civilians. Although they were released, Azab faces a possible prison sentence or fines. Egypt also has a blasphemy law, and a group of lawyers filed a complaint against business and media mogul Naguib Sawiris for posting a picture on his Twitter account in June of a bearded Salafi Mickey Mouse and Minnie Mouse dressed in a niqab (facial veil).

Licensing of all media was controlled by the government under Mubarak, with the president leading the newspaper licensing body, the High Press Council. The Egyptian Radio and Television Union (ERTU), the government-operated public broadcaster, was under the control of the Information Ministry, and it granted radio and television licenses. In the immediate wake of the February uprising, SCAF licensed 16 new satellite television stations, and said the National Security Agency no longer needed to approve licenses. However, in September it ordered that no new licenses be granted for satellite stations, and threatened to “take legal measures against satellite television stations that jeopardize stability and security.” Since then, several media outlets have been raided for not operating with the proper licenses.

In March, the SCAF sent a warning to editors and journalists against publishing anything critical of the armed forces without prior consultation and permission. The next month, the SCAF appointed a new information minister despite hopes that the ministry would be abolished. And in October, the SCAF appointed a military censor over the press, prompting several popular writers to boycott their columns as an act of protest. Meanwhile, the press syndicate—the journalists’ union—has attempted to exert greater independence and influence in the post-Mubarak era. In December, it held the SCAF responsible for attacks and deaths that occurred during a protest in front of the cabinet building in Cairo, and released a statement exposing and condemning state violence against the media and journalists. Also, civil society and free expression activists formed the National Coalition for Media Freedom in March aimed at coordinating media development efforts by civil society, journalists, and activists interested in the development of Egyptian media. However, these actions prompted pushback from the military government. In late December, security forces raided 17 Egyptian and international nongovernmental organizations (NGOs) whose work encompasses advocacy on media and freedom of expression issues.

In the lead-up to the first round of parliamentary elections in November, the SCAF stepped up its campaign against journalists and the media as it sought to consolidate power, including implementing constitutional amendments that would largely free the military from civilian oversight. Dozens of cases were filed against journalists, media outlets, and bloggers, some of which were tried in military courts rather than the civilian system. For example, blogger Maikel Nabil was arrested in March and convicted of criticizing the Egyptian military’s use of force against protesters. He was sentenced by a military court to three years in prison, which was reduced to two years at a retrial in December. He remained imprisoned throughout the appeals process and was refused medicine and independent medical treatment. SCAF loyalists attempted to intimidate the staff of *Al-Fagr* newspaper, which had taken a critical stance toward the military rulers, protesting in front of its offices and making threats against staff members on its Facebook page. There were several other cases of intimidation against the media by SCAF loyalists, including death threats against host Mahmoud Saad of the new satellite station Al-

Tahrir, and attacks against independent journalists, such as those against an *Al-Badil* editor in early December.

There were countless reports of interference in broadcasts, and several individual shows were canceled or pulled off the air. The live morning radio news show by presenter Ziad Ali was canceled after he read an article critical of the military, and radio presenter Nermeed el-Banby was fired for similar reasons and faces investigation for incitement. Yosri Fouda, the host of a show on the ONTV satellite network and a former Al-Jazeera bureau chief, briefly canceled his program following military pressure.

Despite intimidation from the SCAF, many journalists and media outlets covered these cases and continued to produce critical and investigatory reports. Among the most outspoken and independent media outlets were Al-Tahrir, ONTV, independent newspapers including *Al-Badil* and *Al-Masry al-Youm*, online news sites and blogs such as *Bikya Masr* and *Misr Digital*, and citizen media outlets. The so-called Maspero massacre in early October highlighted the stark contrast in coverage between the state-controlled press and private, independent media. In the incident, state media claimed that Coptic Christian protesters had attacked the military and stormed Cairo's Maspero building, which houses the state television station. However, footage aired by independent stations and bloggers contradicted these claims, showing that the security forces cracked down violently on peaceful protesters, resulting in at least 25 deaths.

The SCAF continued the Mubarak tradition of denying detained or imprisoned journalists and bloggers the right to due process, including prosecuting them in military rather than civilian courts. In April, the government fired several state newspaper editors and three top state television officials, including former news head Abd el-Latif el-Menawy. Journalists at the state-run television station had demanded that the executives be fired for failing to cover the anti-Mubarak protests and for broadcasting antirevolution propaganda, and physically assaulted Menawy shortly after he stepped down. The interim cabinet then appointed three prominent news anchors without ties to the former regime to run the station. Similarly, the head of the press syndicate, Makram Mohammed Ahmed, a Mubarak ally, stepped down in February after members of the union revolted against him. In November, *Al-Masry al-Youm* began publishing an English-language edition, but was prevented from publishing its second issue by Magdy el-Galad, editor of the Arabic edition, because of critical articles about the SCAF. El-Galad argued in an op-ed that such criticism was unacceptable.

According to media monitoring reports by the Arabic Network for Human Rights Information, the state press "dealt with the news and issues of SCAF the same way they used to deal with the ousted President Mohamed Hosni Mubarak." Nonetheless, professional and citizen journalists made significant attempts to counter censorship and shoddy reporting by conducting in-depth investigative reports about instances of violence and setting up public screenings to counter attempts at censorship. In late December, two campaigns, Mosireen (The Insistent) and Askar Kazeboon (Military Liars) organized video screenings of SCAF violations against protesters and civilians aimed at dispelling the propaganda broadcast via state media. Some screenings were held in front of the Maspero building in hopes of shaming the media.

The year was one of the most dangerous in Egypt's recent history for journalists and bloggers, as they sought to cover the historic uprising and its aftermath. The Mubarak regime had tended to restrict journalistic freedom through censorship, legal maneuvers, and harassment, but there was a marked change in tactics during the 18-day uprising, as pro-Mubarak forces appeared to target journalists and bloggers covering the events. On January 29, Egyptian reporter Ahman Mohamed Mahmoud of *Al-Ta'awun* newspaper was killed by a sniper while filming a

confrontation between protesters and security forces in Cairo. The offices of pan-Arab satellite channels Al-Arabiya and Al-Jazeera were raided, as were those of independent Egyptian outlets such as the newspaper *Al-Shorouk*. There were dozens of reported cases of attacks against journalists, cameramen, and bloggers attempting to cover the uprising. Reporters from the Associated Press, Cable News Network (CNN), Al-Arabiya, Danish TV, the British Broadcasting Corp. (BBC), and other national and international outlets were attacked, had their equipment confiscated or destroyed, and in some cases were temporarily arrested. Wael Abbas, one of the leading citizen journalists in Egypt, posted videos of the demonstrations and police abuse of protesters online; he was repeatedly harassed and detained in the weeks prior to Mubarak's ouster. CBS television journalist Lara Logan was sexually assaulted in Tahrir Square while covering the protests. Activists who had set up impromptu media centers were also targeted by police forces, which raided and confiscated equipment while those in the streets taking pictures were attacked.

Members of the press were also subjected to violence during protests against the SCAF later in the year. There were 50 cases of assaults and detentions of journalists in the months of November and December, according to the Committee to Protect Journalists (CPJ). Wael Mikhael, a cameraman for the Coptic Christian Al-Tareeq TV station, was one of the 25 people killed during the Maspero massacre. The editor in chief of the independent online English news site *Bikya Masr*, Joseph Mayton, was detained and assaulted by security forces while attempting to cover the clashes outside the cabinet building in December.

Egypt has more than 500 newspapers, magazines, journals, and other periodicals, and during Mubarak's rule, the vast majority had been in the hands of the state, which owned 99 percent of newspaper retail outlets. Following the uprising, there has been significant ferment in the media sector as new outlets have proliferated. Editors of Egypt's three largest newspapers, *Al-Ahram*, *Al-Akhbar*, and *Al-Gomhorya*, had previously been appointed by the president. However, in the wake of the uprising there was a reorganization, as Prime Minister Essam Sharaf, with the approval of the Higher Council of the Armed Forces, appointed several new chairmen, editors in chief, and managing editors. However, many had served under Mubarak, prompting discontent. Under Mubarak, all terrestrial television broadcasters—two national and six regional—were owned and operated by the government through the ERTU. However, there were four privately owned, independent satellite channels, and several pan-Arab stations that attracted wide viewership. This number has expanded in the post-Mubarak era, as at least 16 new channels have emerged. The government had supported state media directly and through advertising subsidies and this does not appear to have changed, although it is unclear what types of advertising subsidies remain. Independent media appear to be faring better, as advertisers have felt less pressure from the state and are thus able to run in a greater variety of outlets.

Egypt does not filter internet content. However, from January 27 through February 1 the Mubarak government forced all internet service providers and mobile phone providers to cut service, imposing a virtual internet blackout on the country in a futile attempt to staunch the popular uprising that had started just days earlier. In 2011, 36 percent of Egyptians accessed the internet regularly and nearly 70 percent of them had access to mobile phones. In an effort to crack down on dissent, the SCAF charged several online activists, including blogger and activist Asmaa Mahfouz, who was arrested in August and faced charges in military court for a tweet in which she criticized the SCAF's use of military trials for civilians. She was released four days later following intense public pressure. In October, blogger Alaa Abdel Fattah was imprisoned

for two months after objecting to being summoned for questioning by military prosecutors about his coverage of the clashes between security forces and Coptic Christian protesters.

El Salvador

Status: Partly Free

Legal Environment: 9

Political Environment: 17

Economic Environment: 14

Total Score: 40

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	42,PF	42,PF	42,PF	43,PF	42,PF

Freedom of the press is protected under the constitution, and Salvadoran journalists are generally able to report freely. Critical reporting on the government and opposition parties is for the most part permitted. On September 8, 2011, the Legislative Assembly approved amendments to the criminal code to decriminalize slander, libel, and defamation, replacing punishments of jail time with fines and suspensions for journalists who commit crimes against public image and privacy. Limits were also established to prohibit excessive levels of compensation. The law was officially published in December. Draft laws on the right of reply were under consideration by the National Assembly at year's end.

While press freedom is hindered by a lack of public transparency, the National Assembly ratified the Access to Public Information Law in March. However, Salvadorans will have to wait until 2012 to use the new law to solicit official requests for information.

Although El Salvador is generally a safe place to practice journalism, there are still sporadic threats and acts of violence against journalists, especially in the provinces. In April 2011, Canal 33 cameraman Alfredo Antonio Hurtado Núñez was shot to death by alleged gang members while riding a bus in Ilopango in the department of San Salvador. Hurtado had previously reported on gang violence and had allegedly received threats prior to his death. Two gang members were arrested for his murder in September and awaited trial at year's end. In a victory against impunity, 11 men were convicted in March for the 2009 murder of Christian Poveda, a Franco-Spanish documentary filmmaker. Poveda had also documented gang violence in El Salvador. Journalists with Radio Victoria, a community radio station in the northern department of Cabañas that has been supporting environmental activists in their opposition to a Canadian company's local gold-mining operations, continued to receive death threats in 2011.

While there are four daily newspapers, each with an estimated circulation of 250,000, most of the country depends on privately owned television and radio networks for news. In July 2011, President Mauricio Funes announced proposed legal reforms to state media that would increase their autonomy and independence from political influence. Limited resources prevent many media outlets from producing to their full capacity, and self-censorship is often exercised to avoid offending media owners, editors, and government officials. According to the UN Special Rapporteur for Freedom of Expression, there is little access to community radio stations due to the bidding method used to grant radio frequencies.

Access to the internet was limited to 18 percent of the population in 2011. There were no reported government restrictions on the internet, and online newspapers such as *El Faro* provided independent, investigative journalism.

Equatorial Guinea

Status: Not Free

Legal Environment: 27

Political Environment: 37

Economic Environment: 27

Total Score: 91

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	89,NF	89,NF	90,NF	90,NF	90,NF

The 32-year-old regime of President Teodoro Obiang Nguema Mbasogo continued to control Equatorial Guinea's media with a heavy hand in 2011. Already one of the most censored countries in the world, the government attempted to enforce a total blackout of news related to the prodemocracy demonstrations that swept the Middle East and North Africa beginning in early 2011, and cracked down on journalists that defied the ban. In addition, an African Union (AU) summit held in Malabo, the capital, in June and a constitutional referendum held in November led to further repression of the media and restrictions on press freedom.

Freedoms of expression and of the press are legally guaranteed, but these rights are ignored in practice. As in past years, the government relied on its extensive powers under the Law on the Press, Publishing, and Audiovisual Media to severely restrict the press. By law, the government has prepublication access to materials, which encourages self-censorship. Although journalists in recent years have been permitted to voice mild or vague criticism of government institutions, criticism of the president, his family, other high-ranking officials, and the security forces is not tolerated; for example, journalists were unable to report on the multiple international criminal investigations into alleged money-laundering by the president's son. There are no laws guaranteeing freedom of information. Local journalists and private publications are required to register with the government through a prohibitively complex and bureaucratic process.

Almost all local coverage is orchestrated or tightly controlled by the government, and state-controlled media do not cover international news unless the president or another official travels abroad. Several acts of direct government censorship related to the Arab Spring, the AU summit, and the constitutional referendum were evident in 2011. In February, Information Minister Jeronimo Osa Osa issued a directive to the state radio and TV broadcaster, RTVGE, not to cover the unrest and demonstrations in Tunisia and Egypt. At the AU summit in June, there were reports that "suspect" journalists were restricted from covering the proceedings, and the reporting that took place was closely monitored. The referendum in November, in which 97.7 percent of voters approved constitutional changes that would further enhance the powers of the presidency, was marred by a lack of media coverage of opposition viewpoints. Nongovernmental

organization EG Justice reported that the full text of the changes was never made available in the print media.

Several journalists who defied the directives and bans suffered serious consequences. In February 2011, Juan Pedro Mendene, host of the RTVGE French-language radio program “Détente,” was taken off the air and was reportedly assaulted for mentioning the uprising in Libya during his show; however, the situation in Libya was reported to have been discussed widely on radio and television programs, as well as in the new independent newspaper, *El Lector*. Juan Tomás Ávila Laurel, a blogger and editor of the literary magazine *Atanga*, reported being harassed when he started a hunger strike in February to protest government policies, and he later left the country for Spain. Foreign journalists are not able to report freely, and at times are denied visas. In June, a film crew for German television broadcaster Zweites Deutsches Fernsehen, in the country to film stories about “women’s soccer and the general state of affairs of the country,” was detained, had its footage confiscated and destroyed, and was forced to leave the country for portraying the country in a bad light.

The most influential medium is radio, but all domestic radio and television stations are operated by the government or members of the president’s family. Applications to open private radio stations have been pending for several years but remained unapproved. At the same time, uncensored satellite broadcasts are increasingly available to those who can afford the service. The government operates at least two newspapers, while a handful are published by nominally independent figures or members of the small political opposition. The founding of *El Lector* was approved in December 2010, but it was published infrequently throughout 2011. The country has little of the infrastructure necessary for independent media to operate, such as printing presses and newspaper retailers, and the lack of a well-developed local private sector hinders the ability of media outlets to raise revenues through paid advertisements. Due to low literacy rates, international print media is generally unavailable in rural areas.

An estimated 6.3 percent of the population accessed the internet in 2011, according to *Internet World Stats*. While the government does not overtly restrict internet access, due in part to a lack of basic internet and mobile phone infrastructure, a large drop in online visits in 2011 by Equatoguineans to *Afrol News*, an African online news service often critical of the Obiang regime, has fueled speculation that the government may be attempting to block this site. There are no credible reports that the authorities monitored e-mails or internet chat rooms. According to the U.S. State Department, the internet has replaced broadcast media as the primary medium for opposition views.

Eritrea

Status: Not Free

Legal Environment: 30

Political Environment: 40

Economic Environment: 24

Total Score: 94

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	94,NF	94,NF	94,NF	94,NF	94,NF

The media environment in Eritrea continued to be among the worst in the world in 2011, as it remains one of the few countries lacking any form of privately owned media. The once-vibrant private print press ceased to operate in 2001, after a ban imposed by the government of President Isaias Afwerki and the subsequent imprisonment of key editors and journalists. Since then, the crackdown has extended to state-employed journalists.

The constitution guarantees freedom of speech and of the press, and Isaias continues to claim that in his country, “no one is prevented from freedom of speech.” In an interview with the Swedish broadcaster TV4 in June 2009, the president dismissed private outlets as being driven by personal interests, and indicated that real freedom for the Eritrean people could only be provided by the state-owned media. In an interview for *Al-Watan* newspaper in October 2010, the president expressed similar sentiments. Despite the absence of any private media, the 1996 Press Proclamation Law continues to apply in principle, mandating that all newspapers and journalists be licensed. It also stipulates that publications must be submitted for government approval prior to release, and prohibits reprinting articles from banned publications.

According to the Committee to Protect Journalists, 28 journalists were imprisoned in Eritrea as of December 2011, the second-most in the world after Iran and the most in Africa. Eight had been in prison since September 2001, and almost all are being held incommunicado. In February and March 2011, five journalists working for the government radio and television station, Dimtsi Hafash, were arrested and imprisoned, although the government has yet to disclose the charges being brought against them. There is little information on the condition of those imprisoned—such as Dawit Isaac, a Swedish-Eritrean journalist and founder of the now-closed newspaper *Setit*—though unconfirmed reports indicate that several have died in detention. According to Eyob Bahta Habtemariam, an ex-guard at the notorious Eiraeiro prison camp, Isaac is still being held in solitary confinement and is in very poor physical and mental health. In September 2011, the European Union passed a resolution condemning its detention of independent journalists and calling Isaac’s release.

Most independent or critical journalists have fled the country due to intimidation and arbitrary imprisonment, and those that remain engage in self-censorship. Foreign journalists are not able to freely enter the country and are generally not welcome unless they agree to report favorably about the regime. There have been occasional reports from journalists operating undercover, and Afwerki has conducted interviews with foreign broadcasters such as Swedish TV4 and the Qatar-based Al-Jazeera. However, it remained almost impossible to report from within the country in 2011.

The three newspapers, two television stations, and three radio stations that operate in the country remained under state control. Individuals are allowed to purchase satellite dishes and subscribe to international media, though the importation of foreign publications without prior approval is not permitted. There are several Eritrean-affiliated stations that are attempting to reach listeners in Eritrea, including Radio Erena, which broadcasts via satellite and over the radio from Paris, as well as opposition-aligned stations broadcasting from Ethiopia. In 2011, Eritrean diaspora journalists running websites in neighboring Sudan came under increasing pressure. In October 2011, Jamal Osman Hamad, who runs an opposition website from Sudan, *adoulis.com*, and is known for his criticism of Isaias, was arrested less than a week after an official visit to Sudan by the Eritrean president. In December, security forces in Khartoum released Hamad after eight weeks in jail and no charges were ever brought against him.

The government requires all internet service providers to use government-controlled internet infrastructure. Many websites managed by Eritreans overseas are blocked, as is the

video-sharing website YouTube. Authorities are believed to monitor e-mail communications, although internet use is limited, with just 6.2 percent of the population able to access the medium in 2011.

Estonia

Status: Free

Legal Environment: 5

Political Environment: 6

Economic Environment: 7

Total Score: 18

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	16,F	16,F	15,F	17,F	18,F

The constitution provides for and the government respects freedom of speech and of the press. Libel is not a criminal offense, but journalists can be sued for civil defamation. In 2010, the Ministry of Justice introduced legal amendments that many observers regarded as threats to freedom of speech, including a provision that would allow courts to jail journalists for refusing to disclose their sources. The proposals were widely condemned by press freedom advocates and Estonia's journalistic community, and the country's major newspapers published blank pages in protest. In November of that year, the parliament approved a less controversial version of the amendments, though they included a measure allowing authorities to seek damages from media outlets deemed to have engaged in libel or slander. The legislation as passed also still allowed journalists to be jailed for refusing to disclose sources, but only in investigations of the most severe crimes. In May 2011, the Estonian Human Rights Center officially criticized the parliament for not including journalists in the drafting process for the amendments.

The Public Information Act, the primary law governing freedom of information, obliges the authorities to assist citizens in accessing public documents. In June 2009, Estonia was among 12 European countries that signed the Council of Europe Convention on Access to Official Documents, which establishes the right for anyone to request information held by public authorities at no charge.

The National Broadcasting Council adopted regulations in 2010 to ensure unbiased coverage of electoral candidates on Estonia's public broadcaster. However, the council did not conduct official monitoring of the parliamentary election campaign in March 2011 and relied on registered complaints to measure compliance with the new regulations, a system that the Organization for Security and Cooperation in Europe/*Office for Democratic Institutions and Human Rights (OSCE/ODIHR)* considered insufficient for monitoring media bias.

Numerous media outlets operate throughout the country, and independent media express a wide variety of views without government interference. Eesti Rahvusringhääling (Estonian Public Broadcasting, or ERR) is a public-service media organization with two television stations (ETV and ETV2) and five radio stations. There are two primary national commercial television stations—Kanal 2 and TV3—and a large number of private radio stations and cable and satellite services. The Estonian-language print media landscape includes four national dailies as well as regional, municipal, and weekly papers. For the country's sizable Russian-speaking population,

there are television and radio programs in Russian (including on ERR), Russian-language newspapers, and access to broadcast and print media from Russia.

Media ownership has become increasingly concentrated over the years, with Scandinavian business interests taking a sizable share. As a result of the economic crisis in Estonia in 2009, some smaller print outlets were forced to cease publishing, while others cut staff and salaries and reduced international and regional news coverage. The recession also led to declines in the media advertising market. However, the economy showed signs of recovery by the end of 2010, and the decline in advertising revenues slowed or reversed, particularly in the internet sector. Still, newspaper sales have been steadily declining since 2007, with sharp drops in production of many papers in 2011.

Estonia remains among the leading countries in the world regarding internet penetration, with approximately 77 percent of the population active online in 2011. The government allows unrestricted access to the internet. In June 2009, the Supreme Court ruled that web portals and online news outlets could be held responsible for reader comments posted on their sites. The case was appealed to the European Court of Human Rights, and a decision was pending at the end of 2011. Cybercrime legislation was a topic of debate during the year. Although they supported the introduction of new laws to govern internet security, both Defense Minister Mart Laar and Foreign Minister Urmas Paet publicly emphasized the importance of drafting legislation that does not infringe on freedom of expression or other human rights.

Ethiopia

Status: Not Free

Legal Environment: 28

Political Environment: 35

Economic Environment: 18

Total Score: 81

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	77,NF	76,NF	76,NF	78,NF	78,NF

The political and media freedom climate in 2011 dramatically deteriorated as the government started making extensive use of the antiterrorism law, which entered into force in 2009, as an instrument to stifle dissent. Ethiopia is currently the second-leading jailer of journalists in Africa, after Eritrea.

While the constitution guarantees freedom of the press, this right is often restricted in practice. The Freedom of the Mass Media and Access to Information Proclamation was passed into law in December 2008, and has been criticized by the private media and press freedom groups for imposing constraints on the practice of journalism and harsh sanctions for violations. The most controversial provisions are included in the penal code that took effect in May 2005. Of greater concern is the selective approach the government takes in implementing laws and the lack of an independent judiciary. Journalists have few guarantees that they will receive a fair trial, and charges are often filed arbitrarily in response to personal disputes. Court cases can continue for years, and many journalists have multiple charges pending against them.

The antiterrorism law, supposedly designed to face the challenges posed to the government by armed insurgencies, was used to charge 24 politicians and journalists with terrorist offences. The accused were allegedly involved in varied collaborations with groups labeled terrorist organizations by parliament. Most journalists were arrested simply for having published information about these groups or for having interviewed some of their leaders. Among the journalists arrested were independent journalist and blogger Eskinder Nega; Woubshet Taye, deputy editor of the weekly *Awramba Times*; and Reeyot Alemu, a columnist with the independent weekly *Feteh*. Prime Minister Meles Zenawi's government also targeted foreign journalists under the antiterrorism law in 2011. In June, two Swedish journalists, Johan Persson and Martin Schibbye, were arrested by Ethiopian forces after having entered the Ogaden region in Ethiopia from Somalia to report on guerrilla activities and human rights conditions in the area, and on the activities of a Swedish organization searching for mineral resources. The two were sentenced to 11 years in prison in December.

Media practitioners were also targeted throughout the year for reasons unrelated to allegations of terrorism. In February 2011, roughly 130 charges were filed against *Feteh* editor in chief Temesgan Dessalegn, 35 of which were criminal charges that included defaming the government and inciting public violence and protests to boost newspaper sales. A number of journalists fled into exile for fear of arrest. As a result, popular newspapers had to close and resort to online versions managed by editors in exile. Journalist Argaw Ashine fled the country in September because of fears of impending imprisonment after being questioned by the police about the identity of a government source mentioned in WikiLeaks cables. In November, the editor in chief of the *Awramba Times*, Dawit Kebede, left the country because of continued harassment and intimidation by officials, which effectively closed the newspaper. In the same month, satirist Abebe Tolla of *Feteh* and *Awramba Times* also fled due to fear of retaliation for his critical commentary.

Ethiopia has one of the continent's most progressive freedom of information laws, although access to public information is largely restricted in practice, and the government has traditionally limited coverage of official events to state-owned media outlets. Since 2009, with the passage of the Proclamation for the Registration and Regulation of Charities and Societies, the ability of local and international nongovernmental organizations to monitor and advocate on issues of human rights, including media freedom, has become considerably more restricted.

Self-censorship is routinely practiced. Many private newspapers also report that the government attempts to control content through article placement requests and phone calls to editors from officials about articles that are critical of the government. The government's fear of dissenting voices was further fuelled by the popular uprisings that transformed the political landscape of North Africa and the Middle East in 2011. There were no reports of physical attacks on journalists during the year, though harassment, intimidation, and arrest were common.

The number of print outlets covering politics decreased significantly after 2005, while weekly papers and magazines on business and lifestyle catering to the growing urban middle class are proliferating. Approximately 20 private newspapers were published in 2011, with a combined circulation of 150,000 in Addis Ababa, the capital. The state operates the only national television station and owns almost all radio broadcasting in the country, both of which constitute the primary source of information for Ethiopians. Government-controlled media is biased toward the government and the ruling party. Broadcasting law prohibits any political, religious, or foreign entities from owning broadcast stations. In 2007, a new broadcasting authority was created, and the first licenses were awarded to two private FM stations in the capital; they are

owned by individuals seen as friendly to the ruling party. The signals of international broadcasters Deutsche Welle and Voice of America have occasionally been jammed, reportedly with the technical support of the Chinese government. This trend continued in 2011, but in contrast to previous years, when the government denied its involvement in blocking the signals, Meles claimed the right of his government to block broadcasting he said was fomenting ethnic violence. Meles has often mentioned the use of radios during the Rwandan genocide to justify his government's repressive measures against national and international broadcasters. The government controls the only newspaper printing press and often raises the cost of printing, the result of which is interrupted or altered publication cycles for newspapers based on how many copies the companies can afford to print.

Owing to an extremely poor telecommunications infrastructure, only 1 percent of Ethiopians had access to the internet in 2011. The government has resisted liberalizing telecommunications, maintaining a monopoly and keeping prices artificially high. In 2011, however, some important changes were introduced for mobile and internet services, including an increase in capacity for mobile services and the introduction of mobile internet—albeit at expensive rates—in major cities. These changes are largely due to a \$1.5 billion project financed by the Chinese government and implemented by Chinese company ZTE to overhaul the telecommunications infrastructure in Ethiopia. The government restricted access to numerous websites, including news sites, opposition websites, and the sites of groups designated as terrorist organizations. Controversial political blogs, many of which are based abroad, were blocked, hindering important voices from contributing to the local political debate. At the same time, the government has invested massive resources to use new communication technologies that allow it to communicate with the periphery of the state. It has set up a satellite-based videoconferencing system known as WoredaNet to allow the prime minister, other ministers, and high-level civil servants to regularly communicate with local officials.

Fiji

Status: Partly Free

Legal Environment: 18

Political Environment: 27

Economic Environment: 13

Total Score: 58

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	39,PF	37,PF	40,PF	54,PF	57,PF

The constitution, suspended since April 2009, guarantees press freedom and freedom of expression, but the military government led by Prime Minister Josaia Voreqe Bainimarama does not respect these rights in practice. Ongoing censorship throughout 2011 imposed by the regime continued to severely restrict press freedom. Under the Public Emergency Regulations (PER) imposed by Bainimarama in April 2009 (and expected to be lifted at the start of 2012), the regime and its authorities are able to decide what constituted balanced and quality journalism and to directly censor news content. The decree allowed officers authorized by a government-

appointed media authority to enter newsrooms and media offices to seize any documentation, materials, or equipment on the basis of vaguely defined complaints. Though touted as “temporary,” the PER has been renewed monthly since its implementation. Also in 2011, the media environment continued to suffer the effects of the harsh Media Industry Development Decree (MIDD), introduced in June 2010. The decree established the Fiji Media Industry Development Authority, which has the power to enforce the MIDD and investigate possible violations. The MIDD also established a separate media tribunal to hear cases referred by the authority and to impose prison sentences and fines on journalists whose work is deemed to be against “public interest or public order.” Violations of the vaguely worded “public interest” or “public order” provisions of the decree are punishable by a fine of up to FJ\$1,000 (US\$572) or imprisonment of up to two years for journalists; the penalty for any media company that breaches the decree may be as high as FJ\$100,000 (US\$57,200). In addition, it overrides traditional checks and balances by forbidding the judiciary to challenge the decree or the institutions established by it.

During the year, media outlets faced several instances of legal and official harassment. In November, the *Fiji Times* came under attack when Attorney General Aiyaz Sayed-Khaiyum filed a contempt case against the paper in connection with a story that he claimed “scandalized the High Court.”

Currently, the Telecommunications Regulatory Unit within the Department of Communications is responsible for granting broadcast licenses and regulating Fiji’s telecommunications sector. According to an October 2011 *Pacific Journalism Review* report, the long-established Fiji Media Council “appears to have been largely sidelined under the [MIDD] by the new state-established Media Industry Development Authority,” where government-appointed staff work with representatives from the media industry. Although the Pacific Islands News Association (PINA), a Suva-based regional press freedom watchdog, has been strongly criticized for remaining in Fiji and risking being compromised, along with its local counterpart Fiji Media Watch, it has been running training courses and attempting to influence the regime on professional issues.

The threat of harsh repercussions inherent in the MIDD has led to a degree of self-censorship by the country’s news media. During the year, cases of physical attack or harassment of journalists or media outlets were rare, perhaps because reporters were less willing to take risks to cover the news. In February 2011, military officers detained *Fiji Times* journalist Felix Chaudhary over an unflattering story on the sugar and aviation industries in Fiji. He was held for about an hour, and was released after the officers reportedly warned him to stop publishing articles on corporations in which the government held a large stake.

Fiji’s media landscape consists of both public and private outlets. A private radio network, Communications Fiji Limited, operates multiple and multilingual stations, and competes with the public broadcaster, Fiji Broadcasting Corporation. A new independent station, Mai Television, also competes with the long-established Fiji Television. Under the MIDD, media outlets cannot be more than 10 percent foreign-owned. This clause was reportedly designed to make critical sections of the news media more pliant. It had particularly negative implications for the *Fiji Times*, the country’s oldest and most influential newspaper, founded in 1869 and previously wholly owned by News Limited, the Australian branch of Rupert Murdoch’s U.S.-based News Corporation. Since the 2006 coup, the newspaper, under the editorship of an indigenous Fijian, Netani Rika, had been the most critical media opponent of the regime and the strongest voice for a return to democracy. In 2010, Murdoch was forced to sell the *Fiji Times* to a

local trading company, the Motibhai Group. As result of the regime’s forced sale of the *Fiji Times*, rival daily newspaper the *Fiji Sun* has benefitted from a monopoly on state advertising. The *Fiji Sun*’s dominant position was further bolstered by the closure in early 2010 of another of the country’s three daily newspapers, *Fiji’s Daily Post*.

There were no government restrictions on the internet, which was accessed by nearly 28 percent of the population in 2011. However, the government did monitor internet traffic, especially to control criticism of the government by bloggers. There was also evidence that the government monitored private e-mails.

Finland

Status: Free

Legal Environment: 3

Political Environment: 3

Economic Environment: 4

Total Score: 10

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	9,F	9,F	10,F	10,F	10,F

Finland continued to be among the most free media environments in the world in 2011. Freedom of expression and access to information is guaranteed under Article 12 of the constitution. Although journalists and media outlets are generally allowed to operate freely, defamation is considered a crime, and the government actively pursues incidents of defamation of religion or ethnicity. In 2011, the Helsinki District Court dismissed charges of libel related to the contents of an authorized book about the Finnish band Nightwish. The court ruled that the book did not detrimentally affect the work or reputation of the band. Finnish law gives every citizen the right of reply and the right to have falsely published information corrected, in both internet-based and traditional publications alike. Physical harassment of or threats made against journalists are extremely rare.

Finland maintains a high newspaper readership. In 2010, the country was ranked third in the world for newspaper consumption, with 483 copies per 1,000 inhabitants. Media ownership is concentrated, with Alma Media and Sanoma controlling most newspaper distribution. Public broadcaster Yleisradio OY (YLE) and commercial channel MTV dominate the broadcasting sector, with another commercial channel, Nelonen, an outsider. Radio is dominated by four public service channels and the commercial channel Radio Nova, as well as a large number of seminational and local stations. Public radio also broadcasts in the minority languages Swedish and Sami (Lapp).

The internet is open and unrestricted, and around 89.4 percent of citizens had regular access in 2011. There have been concerns about the Finnish child pornography filter, which a blogger exposed as blocking many legal sites. Internet publications must name a responsible editor in chief and archive published materials for at least 21 days. In July 2010 it became a legal right for every Finn to have a 1MB broadband internet connection. In September 2010, a threat made against Minister of Migration and European Affairs Astrid Thors became the first

prosecution of a threat made on Facebook. The man who made the threat was convicted in December and fined 640 euros (\$860). There were no prosecuted threats in 2011.

France

Status: Free

Legal Environment: 6

Political Environment: 11

Economic Environment: 7

Total Score: 24

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	21,F	22,F	22,F	23,F	23,F

The constitution and governing institutions in France support an open press environment, although certain laws limit aspects of press freedom in practice. Freedom of information legislation is in place, but there are exceptions to protect the reputation or rights of a third party, and requests are often denied. In September 2010, the High Authority for the Dissemination of Creative Works and Protection of Rights on the Internet (HADOPI) began operation. Under the law creating HADOPI, which had been passed in October 2009, three warnings are issued to users who illegally download copyrighted material before their access is suspended for up to one year; they also face fines or jail time for violations. While the law in itself does not pose a threat to press freedom, its provisions for possible jail time have been criticized as excessive. Between October 2010 and December 2011, HADOPI sent first written warnings to 755,015 users, 95 percent of whom did not require a second warning. In February, the law was amended to allow HADOPI to pay private companies to carry out its surveillance. Also that month, the National Assembly adopted the Law on Guidelines and Programming for the Performance of Internal Security (LOPSSI 2) law, which allows sites suspected of child pornography to be blocked without a court order. It also allows police to install or remove spyware under judicial control.

There are strict defamation laws with fines for those found guilty; the law also punishes efforts to justify war crimes and crimes against humanity, as well as incitement to discrimination and violence. In May 2011, the National Council amended Article 35 of the 1881 press law, removing a line that stated parties accused of defamation can only use evidence of their innocence from within the past 10 years. The defamation laws are often used to pressure journalists. Notable cases in 2011 included a favorable court ruling in February for journalist Denis Robert, who has been fighting a 10-year defamation case against financial institution Clearstream after a story he published revealed flaws in its accounting system that could facilitate money laundering or tax evasion. The ruling was seen as an important victory for investigative reporting in France. Among other cases, in February, radio personality Éric Zemmour was forced to pay €1,000 (\$13,800) for stating in a television broadcast that most drug dealers are black or Arab. Zemmour also received a fine for saying that employers “had a right” to reject black and Arab candidates. In March, documentarian Jean-Robert Viallet beat a defamation suit filed by Carglass for criticizing the company in a 2009 documentary, *La Mise à mort du travail*. In November, a journalist for the daily *L’Est Républicain* was forced to pay €150 (\$190) to Minister for Families Nadine Morano for criticizing her for holding up a flight in

Rome by refusing to pass through security. Also in November, Ségolène Royal, the Socialist Party candidate for a legislative seat in La Rochelle, sued *Le Point* magazine for an article that alleged a link between her bid for office and a €12 million (\$15 million) deal for an expansion of the city's port. At least five defamation suits were filed by Ramzi Khiroun, counsel for former International Monetary Fund managing director Dominique Strauss-Kahn, on his client's behalf in 2011 after the media reported on sexual harassment suits brought against him in France.

In May, the Senate rejected a bill, known as *la loi Boyer*, directly criminalizing denial of the Armenian genocide, which could lead to fines of up to €45,000 (\$58,000) and one year in prison. However, the bill resurfaced and was passed in December, making it illegal to deny officially recognized genocides, including the Armenian genocide. The ruling put tremendous strain on the political relationship between France and Turkey, causing Turkish prime minister Recep Tayyip Erdoğan to remove the Turkish ambassador to France as well as to suspend military cooperation, bilateral political agreements, and economic contracts between the two countries.

A law went into effect in January 2010 that strengthened protection of sources in France. Under the law, journalists can be compelled to reveal sources only in cases of serious crimes; also, access to the sources must be required for the investigation. The French daily *Le Monde* twice sued the Elysée Palace in 2010, in September and October, for violating its right to protection of sources. The September lawsuit came about when the domestic intelligence agency admitted that it had investigated the paper for its reporting on the Bettencourt-Woerth saga, an affair in which President Nicolas Sarkozy and Labour Minister Eric Woerth were accused of receiving illegal funding from L'Oréal heiress Liliane Bettencourt. A second complaint was lodged in October after police requested access to the phone bills of two of *Le Monde's* journalists in connection with the same story. In May 2011, a French court ruled that a prosecutor had acted illegally when he allowed police to search the records of *Le Monde* journalists. Two of *Le Monde's* complaints were shelved by prosecutors and re-filed by the paper in March 2011. In late 2011, investigating magistrate Sylvie Zimmerman questioned Bernard Squarcini, the head of domestic intelligence; Philippe Courroye, a state prosecutor; and Frédéric Péchenard, France's chief of police, in connection with a probe into the illegal surveillance. Squarcini was charged in October with "illegally collecting data and violating the confidentiality" of sources. His trial is not expected to take place for several years. In December, France's top appeals court ruled in favor of *Le Monde*.

In August 2011, reporter Fabrice Arfi of *Mediapart* filed a complaint after receiving death threats allegedly from Pierre Sellier, founder of the economic intelligence firm Salamandre, for investigating arms deals in Pakistan. Salamandre is linked to arms and counterespionage circles, and has several contracts with Sarkozy's office. In November, the Paris offices of satirical weekly *Charlie Hebdo* were destroyed by a firebomb after publishing an issue with a cartoon of the prophet Muhammad on the cover. The magazine's editor recounted having received threats on Facebook and Twitter leading up to the publication.

In June, a French judge dismissed French journalist Jacques-Marie Bourget's complaint of attempted homicide against Israeli authorities, who allegedly permanently disabled him in a shooting in 2000, on the grounds that a lack of cooperation by the Israeli government prevented the advancement of any investigation into the case. In a victory for press freedom, in December the French government refused to execute an arrest warrant issued by the International Criminal Tribunal for the former Yugoslavia, which held journalist Florence Hartmann in contempt for publishing confidential information in 2007 on Serbia's involvement in the Bosnian conflict.

The independent media are robust and express a wide range of opinions largely without restriction, and most of France’s more than 100 newspapers are privately owned. There are over 1,200 radio stations, and since the state monopoly on radio ended in 1982, private stations have flourished, although public broadcaster Radio France continues to be popular. However, many media outlets—print as well as broadcast—are owned by companies with close ties to prominent politicians and defense contractors. In 2009, advertisements were eliminated on the five public channels during prime time, and the channels are expected to become completely ad-free by 2013. The lost income was to be made up through higher taxes and licensing fees, but these revenue increases have not raised as much as expected.

In 2011, approximately 80 percent of the population accessed the internet. There are no government restrictions on the medium, but a 2006 antiterrorism law allows security agencies to monitor the internet for suspected terrorists. In October 2011, the website Copwatch in Nord-Ile-de-France, which was created to ensure police transparency, was shut down because it held personal information about police officers. Also in October, a court ruled that bloggers had the same rights under press freedom laws as members of the traditional media after one blogger, Antoine Bardet, was brought to court by the mayor of Orléans.

Gabon

Status: Not Free

Legal Environment: 24

Political Environment: 24

Economic Environment: 22

Total Score: 70

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	69,NF	69,NF	69,NF	71,NF	69,NF

The constitution guarantees freedom of expression and of the press, but authorities continued to employ legal harassment, threats, and financial pressure to curb critical reporting in 2011. While conditions improved slightly in 2010 under President Ali Ben Bongo Ondimba, who succeeded his father in 2009, signs of backsliding emerged in 2011 with a near-blackout in the official media on the prodemocracy demonstrations sweeping across North Africa and the Middle East, and increased harassment of private media. Libel can be treated as either a civil or a criminal offense, and the government is permitted to criminalize civil suits and initiate criminal cases in response to alleged libel of government officials. Publications can also be legally suspended for libel and other offenses. There is no freedom of information law, and access to official information remains difficult.

In 2011, the government continued to use its main regulatory body, the National Communications Council (CNC), to curtail critical journalism. With all nine members of the CNC appointed by Bongo and the presidents of the two chambers of parliament (both from Bongo’s Gabonese Democratic Party), the body is potentially subject to considerable political interference. In January, the CNC suspended TV+, the station of opposition leader André Mba Obame, for three months for airing a mock swearing-in ceremony of Obame as president, to protest Bongo’s contested 2009 election. In June, the council suspended a private weekly, *Echos*

du Nord, for a month for reporting on an opposition candidate’s allegations that Bongo had used a false birth certificate to file for his candidacy in the 2009 election. In October, five private newspapers—*Ezombolo*, *La Griffé*, *La Voix du Peuple*, *Le Scribouillard*, and *La Une*—received suspensions of between two and three months for lack of professional ethics and repeated calls for ethnic division and insurrection. There were no reports of physical attacks on journalists during the year.

The two government-affiliated newspapers, *L’Union* and *Gabon Matin*, are the only dailies in the country. Twenty-three private weeklies and monthlies print sporadically due to financial constraints and government-ordered closures. Many of those outlets occasionally voice criticism of the government and ruling party, but self-censorship persists, especially when it comes to the president. Foreign publications are readily available. Gabon has seven private radio stations and four private television stations. The government owns two radio stations and two television stations that broadcast nationwide. Satellite television is also available to those who can afford it, and foreign radio broadcasts are widely accessible. Government officials and other powerful figures use financial pressure to control the press, and ownership of media outlets is opaque.

Only 8 percent of the population accessed the internet in 2011. Until this year access to the sole fiber optic submarine cable was monopolized by Gabon Telecom, and broadband internet penetration was limited by high costs and lack of availability outside the capital. The arrival of a second cable in 2011, part of the Africa Coast to Europe (ACE) project, increased the prospects of lower prices, wider connectivity, and increasing internet use. While there were no reports that the government restricted internet access or monitored e-mail, Bongo has reportedly attempted to use legal means to close down the website of a Gabonese opposition blogger, Daniel Mengara, who lives in the United States.

The Gambia

Status: Not Free

Legal Environment: 26

Political Environment: 35

Economic Environment: 20

Total Score: 81

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	77,NF	79,NF	79,NF	81,NF	81,NF

Conditions for press freedom and freedom of expression in 2011 remained largely unchanged from the previous year. The press continued to operate in a climate of fear due to legal and extralegal pressure, while the government ignored calls for accountability regarding past cases of murder and abuse targeting journalists.

Although Article 34 of the constitution provides for freedom of the press and freedom of expression, the government does not respect these rights in practice. Constitutional protections are undermined by other legislation, primarily the 2004 Newspaper Amendment Act, which requires newspapers to reregister and imposes excessive bonds on media institutions, as well as a 2004 criminal law that mandates stiff penalties for offenses including publication of false

information, sedition, and libel. These provisions give the authorities great power to silence dissent. A 2005 press law guarantees the right of citizens to obtain information and prohibits censorship, but there are broad restrictions on any content that is considered contrary to the principles of Islam or offensive to other religions. Media outlets are sometimes fined and journalists are occasionally arrested for disseminating “un-Islamic material,” leading to self-censorship.

Efforts to hold the government accountable for past mistreatment of journalists have borne little fruit. In December 2010, in a case brought in 2008 by the Ghana-based Media Foundation of West Africa, the Economic Community of West African States (ECOWAS) Court of Justice ordered the Gambian government to pay \$200,000 in compensation to exiled Gambian journalist Musa Saidu Khan, who had been detained and tortured for three weeks by state security agents in 2006. At the time of his arrest, Saidu Khan was editor in chief of the *Independent*, a weekly that has since been banned. Upon his release, he fled to the United States. The government ignored the court’s ruling in 2011. In 2008, the ECOWAS court ordered the Gambian government to release and compensate “Chief” Ebrimah Manneh, who was arrested in 2007 by state security agents and has been missing since then. The government rejected that decision in April 2009, with the attorney general and justice minister formally declaring that Manneh was not in government custody. In October 2011, Justice Minister Edward Gomez claimed in an interview with the *Daily News* that Manneh was alive, though he did not reveal more information about his whereabouts. Manneh’s arrest and disappearance came after he published a report in the independent *Daily Observer* that was critical of President Yahya Jammeh and his government’s failure to investigate the 2004 assassination of journalist and press freedom activist Deyda Hydara. Inquiries into the Hydara case had stalled in early 2005 following a leaked intelligence report that smeared the slain journalist.

As Gambians went to the polls in November 2011 to reelect Jammeh to a fourth five-year term, he publicly vilified journalists who were demanding more press freedom. Reporters from news outlets that are perceived to be critical of the government are routinely denied access to public information and excluded from official events.

Arrests and intimidation of journalists did not ease in 2011. In January, community radio station Taranga FM, the only private radio station broadcasting news in local languages, was ransacked and forcibly closed by security agents. The station was reopened one month later on the condition that it refrain from airing reviews of opposition newspapers. In August, the National Intelligence Agency forced Taranga FM to drop its local language news and current affairs programs under threat of closure. Other cases of intimidation included that of Nanama Keita, former sports editor of the *Daily Observer*, who was arrested in July and charged with giving false information to a public servant. He fled the country while on bail. His bond holder, Saikou Ceesay of the *Daily News*, was arrested in November and forced to pay a \$3,500 fine before being released. In a separate case in March, journalist Dodou Sanneh was arrested after petitioning the president to be reinstated at Gambia Radio and Television Services, the public broadcaster, having been dismissed in 2006; he was convicted of giving false information to a public servant and fined in September. Another journalist, former Gambian Press Union president N’dey Tapha Sosseh, was charged—along with former information minister Amadou Scattered Jannah and two others—with treason and sedition in July for distributing t-shirts that called for an end to the dictatorship. At their trial in December, the accused refused to mount a defense. A verdict was pending at year’s end.

The government owns *The Gambia Info* newspaper, a national radio station, and the only national television station. Political news coverage at these outlets generally toes the official line. There are eight private newspapers and nine private radio stations. Private media outlets are subject to official pressure, and many have toned down coverage of the opposition. Most businesses avoid advertising with private media outlets for fear of government reprisals. A premium television network operates as a locally based satellite station. Foreign news services are rebroadcast on several local radio stations. The government did not interfere with access to foreign cable or satellite television news broadcasts in 2011, which were generally available to most citizens.

About 11 percent of the population had access to the internet in 2011. The online news sites *Freedom* and *The Gambia Echo*, both based in the United States, have periodically been blocked by the authorities.

Georgia

Status: Partly Free

Legal Environment: 13

Political Environment: 21

Economic Environment: 18

Total Score: 52

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	57,PF	60,PF	60,PF	59,PF	55,PF

The constitution protects media freedom, and Georgia has some of the most progressive legislation in its region. Concerns persist regarding the government's influence over private media, particularly broadcast outlets. However, some progress was made during 2011 on media regulation and ownership transparency.

Article 19 of the 1995 constitution and the Law on Freedom of Speech and Expression contain provisions for protection against censorship. However, legislation is at times slowly implemented, and enforcement is often determined by political concerns. The government decriminalized libel in 2004 as part of an effort to bring Georgian media law into line with European standards. Although the country adopted freedom of information legislation several years ago, Georgian media report that government officials, particularly local authorities, continue to limit or delay journalists' access to information. Legal cases are rarely brought against journalists.

The Georgian National Communications Commission (GNCC) regulates and licenses the country's telecommunications and broadcast media, and has been accused of lacking independence from political influence, as its members are nominated by the president. The commission's chairman has been criticized for holding a stake in a wholesale television airtime business during previous years of his tenure, and for continuing to hold a stake in a company that produces and places advertising, including in broadcast media. Progovernment outlets have at times been allowed to operate without licenses, while enforcement is often rigorous for opposition outlets. However, after repeated delays, in 2009 the GNCC issued a new 10-year general satellite broadcast license to Maestro, which enabled the opposition-oriented station to

continue airing news programs. In 2011, the GNCC renewed the issuance of broadcast licenses, which it had delayed for the past three years while awaiting the completion of an in-house media landscape assessment. Meanwhile, the Georgian Charter of Journalistic Ethics, a self-regulatory body, held deliberations throughout the year, raising the prospect of future improvements in media accountability and integrity. The organization is currently discussing the expansion of its mandate to include ethics violations by nonmembers.

The political situation in Georgia remains highly polarized. Tension between the ruling party and the opposition, which had been declining, was revived in 2011 in anticipation of parliamentary and presidential elections scheduled for 2012 and 2013. In May, the police violently dispersed street protests staged by several opposition parties, claiming that the unrest was part of a plot to overthrow the government. The formation of a new opposition force headed by billionaire businessman Bidzina Ivanishvili intensified political competition. Ivanishvili publicly asked the owners of broadcast media to sell their outlets to him in order to ensure that the opposition had access to the airwaves during the election period.

The state's influence over the broadcast media remains a concern. Members of the board of the state-run Georgia Public Broadcaster (GPB), which operates television and radio stations, are approved by the president, and its main television channel, 1TV, is widely perceived as biased in favor of the government. The GPB also operates a political channel, which offers live coverage of Parliament and opportunities for a wide range of political parties to air their viewpoints. The GPB retains a significant advantage over other media due to the state subsidies it receives, although April 2011 amendments to the Law on Broadcasting stripped it of the right to air commercials, with few exceptions. In January 2011, the GPB facilitated the launch of a new Russian-language channel called First Information Caucasus (PIK). The channel had a rough start, as it had to switch satellite providers after losing a legal battle with the French company Eutelsat. PIK underwent a major management overhaul after the team of British reporters who founded it left the organization.

The level of violence and harassment aimed at journalists was lower in 2011 than in previous years, though reporters did face physical violence during the dispersal of street protests in May. The police physically assaulted several journalists, held some at the police station, and confiscated and damaged their equipment. The Ministry of Internal Affairs subsequently held an internal investigation, and in response to a lawsuit brought by the journalists, a court ordered the return of their equipment and monetary compensation for injuries in December. In July, four photographers, including a personal photographer for the Georgian president and a correspondent for the European Press Photo Agency, were arrested on espionage charges. They received conditional sentences and were released within two weeks after confessing in plea bargains.

Georgia has the freest and most diverse media landscape in the region. Media are politically polarized, however, and neutral and objective news is only available from a few sources. A large number of private print outlets operate in the country and typically enjoy editorial independence, but have very limited circulation. Magazine readership is on the rise, boosted by a newfound interest in serious, analytical reporting. Radio stations are generally free and independent. Most television stations support either the government or the opposition both editorially and through the selection and treatment of news. The two privately owned television broadcasters with nationwide coverage, Rustavi-2 and Imedi TV, are subject to government editorial control through close links with the owners, and both stations are perceived as favorable to the government. Smaller opposition-oriented stations, such as Kavkasia TV and Maestro TV, do not have national reach. In November 2011, bitter arguments arose between the owners of

Maestro and its managing firm regarding the station's coverage of Georgian political events. The director, Bacho Kikabidze, and producer, Mamuka Glonti, were fired by the managing firm, and the internal controversy resulted in a temporary interruption of the station's broadcasting abilities.

The lack of transparency in media ownership and property rights, especially for television stations, was partially resolved in April 2011 with the adoption of the Law on Broadcasting amendments, which require the full disclosure of ownership structure, including all owners and financial sources. The Coalition for Media Advocacy, established by local journalism and human rights organizations, had been actively involved in negotiating the amendments. They also include a ban on the ownership of broadcast media by offshore companies, forcing several television stations, including Rustavi-2 and Imedi TV, to alter their ownership structures. However, concerns regarding media concentration remain unresolved. Though the law stipulates that individuals or entities are prohibited from owning more than one television or radio license in any one area, no explicit mechanisms are in place to prevent individuals from owning shares in companies that ostensibly own the broadcast licenses. The state continues to own and support Ajara TV, a major station in Georgia's Ajara Autonomous Republic, even though legislators had established a deadline of November 1 for the station's reorganization in the Law on Broadcasting.

The media do not have a high degree of financial independence. Nationwide television stations are owned and subsidized by large businesses that typically have close links to the state. The advertising market in Georgia continues to be highly politicized. Advertisers favor progovernment media, with critical outlets struggling to sell advertising space and airtime. Print media in are especially challenged by a lack of advertising income and financial resources—problems that particularly affect their distribution capacity. Distribution in the capital, Tbilisi, has been hampered by an October 2011 city government initiative to dismantle existing press kiosks and auction off the rights to install and operate new kiosks. The program is open to participation by any company, whereas in the past the kiosks were operated by press distributors. The Georgian Press Association, which represents leading Tbilisi dailies, joined forces with print media distributors in an effort to ensure fair and unimpeded distribution.

Approximately 37 percent of Georgians accessed the internet in 2011. The internet is not currently subject to government regulation. While most Tbilisi-based newspapers are not active on the web, regional newspapers have been steadily expanding their online presence, and start-up web publications, such as the independent *NetGazeti*, are gaining readers. In addition, several television stations are active on the internet. The web portals of news agencies, such as Interpressnews.ge, are widely used for fact-based news, while blogs and social-networking sites, such as Facebook, are playing a growing role in spreading news and information. The adoption of web tools by the traditional media has been hindered by journalists' and editors' general lack of understanding and skills relevant to online media.

The separatist territories of Abkhazia and South Ossetia are effectively under Russian control. There is little media presence in tiny South Ossetia. Local authorities operate a television station, although most programming is rebroadcast from Russia. There is almost no independent print sector. Serbian travel journalist Viktor Lazić was detained in September 2011 on a charge of crossing the border illegally, having entered South Ossetia from Georgia proper. In Abkhazia, a larger and more ethnically mixed region, the media environment is more diverse. The local population has access to both Russian and Abkhaz television content; Georgian stations are only available via satellite. Abkhazia's residents have access to Georgian and Turkish radio, and the

territory is home to several private print media outlets. Overall, media ownership and coverage is dominated by local authorities.

[The scores for Georgia do not reflect conditions for the media in South Ossetia and Abkhazia, although these separatist territories are covered in the narrative report.]

Germany

Status: Free

Legal Environment: 6

Political Environment: 7

Economic Environment: 4

Total Score: 17

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	16,F	16,F	16,F	17,F	17,F

The German constitution and basic laws guarantee freedom of expression and of the press, but there are provisions banning hate speech, Holocaust denial, and Nazi propaganda. Despite a few attempts by political and economic actors to interfere in news coverage, the media remained free and vibrant in 2011. No journalists were convicted on criminal libel charges during the year. Freedom of information legislation that took effect in 2006 established that information held by public authorities should be open and available, but it also contains numerous exceptions and requires the payment of high fees in advance of every request.

An antiterrorism law that gives authorities greater power to conduct covert surveillance took effect in 2009. It permits remote and secret searches of computers, telephone lines, and homes of suspected terrorists, and is meant to expand the investigative powers of the German Federal Criminal Police Office. Journalists remain concerned that the law will limit their ability to keep sources confidential, but at the end of 2011 there had been no cases of it being explicitly used against journalists.

Germany's controversial 2008 data retention law was overturned by the Federal Constitutional Court (FCC) in 2010. Based on a European Union directive, the law had required telecommunications companies and internet service providers to store data for up to six months. It also permitted the wiretapping of journalists under certain circumstances. In June 2011 the Interior Ministers' Conference called for a new law that would shorten the data retention period, but at year's end the government had not introduced a new version. Also in 2011, the FCC decided that the legislature does not have to grant journalists the same protection as persons subject to professional secrecy, such as deputies or lawyers. According to the judgment, law enforcement authorities can investigate journalists' telecommunications data, despite their right to refuse to give evidence. Separately, in January 2011 the FCC for the first time declared the search of a community radio station without an adequate proportionality test to be unconstitutional.

In a positive step, the cabinet adopted a draft law to strengthen press freedom in 2010. The planned law would give greater protection to journalists who report information leaked from government informants. It would also revise the penal code provisions used to prosecute betrayal

of state secrets and tighten the circumstances in which a journalist's materials can be confiscated. The parliament had still not passed the bill at the end of 2011, but the government expected it to do so in the first half of 2012.

The German media generally enjoy editorial independence. However, in 2011 there were several cases of journalists and media outlets being intimidated by political and economic actors with the aim of interfering in news coverage. In December, President Christian Wulff pressured the country's leading tabloid, *Bild*, to block a critical story about an unusual personal loan he received, leaving editor Kai Diekmann a menacing voice-mail message in which he raised the prospect of "war" if the tabloid reported on the loan. The president also called members of the board at the Axel Springer publishing company with the same aim. In other cases, important economic actors like the financial manager Carsten Maschmeyer and the regional bank HSH-Nordbank tried to limit critical reporting. In a series of letters and calls, Maschmeyer threatened the authors of investigative stories about his business dealings with legal retaliation. And in September it was revealed that the board of HSH-Nordbank had hired a security company to monitor editorial offices and journalists in 2009 in order to identify whistle-blowers.

There has also been rising concern about political influence on Germany's national public television network, Zweites Deutsches Fernsehen (ZDF). In 2011, politicians of the ruling party who sit on the broadcaster's program committee issued an admonition against the investigative political program *Frontal 21*, accusing the journalists of unbalanced reporting. In 2009 the board of ZDF declined to renew the contract of editor Nikolaus Breder, contrary to the network director's request. Media monitoring groups such as the Vienna-based International Press Institute alleged that political interference had played a significant role in the outcome. Violence against journalists is rare, and there were no reported attacks on journalists in 2011.

There are almost 350 daily and more than 20 weekly newspapers in Germany. While local and regional newspapers have the greatest influence, there are 10 nationally distributed titles. Financial strains have fueled a trend of merging editorial departments, leading to diminished media plurality and a reduced diversity of views. Germany's television market is the most competitive in Europe, with more than 90 percent of households having cable or satellite television. The typical public-service broadcaster provides a region, usually a state, with radio and television. Some are joint corporations and provide coverage to several states; for example, the company NDR serves four northern states. There are nine regional public-service broadcasters for the 16 states, plus ZDF and two national public radio stations. All are financed primarily by license fees and managed by independent bodies. In addition, a number of private broadcast outlets operate throughout the country. Germany is home to some of the world's largest media conglomerates.

Approximately 83 percent of Germans accessed the internet in 2011. There is a legal ban on accessing online child pornography and Nazi propaganda. Although there are no prepublication censorship regulations, the 2011 Google Transparency Report indicated that German authorities requested the removal of 4,127 items from the web during the year. The most common reasons included defamation, privacy or security issues, and hate speech.

Ghana

Status: Free

Legal Environment: 8

Political Environment: 10
Economic Environment: 10
Total Score: 28

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	26,F	27,F	26,F	26,F	26,F

Ghana’s overall climate for freedom of expression and the press remained generally healthy in 2011. The government of President John Atta Mills of the National Democratic Congress (NDC) sought to maintain the relative freedoms enjoyed by the press and media practitioners in the third year of the NDC’s return to power.

Freedom of the press is legally guaranteed, and the government generally respects this right in practice. Ghana’s criminal libel and sedition laws were repealed in 2001, but Section 208 of the 1960 Criminal Code, which bans “publishing false news with intent to cause fear or harm to the public or to disturb the public peace,” remains on the books and is occasionally used against journalists. Former public officials and private citizens also occasionally bring civil libel cases seeking crippling amounts in damages from media outlets, which can encourage self-censorship. In August 2011, a team of security officials stormed the premises of the *Chronicle*, an Accra-based daily newspaper, and sealed off the offices, after the Accra High Court in June had found the paper guilty of defaming the former vice chancellor of the University for Development Studies, professor Kaku Sagary Nokoe. In 2009, the *Chronicle* had published a story accusing Nokoe of underhandedly acquiring a hostel. The *Chronicle* was ordered to pay \$331,500 in fines and damages; however, it was allowed to resume publication later in the month.

Mills’s cabinet approved a Right to Information Bill in November 2009 that would reinforce the constitution’s guarantee of freedom of information. However, at the end of 2011, the Ghanaian parliament had yet to sign the bill into law. The Ghana Right to Information Coalition (GRIC), an advocacy group pressuring for the passage of the bill, has lamented the delay, and continues to object to key components of the legislation, notably the lack of an independent enforcement body to monitor violations.

The surge of election-related harassment of journalists and overzealousness of police officers that had taken place in 2008 declined substantially in recent years and remained stable in 2011. However, journalists and photographers continue to be regularly subject to harassment and physical attacks on the job, with a number of incidents reported in 2011. In what the Media Foundation for West Africa described as the latest of several similar incidents, plainclothes security officials in May harassed reporter Hannah Odame of Joy FM, an Accra-based independent radio station, and prevented her from interviewing a group of applicants who had assembled at the entrance of the Accra’s National Passport Office in protest of delays in processing their passports. In October, Fred Tettey Alarti-Amoako, a correspondent in the Brong Ahafo region for the *Daily Guide*, reported receiving death threats from the paramount chief of the Goaso Traditional Area, Nana Bosomprah II, and his aides after reporting a story about the chief assaulting the Queen Mother of Dantano in public after she allegedly insulted him and refused to get up from her seat to pay him homage when he arrived at the funeral of the late Ayomso Queen Mother.

While the state-run Ghana Broadcasting Corporation (GBC) is protected from government interference by the 1992 constitution, pressure from political parties to have their

agenda in the limelight remains. Additionally, there is some measure of editorial pressure from owners of private media, particularly those with political connections, and some journalists practice self-censorship for political or commercial reasons.

Dozens of newspapers, including two state-owned dailies, publish regularly, and there are 27 television stations in operation. Radio is the most popular medium, with more than 150 FM stations in operation nationwide, 11 of which are state-run. The first community radio station, Radio Ada, was launched in 1999 and became a founding member of the Ghana Community Radio Network. Nine additional stations have started broadcasting, and several others have been awarded licenses by the National Communications Authority (NCA). Community radio stations have effectively informed citizens in marginalized communities throughout the country, contributing to stronger public involvement in local politics. However, the NCA has been criticized for slow licensing procedures and bias. Poor pay and unprofessional conduct, including the fabrication of highly sensationalist news stories, remain problems. Additionally, access to affordable advertising is an issue. The GBC receives inadequate funding from the government and must sell airtime in order to remain afloat, making it dependent on the income generated by advertisements. Thus, it has little control over its clients, who are often large corporations, as small businesses are unable to afford the high advertising rates.

Use of the internet is growing and remains unrestricted; however, the access rate remained low, at 14 percent of the population in 2011. In March 2010, several groups, led by the Alliance for Accountable Governance (AFAG), sued the government to prevent it from installing a monitoring device on the international gateways of mobile telephone providers, who also opposed the initiative. The government argues the device will help minimize loss of revenue from international calls, but the plaintiffs claim it could be used to tap into text messages and internet communications. In early 2011, the *Ghanaian Chronicle* reported that the minister of communications, Haruna Iddrisu, said the project for the monitoring of international inbound calls had come to a standstill as a result of the court action.

Greece

Status: Free

Legal Environment: 9

Political Environment: 15

Economic Environment: 6

Total Score: 30

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	25,F	27,F	29,F	29,F	30,F

The constitution includes provisions for freedom of speech and the press, and citizens have access to a broad array of privately owned print and broadcast outlets. However, there are some limits on speech that incites fear, violence, and public disharmony, as well as on publications that are obscene, offend religious beliefs, or advocate violent overthrow of the political system. A 2007 media law mandates that the main transmission language of radio stations be Greek. The law also requires that radio stations keep a certain amount of money in reserve and hire a minimum number of full-time staff, which places a disproportionate burden on smaller, minority-

owned stations. In September 2010, journalist Takis Michas was sued for libel by a Greek businessman over Michas's use of the term "paramilitary" to describe voluntary Greek units that were present at the 1995 Srebrenica massacre in Bosnia and Herzegovina, a subject often not discussed in Greece. The case was later dropped.

Greece's growing trend of violence against journalists continued in 2011. During protests against the country's austerity plan, a number of journalists complained of physical violence by the police and by protesters, who saw them as part of the political mainstream. In June, a television and newspaper reporter, Tassos Teloglou, was attacked by protesters while he was covering an anti-austerity demonstration in Athens. In August, photographer Manolis Kypraios lost his hearing due to the blast from a stun grenade thrown at him by a police officer; Kypraios had identified himself and displayed his press card. Further violence against journalists occurred during protests in October, when several reporters and photographers were attacked by police. In 2010, men dressed in security uniforms had murdered Sokratis Giolias as he stepped out of his apartment in Athens. Giolias was a radio journalist and contributing blogger to *Troktiko*, a website known for reporting on social issues and political scandals. The murder occurred just before *Troktiko* was to publish an investigation regarding corruption in the country. It was the first assassination of a journalist in the country in 20 years.

Both public and private media in Greece are largely free from government restrictions, but state-owned stations tend to report with a progovernment bias. There are several independent newspapers and magazines, including some that portray the government unfavorably. However, many media owners have a close relationship with the government, and this is often reflected in a lack of critical commentary on key issues, including the debate surrounding financial crisis. Broadcasting is largely unregulated, and many broadcast stations are not licensed.

The financial crisis, and the resulting decline in circulation and advertising, has hit Greece's media sector hard, and jeopardized its ability to cover the crisis and the corresponding political turmoil. Many media outlets have either shut down, cut back staff and salaries, or failed to pay wages, and hundreds of journalists have lost their jobs. In November, staff of the popular Alter TV began to occupy the station's headquarters after months of unpaid salaries, forcing it off the air. In late December, the left-leaning newspaper *Eleftherotypia*—which had been established in 1975 and was Greece's second-most-popular paper—filed for bankruptcy protection. Employees at *Eleftherotypia*, which was considered a leading independent voice in the country, had not been paid since August, and went on strike in December.

Approximately 53 percent of the population accessed the internet on a regular basis in 2011, and access is generally not restricted. With the cutbacks at traditional outlets, many journalists and citizens are using new media to disseminate independent or alternative viewpoints.

Grenada

Status: Free

Legal Environment: 8

Political Environment: 11

Economic Environment: 5

Total Score: 24

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	23,F	24,F	24,F	24,F	24,F

Guatemala

Status: Partly Free

Legal Environment: 16

Political Environment: 26

Economic Environment: 18

Total Score: 60

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	59,PF	58,PF	60,PF	60,PF	59,NF

Guatemalan journalists continued to work under difficult conditions in 2011. Article 35 of the constitution ensures freedom of expression, which is generally respected by the government. Libel and defamation, however, remain crimes with penalties of up to five years imprisonment. Repeating another person’s defamatory statement is also a crime, with similar penalties. There are several legal restrictions on press freedom, including Article 41 of the Radio Communications Law, which prohibits transmissions “offensive to civic values and the national symbols,” “vulgar comedy and offensive sounds,” and programs “contrary to morals and good etiquette.” Positively, no legal cases were reported to have been brought against journalists during 2011. However, Vasni Vásquez, the host of an online television program in Chiquimula, was held in pretrial detention for several months on charges of kidnapping, although local police failed to produce any evidence against him.

Access to information remains difficult in practice, especially for journalists covering corruption outside the capital, despite the Law for Free Access to Public Information, which came into effect in 2009.

There is no independent media regulation or licensing body, and the government controls the allocation of airwaves through public auctions that require bidders to meet technical and financial benchmarks. In August 2009, an initiative to legalize community radio stations was introduced in Congress. However, the bill had yet to pass by the end of 2011. Community radio has long operated outside the law in Guatemala, but there were no new reports of station closures.

Sporadic cases of violence against the press by drug traffickers and other criminal organizations continued and were rarely prosecuted, encouraging self-censorship. One journalist was killed in 2011, according to the Committee to Protect Journalists. In May, Yensi Roberto Ordoñez Galdámez, a teacher and television reporter for Channel 14, was found stabbed to death in a vehicle outside the school where he taught in the southern province of Escuintla. Ordoñez had received previous threats related to his reporting and had told his family that he was being extorted. No arrests had been made by year’s end.

A number of journalists received death threats, were assaulted, or were forced into exile during the year. Media rights groups reported a number of cases of extralegal intimidation and violence aimed at journalists, often in connection with stories that exposed corruption or the increasing activities of drug cartels, or critiqued government officials. In addition to receiving

multiple death threats following his investigations of alleged police corruption, Guatevisión TV correspondent Oscar de León had his van shot at in Quetzaltenango in late January. Banners were hung by members of a drug gang in four different provinces in Petén in May, threatening the media against covering their activities. President Álvaro Colom had recently declared a state of siege in Petén in response to the gang’s massacre of 27 farmworkers. Arrests were made of those responsible for the banners. Also in May, journalist Eduardo Villatoro received death threats for his reports in La Hora newspaper that criticized the government for granting a license for the exploitation of natural resources in the coastal regions, and the environmentally threatening construction of a liquid gas storage plant. In October, journalist Lucía Escobar was forced to flee with her family in the face of threats following a piece that she wrote for elPeriódico that criticized a municipal security commission in the city of Panajachel of extralegal activities and the disappearance of a city resident. Several journalists were also assaulted in separate incidents related to the second electoral round of the presidential election in November, mostly at the hands of security members of the candidates.

Newspaper ownership is in the hands of business elites with generally centrist or conservative editorial stances. There are four major daily papers, all privately owned. Electronic media ownership is concentrated in the hands of Angel González of Mexico, a politically connected entrepreneur who favors conservative perspectives and controls Guatemala’s four main private television stations. There are two licensed state television channels, but they are not currently broadcasting. One state-owned radio station competes with numerous private stations. The local print media continued to accuse Colom’s administration of using public advertising funds in a discriminatory fashion to punish or reward media outlets. The media also complained that the president and other high-level officials used smear tactics to publicly discredit journalists.

There were no reports of government restrictions on internet usage, and the medium was accessed by about 12 percent of the population in 2011.

Guinea

Status: Not Free

Legal Environment: 18

Political Environment: 27

Economic Environment: 17

Total Score: 62

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	67,NF	66,NF	66,NF	71,NF	59,PF

Status change explanation: Guinea declined from Partly Free to Not Free due to the failure of newly elected president Alpha Condé’s government to implement reforms enacted in 2010 that improved the legal environment for press freedom. Further, the regulatory body imposed a brief media blackout after a July assassination attempt on Condé, and several media workers were detained, suspended, and threatened by the government and members of the security forces.

In 2011, the government of newly elected Guinean president Alpha Condé, who had taken office in November 2010, showed uneven progress in consolidating an ambitious democratic reform agenda begun in early 2010 by a transitional government that had taken over from a military junta. Constitutional and legislative reforms enacted in 2010 that improved the legal environment for press freedom were generally not implemented, and members of the media were subject to censorship, suspension, detention, threats, and assaults by the government and the security forces. Legislative elections scheduled for late 2011 were delayed until 2012 due to disputes between the government and the opposition over the election date and the composition of voter lists. In the interim, a nonelected but pluralistic transitional council operates as a quasi-legislative body.

The transitional government promulgated a new constitution by decree in March 2010 that guarantees press freedom, and in June it passed two new media laws that were viewed as a significant improvement by international press freedom groups. The first removed prison penalties for press offenses and narrowed the previously vague definition of defamation. The second called for the creation of a new media regulatory agency with 5 of the 11 members selected by media organizations, as opposed to being appointed by the president, as in the past. However, libel against the head of state, slander, and false reporting remain offenses under the new law and can be subject to high fines. In late 2010, a law on access to information was adopted. Yet, according to Reporters Without Borders, none of these laws were implemented by Condé's administration in 2011, reportedly held up by bureaucratic delays, procedural errors, and—in the view of critics and Guinean media members—disinterest or resistance on the part of government officials.

After an assassination attempt on Condé in July 2011, allegedly by rogue members of the military, the as-yet unreformed media regulatory body, the National Communication Council (CNC), ordered the “temporary suspension of any broadcast or article relating to the attempt on the life of the head of state.” One particular target of the media blackout was popular radio call-in shows, which CNC head Martine Condé accused of inciting ethnic “tensions.” Although the blackout was lifted after three days, it was widely criticized as a violation of constitutional free speech guarantees.

Media practitioners continued to operate in a politically polarized and occasionally dangerous environment in 2011, although they enjoyed a greater degree of freedom than in 2009, when the military unleashed a violent crackdown on opposition supporters and the local press. Some journalists practice self-censorship. Three journalists at the state-owned broadcaster, Radio Télévision Guinéenne (RTG), were suspended indefinitely in May 2011 for allegedly having sympathies for the opposition Union of Democratic Forces of Guinea (UFDG) party. In June, the CNC suspended the privately owned *Le Défi* weekly newspaper for two months for alleged defamation of the country's ombudsman, General Facinet Touré. The government's campaign against *Le Défi*—which it accused of having sympathies with former military junta leader Captain Moussa Dadis Camara—continued throughout the year. In July, the paper's offices were ransacked by alleged supporters of Condé, and in December, the police entered the offices and sought the arrest of the publisher, El Hadj Thierno Mamadou Bah, for an article that was critical of Condé. The publisher reportedly had gone into hiding. Despite the transition to civilian rule, there were also several instances of abuse of journalists by the security forces.

The new media laws passed in June 2010 guarantee the freedom to open a newspaper. A number of private publications, mostly weeklies, are published in Conakry, the capital, though distribution in the interior is irregular. The only daily newspaper is state-owned and avoids

criticism of the government. Advertising revenue is insufficient to cover the costs of operating a newspaper, but since 1996 the government has provided increasing subsidies for both print and online media, regardless of their political allegiances. Low pay for journalists has led to ethical compromises, such as accepting bribes to suppress unflattering stories.

In a country with high illiteracy rates, radio is by far the most influential medium. RTG operates radio and television stations with programming in French, English, and a number of vernacular languages. Numerous private radio stations operate throughout Guinea. Some local newspapers and broadcast outlets are thought to be controlled by political or business interests. Many citizens listened regularly to foreign radio programs on FM and shortwave radio. The government did not restrict access to or distribution of foreign television programming via satellite or cable, even though few citizens could afford these services.

In general, there were no government restrictions on access to the internet or reports that the government monitored internet activities, and the internet is gaining importance as platform for voicing antigovernment criticism, with the most popular sites managed by the diaspora community. Access has expanded through the growing number of privately run internet café in the capital and a few large towns, but only 1.3 percent of the population used the internet regularly in 2011.

Guinea-Bissau

Status: Partly Free

Legal Environment: 15

Political Environment: 25

Economic Environment: 17

Total Score: 57

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	48,PF	53,PF	52,PF	54,PF	57,PF

The overall conditions for freedoms of expression and the press in Guinea-Bissau remained unchanged in 2011. Despite guarantees of protection for these rights in the 1993 constitution and a 2005 law, the government is able to threaten critical journalists with a number of criminal charges, including libel, the abuse of press freedom, and the violation of state secrets. However, no such cases were prosecuted in 2011. There is no legislation guaranteeing the right to access information.

A primary incident concerning the press in 2011 was the temporary suspension of the private newspaper *Última Hora* in April. Government minister Maria Adiatu Djalo Nandigna threatened to permanently revoke its license if it failed to bring its “editorial policies into line with the higher interests of Guinea-Bissau.” The newspaper resumed publication later the same month. While there were no reports of permanent shutdowns in 2011, authorities in the past have threatened to close the main opposition radio station, Radio Bombolom, and other outlets have been temporarily shuttered during periods of political turmoil.

Media practitioners continue to experience harsh treatment at the hands of government officials, security forces, and private citizens with close connections to the military and drug

traffickers. In May 2010, the owner and publisher of *Diário de Bissau*, João de Barros, was physically assaulted in his office, allegedly by a businessman and his driver who smashed the newspaper's computers, interrupting its ability to publish. The police detained one suspect but released him without charge, and the investigation remained open at the end of 2011. The attack, which followed a report on drug trafficking, continued a pattern of harassment and intimidation of journalists who cover sensitive topics like the drug trade and the military. Since 2009, at least three journalists have fled into exile because of threats related to their reporting on drug trafficking. The resulting climate of fear has led to a significant amount of self-censorship. Impunity is the norm for public officials and members of the armed forces who harass members of the press.

A government-owned newspaper, *No Pintcha*, operates alongside several privately owned print outlets. A number of private radio stations compete with the state-run radio broadcaster. The press in Guinea-Bissau, one of the world's poorest countries, is plagued by financial instability. With only one state-owned printing press, publications struggle with high costs, slow production, and limited supplies. Broadcast outlets face unreliable electricity that hinders steady operations. Although many young people continue to pursue careers in journalism, the lack of resources hampers growth.

Around 2.7 percent of the population had access to the internet in 2011. No governmental restrictions on access are apparent, though a lack of equipment and infrastructure drastically limits practical access to the internet. In March, blogger Ali Silva was charged with defamation by the prime minister; the case was still pending at the end of the year.

Guyana

Status: Partly Free

Legal Environment: 8

Political Environment: 15

Economic Environment: 10

Total Score: 33

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	29,F	31,PF	30,F	30,F	30,F

Status Change Explanation: Guyana declined from Free to Partly Free due to heightened polarization of the media, as well as verbal intimidation of journalists by members of the ruling party, leading up to and during the November 2011 general elections. Ongoing libel cases and the passage of a restrictive Broadcast Act that dramatically increased fines for broadcasting without a license also contributed to a more restrictive media environment.

Guyana's constitution provides for freedom of speech and of the press, but relations between the People's Progressive Party (PPP) government and some media outlets deteriorated during the year. Broadcasting and freedom of information bills were introduced in 2011. Although the legislation has long been seen as essential to extend media freedom in Guyana, there was criticism of the bills by local media rights organizations once they were unveiled. The Access to Information Bill was passed in September, and it creates a right to access to information, requires

government bodies to publish information, and creates a commissioner of information to regulate requests and publication of information. However, critics objected to the inclusion of a clause that made the president exempt from the bill's provisions. The broadcasting bill was tabled in July 2011, and the Broadcast Act was approved later that month; however, it had yet to come into effect by year's end. The main opposition party, the People's National Congress Reform (PNCR), denounced the lack of consultation in the drafting of the bill. Reporters Without Borders noted that all seven members of the board of the new National Broadcasting Authority would be named by the president. Additionally, one clause in the new broadcasting bill states that all programs must be "fair and balanced," which could be used to obstruct the work of the media. One positive aspect of the bill relates to the issuance of additional television and radio licenses, thereby breaking the existing state monopoly on radio. By year's end, a number of media proprietors were expressing their concerns about the lack of transparency in the license-granting process, as the requirements of being "fit, proper, and financially sufficient" are vaguely defined.

There is no criminal defamation in Guyana, but public officials utilize civil libel suits to stifle criticism. In July 2010, President Bharrat Jagdeo sued journalist Frederick Kissoon, as well as the editor in chief and publishers of *Kaieteur News*, for libel related to an article criticizing him, and successfully obtained an injunction against the newspaper from printing similar content. In June 2011, the newspaper's appeal against the injunction failed. A full hearing of the case was repeatedly delayed and had not taken place by year's end.

Over the years, the government has employed various tactics—including advertising boycotts—to stifle criticism, but in the run-up to the November 2011 general election, members of the ruling party grew increasingly hostile to sections of the media regarded as favoring the opposition, and cases of censorship were reported. At the beginning of October, Jagdeo ordered a four-month suspension of CNS Channel Six, a privately owned TV station, due to a comment made by an opposition parliamentarian during a program broadcast in early May. After local and international media rights groups condemned the move, which would have forced the station off the air during the election period, Jagdeo announced that the ban would begin in December. Despite the postponement, the Association of Caribbean Media Workers described the ban as "evidence of efforts to stifle free expression." Following the elections, the Commonwealth Election Observation Mission criticized the media, stating that the code of conduct for political parties and the media had not been respected, and indicated that state-owned television, radio, and print media had shown overt bias toward the government and ruling party.

Although the government employs various tactics to stifle criticism, there are still robust voices within the media. Nevertheless, due to the president's sensitivity to criticism, some journalists have experienced difficulty in obtaining access to government events and press conferences. However, newly elected president Donald Ramotar took a positive step soon after taking office in early December when he lifted a three-year-old ban preventing Gordon Moseley, head of the Guyana Press Association and a Capitol News reporter and producer, from entering the president's office and residence.

There are occasional cases of attacks and harassment against journalists and media outlets, but none were reported in 2011. At a PPP rally on October 9, Jagdeo pointed at journalists covering the event and described them as "vultures and carrion crows" who should be "thrown into jail" for criticizing him and his government. His remarks were echoed by his political adviser, Gail Teixeira, who compared Guyana's media to that in Rwanda in the context of the latter's role in the Rwandan genocide.

The government owns and controls the country's only two radio stations, run by the National Communications Network, but licenses for private stations are now expected to be issued. There are also 23 television stations, most of which are in private hands. Including the government-owned daily, the *Chronicle*, Guyana has seven national newspapers and six other periodicals. The distribution of state advertising has for some time been a source of major controversy. Beginning in late 2006, the Government Information Agency suddenly withdrew state advertisements from the *Stabroek News*, and kept the ban in place until April 2008, when it resumed advertising without explanation. However, the majority of paid advertising appears in progovernment newspapers, including the newly launched *Guyana Times*, which is owned by a friend of *Jagdeo*. The *Kaieteur News*, which is regarded as favoring the opposition, has since opted to place government advertisements free of cost, and it is believed that this loss of revenue accounts for the December 2010 decision to charge for access to the paper's website.

Use of the internet is unrestricted by the government, and approximately 32 percent of the population accessed this medium in 2011.

Haiti

Status: Partly Free

Legal Environment: 14

Political Environment: 18

Economic Environment: 18

Total Score: 50

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	59,PF	56,PF	53,PF	49,PF	49,PF

The constitution guarantees press freedom and forbids censorship except in the case of war, and these provisions have increasingly been upheld in practice in recent years. However, journalists in Haiti are forced to cope with widespread and entrenched poverty, a corrupt judiciary, violence, intimidation, and a tradition of excessively biased media. These challenging conditions intensified in the aftermath of the catastrophic January 2010 earthquake.

The media situation in Haiti had steadily been improving over the past few years, and there were efforts to address violence against journalists and the related problem of impunity for past crimes. However, the new president, Michel Martelly, displayed a marked lack of respect for the press after taking office in May 2011, insulting and threatening individual journalists who posed questions he deemed unfavorable, and refusing to speak with representatives of media outlets that had criticized him.

Article 40 of the constitution stipulates that the government must publicize all international agreements, decrees, treaties, and contracts. However, according to the Institute for Justice and Democracy in Haiti, the government makes it very difficult for local journalists to access these public documents. The state-run National Telecommunications Council (CONATEL) issues licenses to radio stations and does not regulate content. On December 14, media associations and journalists in Haiti signed their first journalistic code of ethics at the UNESCO office in Port-au-Prince. The guidelines include an overall respect for individual

dignity and privacy, prohibition of discrimination in journalistic work, and encouragement of an unbiased and balanced treatment of information.

Defamation remains a criminal offense in Haiti. In April 2011, five journalists were fired by the state-owned Télévision Nationale d'Haïti (TNH), soon after a visit by president-elect Martelly, for allegedly putting their political preferences before their professional duties. The journalists in turn accused TNH of biased coverage in favor of Martelly during the second round of the presidential election. In response, TNH director general Pradel Henriquez brought a criminal defamation case against three of the journalists, which could result in a three-year prison sentence. In June, two Radio Prévention journalists in the town of Petit-Goâve were summoned to the office of the city commissioner to respond to complaints filed against them by the mayor and other local officials over opinions they had expressed during one of their programs. As a result, violent protests erupted outside of the commissioner's office; the journalists were held responsible and arrested on charges of defamation, destruction of public property, and disturbing public order, despite the fact that they remained inside during the protests. The radio station was shut down and its equipment was confiscated that same day. While the journalists were freed the following month, the charges were not dropped.

Years of campaigning against impunity for those who commit violent crimes against journalists and other members of civil society continued in 2011, with the filing of multiple criminal complaints against former dictator Jean-Claude Duvalier upon his surprise return to Haiti in January after nearly 25 years in exile. Michèle Montas, a renowned Haitian journalist and former UN spokesperson, was one of the individuals who filed a lawsuit against his for the threats, detention, and an assassination attempt she experienced during the Duvalier regime as a result of her work as a journalist. In addition to corruption and embezzlement charges brought by the Haitian government, three other Haitian political prisoners filed separate complaints against Duvalier in January for crimes against humanity. The investigation of the charges against Duvalier continued at year's end.

While violence directed toward the media has not been a common problem in recent years, a community radio station, Tèt Ansanm Karis, was burned to the ground in the northeastern city of Carice in April 2011 by armed men who were identified as supporters of the INITE party. The arsonists targeted the station after it broadcast coverage of disputed legislative election results. There were also several reports during the year of journalists receiving death threats and being physically assaulted in the course of their work.

There are four weeklies and two daily newspapers—*Le Nouvelliste* and *Le Matin*—all of which are privately owned. Radio remains by far the most popular news medium, with more than 90 percent of the population enjoying radio access. Over 290 FM stations operate without a license, and there are more than 70 community stations scattered across the country. Many of these stations are affiliated with political organizations or parties. TNH is government owned, and there are several private television stations. However, Haiti's television audience is small due to lack of electricity and resources. The concentration of wealth among a small number of Haitians and the effects of the 2010 earthquake negatively affect media outlets' ability to obtain advertising revenue and sustain themselves financially. Journalists also struggle with low salaries, and some media outlets and journalists accept bribes due to economic hardship.

There are no government restrictions on the internet, which was accessed by just 8.6 percent of the population in 2011, according to Internet World Stats.

Honduras

Status: Not Free

Legal Environment: 17

Political Environment: 30

Economic Environment: 15

Total Score: 62

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	51,PF	51,PF	52,PF	59,PF	61,NF

Freedoms of speech and of the press are constitutionally protected in Honduras, but the killing and intimidation of journalists continued to limit press freedom in practice during 2011. The ongoing lack of accountability since the 2009 coup has had a negative effect on freedom of expression. Honduras Human Rights Commissioner Ramón Custodio has failed to provide for serious investigations in a number of cases of murdered journalists, and despite President Porfirio Lobo's expressed determination to bring perpetrators of such crimes to justice, little had been done by year's end. Given this culture of impunity, many journalists fear that the killings are carried out on the orders of, or with the concealed approval of, the police, the military, and other governmental authorities.

Despite the 2005 abolition of the penal code's *desacato* (disrespect) provision, which was aimed at protecting the honor of public officials, restrictive press laws are still used to subpoena and punish journalists who report on sensitive issues such as government corruption, drug trafficking, and human rights abuses. Lack of access to public information is a major problem. In July 2011, a Truth and Reconciliation Commission delivered its report on the 2009 military-led overthrow of former president Manuel Zelaya. It found that the military committed major violations of freedom of expression.

Self-censorship among journalists has been exacerbated by an increase in threats, and a number of journalists were dismissed due to their reporting during 2011. In July, reporter Lenis Fajardo was fired from the Tegucigalpa-based station Radio Globo after a story she investigated led to the loss of the station's advertising contract with a government agency. In August and November, journalists Claudia Mendoza and Eleana Borjas were dismissed from their positions at the online magazine *Revistazo.com*. The women had previously practiced objective reporting on sensitive issues, but the magazine allegedly succumbed to political pressure and refrained from covering topics such as labor and human rights violations.

Harassment, detention, and violent attacks against journalists increased in 2011, especially when journalists covered protests or reported on sensitive issues. In March, police launched a tear gas canister at the vehicle of Radio Globo director David Romero and Canal 36 television reporter Lidieth Díaz as they were interviewing protesters. Also in March, police temporarily detained Pedro López of Radio Progreso as he was covering a separate protest. Manuel Acosta Medina, general manager of the newspaper *La Tribuna*, survived an assassination attempt in May. In December, gunmen fired on the offices of *La Tribuna*, seriously wounding a security guard. The daily had published a statement saying its staff had faced attempted shootings, threats, and harassment in response to critical reporting.

While fewer journalists were murdered in 2011 than in previous years, the increase in intimidation and harassment still made Honduras one of the world's most dangerous countries

for journalists. In many instances, gangs targeted journalists who reported on their organized crime activity. However, due to the government’s negligence in investigating these attacks, it is often difficult to identify the culprits. In May, Héctor Francisco Medina Polanco, manager and news anchor of the Omega Visión station, was shot and killed after leaving work in Morazán. He had reported on alleged acts of corruption by local authorities. Also in May, Channel 24 owner Luis Mendoza Cerrato was murdered by three heavily armed men as he arrived at his station in Danlí. In December, two men on a motorcycle murdered radio host Luz Marina Paz and a driver in Tegucigalpa as they headed to her radio station, Cadena Hondureña de Noticias. Paz had a reputation for investigative journalism and criticism of the 2009 coup.

Honduras has nine daily newspapers, six private television stations, and five radio stations that broadcast nationally. Community radio stations are not clearly recognized by law, meaning they operate under threat of closure. Although the independent media sector is active and can report without government restriction, most outlets are owned by a small group of business magnates who have political and commercial interests and exercise considerable control over content. Corruption among journalists and government manipulation of state advertising purchases remain common. According to a 2008 report by the Open Society Institute, journalists often entered into contracts with government officials and received payments in return for favorable reporting.

Around 16 percent of the population had access to the internet in 2011, but poor infrastructure in rural areas limits accessibility. No restrictions on the internet were reported during the year.

Hong Kong

Status: Partly Free

Legal Environment: 11

Political Environment: 13

Economic Environment: 9

Total Score: 33

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	30,F	30,F	33,PF	33,PF	32,PF

Although freedom of expression is protected by law and Hong Kong media remain lively in their criticism of the territory’s government, political and economic pressures narrow the space for free expression. In 2011, several incidents raised concerns that the editorial independence of public broadcaster Radio Television Hong Kong (RTHK) was under threat, and Hong Kong authorities infringed on journalists’ ability to report certain events.

Under Article 27 of the Basic Law, Hong Kong residents enjoy freedoms of speech, press, and publication, and these rights are generally upheld by the territory’s independent courts. However, they risk being undermined by the power of the Chinese National People’s Congress to make final interpretations of the Basic Law, Chinese surveillance in the territory, and the economic interests of media owners involved in the Chinese market. Hong Kong has no freedom of information law; an administrative code is intended to ensure open access to government information, but a January 2010 report by the ombudsman found “considerable

misunderstanding” among some officials about their responsibilities with regard to transparency. Records were refused for no reason, or for inappropriate reasons, the ombudsman found, citing a lack of training among government staff. The report ignited calls by local journalists and watchdog groups to give freedom of information requirements the force of law.

Press freedom advocates continue to express concerns over the selective application of the Broadcasting Ordinance and the constitutionality of existing procedures for granting licenses to new media outlets. Decisions to grant or refuse licenses are made by the executive branch rather than an independent body. The prodemocracy station Citizens’ Radio, whose broadcasting license application is still pending, has faced repeated raids and prosecutions for its broadcasts, but continued operating in 2011. In November, five lawmakers from Hong Kong’s Democratic Party won an appeal against their conviction for speaking on the radio station. The defendants had each been fined HK\$1,000 (US\$129) in 2009 for participating in a 2008 Citizens’ Radio forum. To date, only two broadcast companies, Television Broadcasts Limited (TVB) and Asia Television Limited (ATV), have licenses to compete in the free-to-air television market. The lack of competition has led to doubt about the diversity of news coverage, according to the Hong Kong Journalists Association (HKJA). In 2011, the government announced that it would be issuing more free-to-air television licenses. By the end of the year it was evaluating at least three applications from prospective broadcasters, but no decision had been announced. In a case that raised questions about Chinese journalists’ ability to work in the territory, the immigration department delayed an application for a work visa by outspoken mainland journalist Zhang Ping, who applied to work as editor of the online magazine *Sun Affairs*. Observers reported that while replies are typically obtained within four weeks, Zhang had not received a response five months after submitting the application.

Increasing media self-censorship poses a serious threat to free expression. In recent years, Beijing’s influence over the news, publishing, and film industries has increased, prompting greater restraint on issues deemed sensitive by the Chinese central government. An April 2011 survey by the University of Hong Kong’s Public Opinion Programme found that 54 percent of respondents believed that the media self-censored, the highest rate since Hong Kong’s 1997 handover from the United Kingdom to China. Such self-censorship stems in part from the close relationship between media owners and the central government. Several owners sit on the Chinese People’s Political Consultative Conference (CPPCC), an advisory body that has little real influence over government policy but is used by the ruling Communist Party to co-opt powerful members of society. Several media owners are also current or former members of the National People’s Congress, China’s rubber-stamp parliament, and many have significant business interests in mainland China.

In addition to self-censorship, Hong Kong media proactively reported certain information under the apparent influence of owners or managers during 2011. In an unusual incident in July, ATV erroneously announced the death of former Chinese president Jiang Zemin. A subsequent investigation found that the senior vice president of the company had pressured news managers to air the unverified report, despite their objections. In December, the Hong Kong Broadcasting Authority fined the station a record HK\$300,000 (US\$39,000) for the false report. Many in Hong Kong speculated that ATV shareholder and Beijing-friendly businessman Wang Zheng was the source of the editorial interference, though he has denied any involvement and no conclusive evidence had been found by year’s end. In another set of incidents, pro-Beijing media such as the newspaper *Ta Kung Pao* vigorously attacked two professors, *Apple Daily* owner Jimmy Lai, the local head of the Roman Catholic Church, and a talk-show host—all of whom are known for

being critical of the Chinese central government, for supporting the Hong Kong prodemocracy camp, or for granting interviews to independent Chinese news outlets.

Violence against journalists is rare in Hong Kong. However, in 2011 the authorities appeared more heavy handed than usual in obstructing journalists' ability to freely report on important events. In July, at least 19 reporters were pepper-sprayed by the police when they found themselves caught between police and protesters demonstrating against the Hong Kong government. During the demonstration, the police also arrested citizen journalist David Cheung and Kiri Choy (also reported as Cai Wenwen), a 19-year-old intern for New Tang Dynasty Television (NTDTV), a New York-based station founded by Falun Gong practitioners that broadcasts uncensored news into China. Although NTDTV faxed the police station proof of Choy's identity as a journalist, she was held overnight. Choy was initially charged with obstruction of a public place, but the charge was dropped in September after she filed a lawsuit for unlawful detention. In August, during a trip to the territory by Chinese vice premier Li Keqiang, authorities took unprecedented measures to limit reporters' ability to cover the visit. Journalists were kept far from Li and prevented from observing his public events. Several cameramen reported that uniformed or plainclothes police had stopped them from filming. Separately, after the Legislative Council moved to a new complex in 2011, the government issued new security rules that restricted journalists' ability to interact with lawmakers relative to conditions at the old building. The HKJA complained that journalists were barred from interviewing lawmakers in the corridors, that the rules stated "interviews should be related to the meetings held" (ostensibly restricting their scope), and that the new arrangement for photography and electronic media "deviate from press norm," with television feeds of the chamber provided by a production team in the employ of the Legislative Council Secretariat. In one instance in October, the official footage reportedly excluded an incident in which two lawmakers were removed from the chamber for unruly behavior. Also in October, security guards blocked photographers from taking photos of Chief Executive Donald Tsang and from approaching lawmakers at the new Legislative Council building.

Hong Kong journalists face restrictions and intimidation when covering events on the mainland, limiting their ability to provide national news to the local population. Mainland authorities require journalists to obtain temporary press cards from Beijing's liaison office in Hong Kong prior to each reporting visit to the mainland, and to obtain the prior consent of interviewees. Even with accreditation, journalists from the territory have repeatedly been subjected to surveillance, threats, beatings, and occasional jailing when reporting on the mainland. In 2011, such incidents were especially common when journalists from Hong Kong were reporting on online calls for a Tunisian-style "Jasmine Revolution" in Beijing and Shanghai in February.

Hong Kong's media are outspoken. There is a high degree of professionalism, and political debate is vigorous. Dozens of daily newspapers are published in Chinese and English, and residents have access to satellite television and international radio broadcasts from services like the British Broadcasting Corporation. In 2011, controversy continued to surround RTHK, which operates as an independent department in the government and earns high public-approval ratings for its critical coverage of the authorities. After rejecting proposals to turn RTHK into an independent public broadcaster in 2009, the government issued a new charter that redefined its mission to include promotion of the official "one country, two systems" policy on Hong Kong's autonomy within China, among other changes. Some warned that this could threaten the station's editorial independence. Several incidents during the year added to these concerns. In September,

a new director of broadcasting was appointed—Roy Tang Yun-kwong, previously the deputy secretary of the Labour and Welfare Bureau. His appointment marked the first time since the 1930s that a civil servant was “parachuted in” to lead RTHK; typically directors were appointed from within the station. In November, two popular current affairs talk-show hosts at RTHK were informed that their contracts would not be renewed; one had been with the station for 12 years and the other for 7 years. Publications known for their criticism of the central government, such as *Apple Daily* and the *Epoch Times*, have reported difficulties in attracting advertisers in recent years because of fears among private business owners that the association would damage their economic interests on the mainland.

There are no restrictions on internet access in Hong Kong. The region has one of the highest internet usage rates in Asia, with 75 percent of the population accessing the medium during 2011.

Hungary

Status: Partly Free

Legal Environment: 12

Political Environment: 13

Economic Environment: 11

Total Score: 36

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	21,F	21,F	21,F	23,F	30,F

Status change explanation: Hungary declined from Free to Partly Free to reflect the general decline of the Hungarian media environment due to the establishment of the new National Agency for Data Protection; evidence of a politically motivated licensing procedure resulting in the loss of antigovernment station Klubrádió’s frequencies; increased reports of censorship and self-censorship, especially in the public service channels; and worsening economic conditions for independent media entrepreneurship.

Hungary enjoys a broad array of print and broadcast media, with private news media identifying clearly with one or the other side of the political spectrum. Hungary’s constitution protects freedom of speech and of the press, but the latest in a series of controversial media legislative measures adopted in 2010 came into effect on January 1, 2011, amid ongoing protests by journalists and pressure from international media freedom watchdogs. The most recent in a series of amendments adopted to pacify the European Commission in February and a ruling by the Constitutional Court in December did little to limit the power of a new media regulation authority, controlled by the ruling Fidesz party, over the Hungarian print and broadcast media.

Throughout 2010, Prime Minister Viktor Orbán’s Fidesz party used its parliamentary supermajority to pass numerous mutually reinforcing legislative changes, tightening government control of the broadcast media and extending regulation to print and online media. In July, the government amended the constitution, removing a passage on the government’s obligation to prevent media monopolies. It then consolidated media regulation under the supervision of a single authority, the National Media and Infocommunications Authority (NMHH), whose

members are elected by a two-thirds majority in parliament and whose leader also chairs a five-person Media Council charged with content regulation. The law gives the head of the NMHH the right to nominate the executive directors of all public media. The first president of the NMHH, Annamária Szalai, a former Fidesz politician, was appointed by Orbán for a nine-year term without limits on reelection. The structure and broadly defined competencies of the new regulation bodies were outlined in subsequent legislation, including the Press and Media Act of November 2010 and the so-called Hungarian Media Law, which was adopted in December 2010 and came into effect on January 1, 2011. Though they share a leader and consist entirely of Fidesz party nominees, the two institutions are theoretically autonomous, both from the government and from each other.

The composition of the NMHH and Media Council raised significant concerns among Hungarian media employees, opposition parties, and civil society activists. On January 4, 2011, *Népszabadság*, the country's most popular broadsheet, published the headline: "Freedom of the Press in Hungary has Come to an End" in all 23 official languages of the European Union (EU). The expansion of regulatory oversight from broadcast to print and internet-based media also unleashed a hailstorm of negative attention from the international community, including the Council of Europe, the European Parliament, the media representative of the Organization for Security and Cooperation in Europe (OSCE), the UN Special Rapporteur on Freedom of Expression, and various press freedom and human rights organizations.

Anxiety about the NMHH and Media Council was also compounded by the expansive powers the two bodies enjoy. When the Media Law came into effect in 2011, the Media Council became officially responsible for interpreting and enforcing numerous vaguely worded provisions affecting all print, broadcast, and online media, including providers and publishers. In April, the Media Council ruled against the planned merger of the local holdings of Axel Springer AG and Ringier AG, owner of *Népszabadság*. Though the council claimed that the merger would significantly threaten media diversity, the decision was viewed as an attempt to keep the financially vulnerable paper on the market for a more government-friendly buyer. The council can also fine the media for "inciting hatred" against individuals, nations, communities, minorities, or even majorities. The council is called to levy fines or suspend outlets for "unbalanced" or "immoral" reporting. If found to be in violation of the law, radio and television stations may receive fines proportional to the "level of influence" of the outlet in question. These fines must then be paid before initiating an appeals process. Under the Media Law, the NMHH can also suspend the right to broadcast. In its original iteration, the law also required that all media outlets, including online services, register with the Media Council.

By late February 2011, negotiations between Hungarian government officials, EU media monitoring bodies, and Hungarian media experts had yielded amendments to the Media Law regarding a number of provisions identified by the European Commission as violations of EU law. Rules on registration and authorization of media service providers were amended to comply with the EU's Audiovisual Media Services (AVMS) Directive, allowing media service providers and publishers to register with the NMHH within 60 days of launching their services, rather than prior to doing so. An additional amendment protects audiovisual media service providers based in other EU member states from being fined for breaching certain provisions of the Hungarian Media Law, such as the ban on incitement to hatred. In general, the February amendments served to protect "on-demand media services" such as online news and blogs, and did not alter the substance of the media law with regard to locally based print and broadcast journalism.

Another controversial component of the Media Law is the system of co-regulation. In July 2011, the NMHH concluded public administration agreements on media co-regulation with the four Hungarian media self-regulatory bodies: the Association of Hungarian Content Providers (MTE), the Advertising Self-regulatory Body (ÖRT), the Association of Hungarian Publishers (MLE), and the Association of Hungarian Electronic Broadcasters (MEME). These formerly independent bodies are now responsible for ensuring compliance with NMHH media content rules and risk becoming instruments of censorship.

Broadcasters with expiring licenses are required to enter a new bid with the NMHH, and several radio stations have been forced to stop broadcasting due to a lack of advertising revenue. License fees for Budapest-based frequencies more than doubled over the past year. Klubrádió, a popular radio station known for its bold, antigovernment political commentary, has been waiting for the renewal of its broadcasting license since it expired in February 2010. Since then, it has been granted two-month extensions of its previous license, making it extremely difficult to attract advertisers. The station was denied renewal of eight local frequencies in 2011, and lost the bid for its main frequency to a newly established station in December, which met the new NMHH tender's requirements by featuring mostly music rather than commentary. Critics of the Media Council's decision say the tender for Klubrádió's main frequency was designed to evict Klubrádió from its home of over 10 years. Progovernment political commentary stations such as Lanchid Radio obtained local licenses from the council during the year without sacrificing the format of their programming. The new rules governing broadcast media content are detailed in terms of what type of programming may be played and when.

On December 19, 2011, Hungary's Constitutional Court annulled several pieces of legislation from 2010 and 2011, including provisions of the Press and Media Act and some sections of the Media Law. The ruling excluded print and online media from the scope of the sanctioning powers of the NMHH; revoked the media authority's right to demand data from media service providers, publishers, and program distributors; deleted a provision limiting the confidentiality of journalists' sources to stories serving the public interest; and eliminated the position of media commissioner, an appointee of the NMHH president with the authority to initiate proceedings that do not involve violations of the law and whose proceedings can be enforced by NMHH-issued fines and sanctions. Most of the changes will come into effect on May 31, 2012.

The tabloidization of Hungarian broadcast media remains a major concern and has sometimes been used by the Hungarian government to justify new restrictions on content. The nongovernmental organization Nyilvánosság Klub (Openness Club) monitored several public and private television and radio stations between November 7 and December 16, 2011. The group's study found that just 23 percent of news coverage in this period was devoted to coverage of international news, compared with 32 percent in 2007. The same study also found that serious political coverage on public television news had decreased by 30 percent since 2007. During the six weeks that Nyilvánosság Klub monitored the state-run MTV and MR television stations, they aired only two mentions of foreign criticism of the Hungarian government. Among all the stations monitored by Nyilvánosság Klub in this period, the only broadcasters regularly critical of Fidesz were ATV (a commercial station on Hungarian cable TV) and the embattled Klubrádió.

In July, a group of journalists launched a website intended to serve as the Hungarian equivalent to WikiLeaks. The Átlátszó (Transparent) Centre for Investigative Journalism plans to promote transparency in government through the use of Freedom of Information legislation and

contributions from individual “whistleblowers.” Within weeks of the launch, the editor in chief of the website, Tamás Bodoky, was interrogated by the Budapest police’s organized crime division after publishing files hacked from a financial consultancy firm. Bodoky refused to reveal his source, though the police threatened to charge him with perjury. The same day, police entered his home and seized a hard drive as evidence.

Hungary’s media landscape is dominated by private companies with high levels of foreign investment in national and local newspapers. Privately held newspapers include 10 national and 24 local dailies. Hungary has three national public radio stations and two main private stations. Under the new legislation, radio broadcasters must devote at least 25 percent of their airtime to Hungarian music, while 50 percent of television programming must be devoted to European productions.

In 2011, the Hungarian National News Agency (MTI) became the official source for all public media news content. In February, the head of the MTI said all news programs broadcast by public service television and radio stations would be produced and edited by MTI staff within the year. Government-funded MTI publishes nearly all of its news and photos online for free, and offers media service providers the ability to download and republish them. Paid-subscription news and smaller media outlets with limited resources cannot compete with MTI, and the incentive to practice “copy-and-paste journalism” is high. The accuracy and objectivity of MTI reporting has come under substantial criticism since the Orbán government came to power in 2010. One blogger noted that the MTI English-language report on a speech given at Central European University had taken significant liberties in interpreting the ambassador’s words and excluded all positive mention of Orbán’s predecessor, Gordon Bajnai. Most state and state-dependent advertisers chose not to do business with independent media, and many private companies followed suit.

Under the new Media Law, the funding for all public media is centralized under one body, the Media Service Support and Asset Management Fund (MTVA), supervised by the Media Council. By creating a central property management and production fund, the government deprived three previously independent institutions—Hungarian Television (MTV), Hungarian Radio (Magyar Rádió), and Danube Television (Duna Televízió)—of their financial and organizational autonomy.

On December 10, a group of Hungarian journalists, led by then MTV1 foreign news producer Balazs Nagy Navarro, went on hunger strike to protest alleged manipulation of the state media by the Orbán government. According to Navarro, the final straw was a December 3 broadcast on the state-run MTV channel in which the face of a former chief judge unpopular with MTI management was deliberately blurred.

In response to the backlash, MTI dismissed Gábor Élo, the head of the MTI department responsible for television news content. Élo’s deputy, Daniel Papp, was moved to a different position within the organization. Papp had been promoted to his latest position in April, not long after he personally manipulated interview footage with the aim of embarrassing an outspoken critic of Orbán. Protesters insisted that all editors involved in the December 3 broadcast should be dismissed, and they remained on strike at the end of 2011. Both Navarro and another leading figure in the hunger strike, Aranka Szavuly, were dismissed from their jobs at MTV1 on December 28 for causing a “provocation.”

By the end of 2011, MTVA had laid off nearly 1,000 employees as part of a long-anticipated streamlining of public media. The government claims this was driven by budgetary concerns, even though the public media received a 10 percent budget increase in 2011. Over 500

layoffs took place in June and July, igniting small protests among those who viewed the dismissals as politically motivated. Throughout the year, employees of public and private media spoke to international media and media watchdog organizations about growing self-censorship by journalists and editors in the face of fines or unemployment.

Diversity is on the rise in the electronic media. Most notably, there has been an increase in domestically owned electronic media outlets. Approximately 59 percent of Hungarian citizens went online in 2011, though over 70 percent still get their news from television. The government remains unable to fully regulate online media. At the end of 2011, the speaker of parliament, Laszlo Köver, banned Hungary’s most popular online news portal, Index.hu, from reporting from the chamber after it posted a video mocking the government.

The new Hungarian constitution, adopted in April 2011 and effective January 1, 2012, will create a new National Agency for Data Protection, prematurely ending the six-year term of the existing Data Protection Commissioner with no interim measures put in place. The head of the new authority is appointed by Orbán and can be dismissed by the prime minister or president on arbitrary grounds.

Iceland

Status: Free

Legal Environment: 3

Political Environment: 5

Economic Environment: 6

Total Score: 14

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	9,F	9,F	9,F	10,F	12,F

The Icelandic press is among the freest in the world, although declines have been noted in recent years. Freedoms of the press and expression are protected under Article 72 of the constitution, and the government generally does not interfere in the independent media’s presentation of a wide variety of views. However, there are limitations to these rights, including fines or imprisonment for those who belittle the doctrines of officially recognized religious groups. In addition, individuals may face fines and up to two years in prison for verbal assaults based on race, religion, nationality, or sexual orientation.

Iceland’s libel laws posed a problem to free speech in 2011. In February, a Reykjavik municipal court ordered two editors and a journalist for the newspaper *DV* to pay soccer star’s Eidur Gudjohnsen 400,000 krona (\$3,100) in addition to a 150,000 krona (\$1,200) fine to the state for publishing his private financial information. The journalist highlighted several loans that Gudjohnsen had received from Icelandic banks in a story about similar loans that led to the country’s 2008 financial collapse. Also in February, in southwest Iceland, a woman was forced to pay a fine of 700,000 krona (\$5,500) for using her blog to publicly accuse a man of killing a dog by allegedly stuffing it into a bag and kicking it to death. The man planned to file suit against several other individuals but had not done so by the end of 2011. In July, a Reykjavik district court ordered Jon Bjarki Magnusson of *DV* to pay Kim Gram Laursen 500,000 krona

(\$4,000) plus 750,000 krona (\$5,900) in legal fees for direct quotes published in an article about Laursen’s custody battle.

Despite the Icelandic Modern Media Initiative (IMMI), which was passed by parliament in June 2010 and was intended to make Iceland the freest country in the world for journalism, 2011 saw no advancements in the goals that the IMMI set; in fact, it faced several setbacks. None of the laws envisioned in the IMMI were passed by the end of 2011. Instead, a controversial new media control law, passed by parliament on April 16 and signed into law by the president on April 26, became active. Press freedom organizations opposed several components to the law, the most serious of which includes the creation of the State Media Committee. The committee is a state-run organization that will have sweeping powers to impose fines on media outlets if they do not comply with the law, as well as a new requirement to register as a media outlet by detailing the outlet’s “editorial strategy.” Nonregistration can result in fines of approximately \$1,600 per day. An outlet may also be fined if it does not adhere to its stated editorial strategy. The new law also includes a clause which prohibits reporting that might encourage hate speech based on “race, gender, sexual orientation, religious belief, nationality, opinion or cultural, economic, social or other standing in society.” Journalists fear that the “economic and social standing” portion of this clause could be used against them by people in power, as such individuals may view it as a means to incriminate journalists if any negative information is published about them. Two positive protections afforded by the law are editorial independence from owners and the protection of sources.

The country’s wide range of publications includes both independent and party-affiliated newspapers, but the financial crisis has led to cutbacks in both broadcast and print media. The Icelandic National Broadcasting Service (RUV) runs radio and television stations funded by license fees as well as advertising revenue. RUV was reestablished as a public corporation in March 2007, having previously operated as a state-owned institution; it still has public-service obligations, and holds a market share of around 50 percent. Media concentration is a concern in Iceland, as the company 365 controls much of the country’s private television and radio broadcasting, one of the major national newspapers, and several magazines. There was also some concern over the appointment of a former prime minister and central bank chairman as editor in chief of the largest independent newspaper, *Morgunbladid*, in late 2009.

In 2011, 95 percent of the country’s population accessed the internet, and 61 percent were reported to be on the social-networking site Facebook, which serves as an active forum for debate among both citizens and public officials. Web-based media are flourishing, and the internet is not restricted by the government.

India

Status: Partly Free

Legal Environment: 9

Political Environment: 19

Economic Environment: 9

Total Score: 37

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	35,PF	35,PF	36,PF	33,PF	35,PF

India's vibrant media scene is the freest in South Asia, although journalists, particularly those in rural areas and certain conflict-racked states, faced a number of challenges in 2011, including legal actions and occasional violence. The constitution provides for freedoms of speech and expression, and while there are some legal limitations, these rights are generally upheld. The 1923 Official Secrets Act gives authorities the power to censor security-related articles and prosecute members of the press. In May 2011, Tarakant Dwivedi was arrested and held under the act following an article detailing compromised security at the railway station where the 2008 Mumbai terrorist attacks took place. State and national authorities have on occasion used other security laws, criminal defamation legislation, blasphemy provisions, hate speech laws, and contempt-of-court charges to curb critical reporting, though a 2006 amendment to the Contempt of Courts Act introduced truth as a defense, and authorities mooted the possibility of reviewing criminal defamation statutes in early 2011. In an unusual case, in November 2011 the television station Times Now was fined an exorbitant 1 billion rupees (\$21.4 million) in a defamation case dating to 2008; the station had mistakenly run the wrong picture during a newscast. Times Now was ordered to deposit a substantial portion of the fine before an appeal would be considered. Two journalists in Chhattisgarh—Sudhir Dhawale of the Marathi-language *Vidrohi* monthly and freelance journalist Lingaram Kodopi—were arrested in 2011 and charged under the Unlawful Activities Prevention Act (UAPA) and other laws. Human rights groups claimed that the charges were in retaliation for their reporting, and the two remained in pretrial detention at year's end. K. K. Shahina, a journalist with the weekly magazine *Tehelka* who had faced criminal charges in late 2010 following a story that was critical of local police, received additional charges under UAPA in 2011.

Implementation of the landmark 2005 Right to Information (RTI) Act has been mixed, with the majority of requests blocked due to broad restrictions on the release of information. According to assessments conducted for the government by PricewaterhouseCoopers and an alliance of civil society groups known as the RTI Assessment and Analysis Group, an estimated two million requests were submitted in the first two and a half years following the law's initial implementation, with many seeking information on service delivery from state and local governments. A range of impediments have hindered the act's success, including an overall lack of awareness of the rights guaranteed by the law, a large backlog of appeals and requests, and widespread inefficiency within state and local governing bodies. However, some state governments are making an effort to disseminate information about the law, especially in rural and isolated areas. A number of activists who have attempted to use the RTI Act to uncover information, particularly on official corruption, have been killed in recent years, including 2011.

The Press Council of India (PCI), an independent self-regulatory body for the print media composed of journalists, publishers, and politicians, investigates complaints of misconduct or irresponsible reporting. The regulatory framework for the rapidly expanding broadcast sector does not at present feature an independent agency that is free from political influence. In a bid to forestall official regulation of news coverage—including proposals by the Ministry of Information and Broadcasting (MIB) in the wake of the 2008 Mumbai terrorist attacks to increase controls on television news feeds in times of crisis—the News Broadcasters' Association, an industry body that primarily represents the television sector, issued a new set of self-regulatory guidelines in February 2009, covering topics including crime, violence, and national security. While access to the profession of journalism is open, an accreditation

mechanism for online journalists has not yet been developed. Media industry groups and local press freedom advocacy organizations remain somewhat weak.

Physical intimidation of journalists by a variety of actors continued to be a problem in 2011. A number of journalists were attacked, threatened, abducted, or detained by police, political activists, right-wing groups, insurgents, local officials, or criminals. Two journalists were killed in 2011, according to the Committee to Protect Journalists; although the motives remained “unconfirmed,” one of the victims, Jyotirmoy Dey, a senior crime reporter for *Midday* who was killed in June in Mumbai, was believed to have been assassinated by a crime boss as a result of his investigative reporting. Media offices were also targeted during the year.

Members of the press are particularly vulnerable in rural areas and insurgency-racked states such as Chhattisgarh, Jammu and Kashmir, Assam, and Manipur. Reporters in these states faced pressure from both the government and insurgents in 2011. Those suspected of Maoist or other insurgent sympathies were sometimes threatened with sedition charges or detained by the authorities, while others were pressured to reveal their sources for sensitive stories or were blocked from covering the news. Continuing civil unrest in Jammu and Kashmir during 2011 led to instances of harassment of local journalists, particularly as they attempted to report on repeated confrontations between protesters and security forces. Journalists in the state also had their special curfew passes seized and were otherwise harassed or beaten by police at checkpoints. The local media continued to face threats from militants regarding coverage of certain issues, and pressure to self-censor has been reported at outlets that rely on state government advertising for the majority of their revenue. Jammu and Kashmir’s local cable television stations, as well as pages on the Facebook social-networking site and mobile-telephone text messages, were censored during periods of unrest, and editions of local newspapers were unable to print in Srinagar as a result of curfews. According to the Asian Media Barometer for India, the authorities in multiple states occasionally block certain cable news channels or instruct cable operators not to carry channels based on their political slant or content. A number of foreign journalists have had trouble obtaining visas to report from within the country. Some, such as the independent Danish journalists Tom Heinemann and Lotte la Cour, appear to have been blacklisted in retaliation for their prior investigative reports on India.

India is one of the few countries worldwide where print media remain a vibrant and financially sustainable growth industry, and there are rising numbers of both print and broadcast outlets that target national or various regional or linguistic audiences. Most print outlets, particularly in the national and English-language press, are privately owned, provide diverse coverage, and frequently scrutinize the government. The low cost of newspapers—which are sold at prices far below the cost of production—ensures wider access to print media than in most low-income countries. The broadcast media are predominantly in private hands, and diversity in the television sector has expanded exponentially. However, the state retains a monopoly on AM radio broadcasting, and private FM radio stations are not allowed to air news content. Under a policy announced in 2006, which provided guidelines for the ownership and operation of community radio stations by nongovernmental organizations (NGOs) and other civil society groups, there has been a modest increase in community radio stations, leading to a greater diversity of voices and topics covered. The MIB reported that as of August 2011, 368 proposals were still under review, and 732 stations in total were operational. Doordarshan, India’s state-controlled television station, has been accused of manipulating the news to favor the government, and some private satellite television channels provide coverage that reflects the political affiliations of their owners, according to the U.S. State Department.

Access to foreign media, with the exception of some outlets based in Pakistan, is generally unrestricted. Constraints imposed on foreign news outlets were reduced in 2009, allowing 100 percent foreign-owned periodicals to print local editions with government approval. However, authorities sometimes block certain foreign print editions from distribution due to content such as maps of the disputed Kashmir region. In 2011, the MIB blocked 25 foreign channels (mostly from Pakistan), claiming that they were “a security threat.”

Some impediments to production and distribution of domestic media occasionally arise. For example, in late 2011, the trade union wing of a local political party organized a blockade of certain newspapers in the state of Kerala, allegedly in response to the papers’ coverage of the party.

The placement or withdrawal of advertisements is used by both the national and state-level governments to reward favored news outlets or punish those that produce critical stories. Bribery is also a major concern, as is overt blurring between the editorial and advertising departments at many outlets, sometimes through the use of “private treaties” with major companies. During 2009, local media brought attention to the ongoing practice of “cash for coverage,” in which payments are made to secure favorable news coverage for candidates and parties, particularly during election cycles. Despite investigations by India’s election commissioner and the PCI, the practice of paid news remains deeply entrenched, as it bolsters salaries for journalists and revenues for media owners.

The internet, accessed by about 10 percent of the population in 2011, remains largely unrestricted, and mobile phones are increasingly being used as a means of gathering and disseminating news and information, particularly in rural communities and areas with high rates of illiteracy. However, the government retains the power to censor online content. The 2008 Information Technology Act gives the Ministry of Communications and Information Technology the authority to block material that endangers public order or national security. The law also enables prosecution of cybercafés, search engines, and internet service providers (ISPs). Authorities took several steps during 2011 to increase control over internet-based media. In April, the government introduced rules that compel companies to remove objectionable content within 36 hours of receiving an official notice. Other new regulations oblige cybercafés to install surveillance cameras and submit records of their users’ online activity to the government. Following talks with several companies regarding self-regulation, the Ministry of Communications and Information Technology in early December announced the government’s intention to implement mechanisms to restrict material that is found to be illegal, blasphemous, or pornographic. Later in the month, a local court in Delhi ordered 22 websites or internet companies—including Google, Yahoo, Microsoft, and Facebook—to remove content deemed antireligious or antisocial.

Indonesia

Status: Partly Free

Legal Environment: 16

Political Environment: 18

Economic Environment: 15

Total Score: 49

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	54,PF	54,PF	54,PF	52,PF	53,PF

Indonesia's media environment continues to be among the most vibrant and open in the region, and experienced some overall improvement in 2011. Constitutional and legal provisions allow for freedom of speech and freedom of the press. However, both the government and private actors sometimes use their power to obstruct these rights. Defamation is a criminal offense covered by more than 40 provisions of the country's criminal code. The independent Press Council, created by the 1999 Press Law, is supposed to adjudicate all media disputes (according to a 2005 Supreme Court ruling), but authorities continue to undermine the council's mandate by bringing defamation charges to the courts. Perhaps the most egregious example of this was a May 2011 ruling by the South Jakarta District Court awarding Tommy Suharto, the youngest son of former Indonesian president Suharto, damages worth 12.5 billion rupiah (\$1.46 million) for a magazine article that described him as a convicted murderer, in reference to his 2002 conviction for ordering the murder of a Supreme Court judge. The ruling stated that the article had "damaged the plaintiff's credibility as a local and international businessman."

As has been the case in recent years, in 2011 Indonesia's courts issued a series of rulings in the areas of press freedom and freedom of expression that seemed to contradict one another in both direction and spirit. In June, the Supreme Court overturned its earlier decision and accepted the appeal of *Playboy Indonesia* editor Erwin Arnada, who had served eight months of a two-year sentence for public indecency. He was jailed as a result of pressure from Front Pembela Islam (Front of Islamic Defenders), which had objected to the magazine's publishing of photos of a bikini-clad model. On the other hand, the Constitutional Court's April decision to uphold a law prohibiting blasphemy (Article 156a of the criminal code) had negative implications for press workers, as did the judges' apparent endorsement of the government's argument that the prohibition of blasphemy was vital to protecting religious harmony. In early 2011, the government of East Java banned the Ahmadiyya, a heterodox Islamic sect with approximately 400,000 Indonesian followers, from using any form of media to spread their beliefs, and from displaying the name Ahmadiyya in public and in mosques. The decree received the backing of the Indonesian Council of Ulema (MUI), as well as the minister of justice and human rights, who said that Ahmadis had stirred up conflicts throughout the country.

The 2008 Law on Public Information Transparency provides for the right to freedom of information. It went into effect in April 2010, but many flaws remained in terms of implementation. The State Intelligence Bill, which was passed in October 2011, was seen as posing a serious threat to civil liberties as well as to journalistic freedom. Article 32, which authorizes intelligence organizations to intercept communications without prior court approval, raised concerns about privacy. Article 26 prohibits individuals or legal entities from revealing or communicating state secrets, with penalties of up to 10 years in prison and fees exceeding 100 million rupiah (\$11,000). This article is open to misinterpretation and abuse by state officials because state secrets are not clearly defined and can easily conflict with the 2008 Law on Public Information Transparency. The Alliance of Independent Journalists raised concerns that the law might be used to rein in journalists and organizations that seek to disseminate information to the wider public, but there was no evidence of this in 2011.

Print media are regulated through the Press Council, while broadcast media must be licensed, a process handled by the Ministry of Communication and Information Technology and by the Indonesian Broadcasting Commission (Komisi Penyiaran Indonesia or KPI). Both of these

bodies appear to operate independently for the most part. However, under the 2002 Broadcast Act, local stations are prohibited from disseminating foreign broadcasts, and foreign ownership of broadcast media is banned. Since its creation, the law has drawn criticism for its limits on content and severe penalties for offenses, and the government has occasionally used the law to limit broadcasting. In September 2011, a court in the city of Batam sentenced Gatot Machali, the manager of Radio Era Baru, to six months in prison and forcibly shut down the station. Radio Era Baru was a Chinese-language station affiliated with the Falun Gong spiritual movement that frequently reports on human rights abuses in China. Machali was convicted of broadcasting without permission and disrupting neighboring frequencies. The government had refused to issue a license to the station since 2007, and confiscated the station's transmitter in March 2010. Reporters Without Borders has suggested that the conviction is the result of pressure from the Chinese government.

Journalists remain subject to attacks and physical harassment from both the authorities and nonstate actors. There were no murders of journalists or media workers in 2011, but the Alliance of Independent Journalists (AJI) reported that violence against the press in Indonesia increased in 2011. A bomb package delivered to Liberal Islam Network activist Ulil Abshar Abdalla in March at the office of the Utan Kayu Community, which also houses the offices of the 68H Radio News Agency and the Institute for Studies on Free Flow of Information (ISAI), underscored the danger to those who offered critical or liberal perspectives on Islam and religious diversity. Other incidents of violence included the stabbing of *vivanews.com* and *Jakarta Globe* correspondent Banjir Ambarita in Papua. Though there was no clear motive for the attack, the *Jakarta Post* quoted sources as saying that it might have been connected to a sex scandal involving several police officers in Jayapura that had been reported on by Banjir. The office of the daily newspaper the *Orbit* in Medan, North Sumatra, was attacked in May, reportedly by 18 employees of a company named by the newspaper as sponsoring gambling. Three reporters were injured. Additionally, in July, TempoTV journalist Syarifah Nur Aida was assaulted while reporting on a land conflict involving local communities in Bogor. The attackers, who were not identified, took away the reporter's camera memory card. Impunity for past attacks is common. For example, three men charged with the 2010 murder of TV journalist Ridwan Salamun were acquitted in March by the district court of Tual, in the province of Maluku. Some Indonesian media outlets practice self-censorship in fear of irking the government and other influential groups and organizations. In the province of West Papua, few foreign journalists can enter without being closely monitored by authorities.

In general, the Indonesian press system remains one of the most open and vibrant in Southeast Asia, and the public can access a variety of news sources and perspectives provided by a significant number of private print and broadcast media outlets. Television is the most popular medium, and the sector is competitive, with 10 national commercial networks in addition to the state-owned Televisi Republik Indonesia. However, there is ongoing concern about the ability of political parties, large corporations, and powerful individuals to control press content, either indirectly through the threat of lawsuits or directly through ownership. A December *Jakarta Post* story noted the "frenzy of match-making between politicians and media owners," and highlighted the questions of independence in the newsroom in this new media landscape. As Indonesians began to prepare for the 2014 presidential election, wealthy politicians bought media properties and consolidated press empires. Although many Indonesians remained hopeful that these media moguls would continue to balance one another out, there were nagging concerns about what would happen if competing political interests formed alliances and created

monopolies with the potential to limit media independence in ways that had not been seen since the Suharto years. A study conducted by the nonprofit groups Hivos Southeast Asia and the Center for Innovation, Policy and Governance from July 2011 to December 2011 found that of the 12 most prominent media companies, nearly all had ties to political parties in some respect. For instance, Visi Media Asia, which has two television stations, TV One and ANTV, is owned by Aburizal Bakrie, a powerful business magnate and chairman of the influential Golkar Party.

Advertising remains a robust source of income for newspapers and television companies, and the shift to online news sources has been slow. Working conditions for Indonesian journalists remained poor. According to AJI, media companies do not pay competitive salaries to their journalists, which can cause some journalists to support themselves by working as account executives or requesting fees from their sources.

In 2011, the internet was accessed by 18 percent of the population. There are no government restrictions on access, but the lack of high-speed infrastructure outside the major cities limits the internet’s use as a news source. In addition, the internet appears to be even more vulnerable than traditional media to restrictions on content. According to the 2008 Electronic Transactions Law (ITE), individuals face up to six years in prison and heavy fines for online defamation, although no cases were reported in 2011. A series of draft laws and policies issued by the Ministry of Communication and Information Technology that had raised concerns in 2010 either faded away or lay dormant during 2011. These included a draft ministerial decree on multimedia content that would have allowed internet service providers to filter and block pornographic content, and a draft law on “telematics convergence” that would have required online media outlets to obtain licenses from the ministry. Social media sites such as YouTube, Twitter, and Facebook have become extremely prominent in Indonesia, and are generally accessed without interference. It has the fifth-highest number of Facebook users globally, and the third-highest number of Twitter accounts.

Iran

Status: Not Free

Legal Environment: 30

Political Environment: 38

Economic Environment: 24

Total Score: 92

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	84,NF	85,NF	85,NF	89,NF	91,NF

The government crackdown that followed the disputed 2009 presidential election continued in 2011, as scores of journalists were arrested, imprisoned, threatened, and beaten. The government continued the use tactics such as intimidation and harassment, unfair trials, and limits on means to establish independent outlets to restrict the media environment in Iran, which remained one of the most repressive in the world.

Constitutional provisions and laws restrict what can be covered in the press and fail to provide protections for the media. In addition, the government regularly invokes vaguely worded legislation to criminalize dissenting opinions. The Press Law forbids the publication of ideas that

are contrary to Islamic principles or detrimental to public rights. Article 500 of the penal code states that anyone who undertakes any form of propaganda against the state will be sentenced to between three months and a year in prison, but the code leaves “propaganda” undefined. Under Article 513, certain offenses deemed to be an “insult to religion” are punishable by death, or prison terms of one to five years for lesser offenses, with “insult” similarly undefined. In 2010, the government broadened the definition of the crime of *moharebeh*, or “enmity against God,” in order to convict activists and journalists. Other articles provide sentences of up to 2 years in prison, up to 74 lashes, or fines for those convicted of intentionally creating “anxiety and unease in the public’s mind,” spreading “false rumors,” writing about “acts that are not true,” and criticizing state officials; however, many prison sentences have been arbitrarily harsh, ranging from 6 to 10 years or more.

The Iranian judiciary frequently denies accused journalists due process by referring their cases to the Islamic Revolutionary Court (IRC), an emergency venue intended for those suspected of seeking to overthrow the regime. Cases against journalists before the IRC have featured closed-door hearings and denial of access to an attorney or a fair jury. In July 2010, Ayatollah Mohammad Emami Kashani, a member of the powerful Assembly of Experts, forbade lawyers from defending political suspects, making it difficult for members of the legal profession to assist arrested journalists. Several prominent human rights lawyers who have defended political activists, including journalists, have themselves been prosecuted in recent years.

Amid strict censorship rules, officials in 2011 continued to shut down newspapers and other publications, especially if they covered the opposition, women’s rights, ethnic issues, or any other topic the government deemed unacceptable. In September, two Iranian publications that printed articles critical of President Mahmoud Ahmadinejad’s policies were closed. *Shahrvand-e Emrooz*, a weekly reformist news magazine, was shut down for violating press laws, while a leading reformist daily, *Rouzegar*, was temporarily closed for publishing antiregime propaganda. *Etemad*, the leading reformist newspaper, was banned in November for two months after publishing an interview with Ahmadinejad’s press adviser, Ali Akbar Javanfekr. In the interview, Javanfekr—who was also the chief executive of the official Islamic Republic News Agency (IRNA)—criticized hardliners who opposed the Iranian president. The authorities said the paper had been shut down for “publishing falsehoods and insulting public officials.” In order to remain in business, many news outlets and journalists practice self-censorship and abide by official restrictions. In addition to the print media, the government has targeted journalists’ associations and civil society organizations that support freedom of expression. The authorities also use official or loyalist media outlets to propagate false claims about activists. The semiofficial Fars News Agency often publishes fabricated confessions or resignations, while IRNA continues to monitor articles produced by Fars prior to publication to ensure that they do not violate its rules or contain prohibited information.

International media are unable to operate freely, have been accused by the authorities of fomenting the unrest surrounding the presidential election in 2009, and are often punished for airing criticism of the government. In February 2011, two German reporters from *Bild am Sonntag* were released from prison after having been charged with espionage for reporting on the case of Sakineh Mohammadi Ashtiani, an Iranian woman sentenced to death by stoning for allegedly committing adultery. The government requires all foreign correspondents to provide detailed itineraries and proposed stories before visas are granted, and visas are regularly denied to foreign reporters who have previously been critical of the regime. On February 18, Mohammad Javad Aghajari, who is in charge of foreign press in the Ministry of Culture and Islamic Guidance, said

his ministry monitors the foreign press and warned foreign reporters about dispatching what he called “negative news” on a daily basis.

According to a December 2011 report by the Committee to Protect Journalists, Iran has more journalists behind bars than any other country in the world. Of the 179 writers, editors, and photojournalists imprisoned worldwide, 42 are in Iran. Arrests and detentions soared after opposition leaders Mir Hossein Mousavi and Mehdi Karroubi called for street marches in solidarity with other protest movements in the region in 2011. The government reacted by clamping down on the media and placing both opposition leaders under house arrest. Kouhyar Goudarzi, a veteran journalist for the Committee of Human Rights Reporters (CHRR) who had completed a one-year prison term in December 2010, was seized by suspected government agents in July 2011 and taken to an undisclosed location. By October, Goudarzi was supposedly being held by the Intelligence Ministry. In addition, on October 5, authorities arrested four reformist journalists—Medhi Afsharnik, Ali Akrami, Mohamed Heydari, and Mohsen Hakim—on charges of disseminating “propaganda against the regime.” All four were reportedly released on bail several weeks later, and their cases were pending at year’s end. Numerous accounts of abuse in custody have been recorded, and many prisoners were said to have been tortured to extract confessions. The crackdown has prompted an exodus of journalists from Iran.

In addition to arresting large numbers of journalists, the government continued to impose excessive sentences during the year, including lengthy prison terms and professional bans. Saeed Jalalifar, a reporter on child labor and political prisoner issues for the CHRR, had first been arrested in December 2009. He was free on bail for more than a year before being summoned back to Evin Prison—notorious for its harsh conditions—in July 2011. The opposition website *Pars Daily News* reported that Jalalifar had been sentenced to three years in prison on charges of “assembly and collusion against the regime.” Numerous journalists have been detained for varying periods of time since 2009 in connection with their work in exposing human rights violations and government malfeasance. Blogger and political activist Hossein Ronaghi Maleki, who was arrested in December 2009 and sentenced to 15 years in prison, has reportedly been subjected to severe abuse in prison.

Given the limited distribution of print media outside large cities, radio and television serve as the principal sources of news for many citizens, with more than 80 percent of residents receiving their news from television. Article 175 of the constitution forbids private broadcasting. The government maintains a monopoly on all domestic broadcast media and presents only the official political and religious viewpoints. The newspapers with the widest circulation and influence adhere to a conservative editorial position or are directly operated by the government. A state-run English-language satellite station, Press TV, was launched in 2007. Leaders of the powerful Islamic Revolutionary Guard Corps (IRGC) also announced their intent to launch a trilingual (Persian, Arabic, and English) news agency modeled on the British Broadcasting Corporation (BBC) or the Associated Press. The IRGC already largely controls the Fars News Agency. An increasing number of people own satellite dishes and access international news sources, though this is technically forbidden and the confiscation of satellite dishes is known to occur. In May 2011, the government tightened their control over illicit satellite dishes and confiscated more than 2,000 of them in a single day. The IRGC reportedly has a budget of \$10 million dedicated to jamming stations in Tehran and other cities. Iran has repeatedly jammed BBC Persian TV since it was founded in 2009. The channel is considered such a threat that a website identical in design to that of BBC Persian has been created to spread allegations against BBC employees. The fake site uses a .ir domain name, which cannot be used without

government permission. Reporting on BBC Persian has challenged government versions of both the domestic political scene and its troubled relationship with the West. Iranian officials often cite the work of the channel as evidence of a foreign plot against the regime.

Approximately 21 percent of the population had regular access to the internet in 2011. However, the regime imposes systematic controls on the internet and other digital technologies. According to the OpenNet Initiative, the Iranian government has become one of the most sophisticated and pervasive filterers of online content in the world, and it has the technological capability to produce its own monitoring and filtering software. According to a parliamentary commission investigating Iran’s privatization process, a private corporation linked to the IRGC bought 51 percent of the Telecommunications Company of Iran in October 2009 with little outside competition. The government retains direct ownership of the remaining portion. The transaction gave the IRGC control over Iran’s telephone systems—both the fixed-line network and the two mobile phone companies—as well as internet service providers. The government is also taking steps to restrict access to the internet. Connection speeds have been slower, and authorities cut off service during critical moments in 2011, such as the February anniversary of the 1979 revolution. In addition, the government carefully monitors social-media websites such as YouTube and Twitter, and regularly restricts access to Facebook before any protest.

In April 2011, the government announced that it would be launching a local intranet service known as Halal Internet. According to the deputy minister for economic affairs, Ali Agha Mohammadi, the Halal Internet project is expected to be completed in 2012. Mohammadi confirmed that Halal Internet would be extensively censored and monitored by the Iranian authorities, though the government claims that Iranians will continue to have access to the internet as a whole.

Blogs and online news websites—particularly those in the Persian language—were increasingly targeted for censorship during the year, and independent or antigovernment bloggers were subject to harassment. In November 2011, blogger Rojin Mohammadi was arrested on undetermined charges. The CHRR found that Mohammadi had been arrested when she arrived at Tehran airport for a visit on November 14. She was released on bail after 24 hours, but was arrested again a few days later, and continued to be held in Evin Prison at year’s end.

Although subject to a more aggressive range of threats and restrictions in 2011, the internet still provided a key platform for informing the Iranian public, and online media remained a source of diverse news coverage and analysis. In an acknowledgment of its inability to completely silence online dissent, the regime has stepped up its efforts to hack sites—including those based abroad—that it cannot disable by other means, and to foster the large-scale creation of progovernment blogs, commentary, and news content.

Iraq

Status: Not Free

Legal Environment: 23

Political Environment: 30

Economic Environment: 16

Total Score: 69

Survey Edition	2007	2008	2009	2010	2011
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Total Score, Status	70,NF	69,NF	67,NF	65,NF	68,NF
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The revolutions and uprisings that swept much of the Middle East in 2011 barely touched Iraq, but with several journalists killed and continuing violence against media workers, the country remained one of the world’s most dangerous places for reporters. Iraq’s constitution protects freedoms of speech and expression, but authorities continue to use the 1969 penal code to prosecute journalists for a variety of offenses, including libel and defamation. In 2010, the Supreme Judicial Council created a special court to prosecute journalists, despite a ban on the creation of special courts in Article 95 of the constitution. A new law passed in August 2011 established protections for free speech and provided for journalists’ “needed protection.” The legislation also eliminated a stipulation that media workers must belong to the journalists’ union to be entitled to legal protections. While the law represented a step in the right direction, media watchdog organizations criticized it for failing to include concrete sanctions against authorities who violate its provisions.

The Communications and Media Commission requires media outlets to obtain licenses to operate and bars coverage deemed to be “an incitement to violence.” A bill proposed in the Kurdistan region in May 2011 would create a Higher Council for Information consisting of government appointees. Media groups derided the plan for precluding any semblance of independence on the council. However, the bill had not been passed by year’s end.

The Iraqi media environment is heavily politicized. Since political factions and ethnic groups control many of the country’s news outlets, coverage of politics and political events is often slanted toward a particular group’s agenda or beliefs. Self-censorship is also common, as many journalists fear repercussions for publishing critical remarks, especially those related to the government or political parties.

While Iraqis did not experience the full extent of the Arab Spring, they did protest against corruption and a lack of public services during 2011, and journalists covering those demonstrations were often jailed and beaten by security forces. Media organizations reported 160 such incidents during a two-week period in March. Similar cases of beatings, detentions, and closures of media offices continued throughout the year. In November, American freelance journalist Daniel Smith was detained by Iraqi security forces and charged with “inciting popular protests.” He was subsequently released. Separately, Saad al-Awsi, editor of the weekly Baghdad newspaper *Al-Shahid*, was released in August after 16 months in detention. Security forces had arrested him after he published an article criticizing Prime Minister Nouri al-Maliki.

Five journalists were killed in connection with their work in 2011, according to the Committee to Protect Journalists, but others were killed in ambiguous circumstances or caught in general bombings or attacks. In February 2011, a correspondent for the satellite television channel Al-Itijah was killed when a suicide bomber struck a religious ceremony in Anbar Province. Also that month, freelance journalist Hilal al-Ahmadi was gunned down outside his home in Mosul. He was known for his reporting on corruption. In March, two journalists working for Al-Arabiya satellite news and the Iraqi news agency Al-Ayn were killed in an attack on a provincial government building in Tikrit. In April, a sound engineer was killed in bombings in Baghdad, and the director of an Iraqi satellite news channel was shot dead by gunmen as he traveled in Baghdad with a human rights activist. In June, a cameraman was killed in southern Iraq when a car bomb exploded. In September, gunmen using silencers shot journalist and playwright Hadi al-Mahdi in his Baghdad home. Al-Mahdi had hosted a radio show on an

independent station that criticized government corruption, bribery, and sectarianism. Past murders of journalists generally went unpunished, leading to a climate of impunity.

Journalists in the semiautonomous region of Kurdistan continued for a second straight year to suffer from violence perpetrated by security forces. Until recently, the region was considered one of the safest places in Iraq, but the creation of a third political party to challenge the two allied ruling parties in 2010 sparked mass demonstrations and led to increasing violence against media outlets that sought to cover the events. Journalists reporting on popular protests in Kurdistan in 2011 consistently faced threats, attacks, and intimidation. For instance, in February gunmen stormed the offices of the independent Naliya Radio and Television to prevent the station from covering unrest. Also in February, guards from a political party forced an independent newspaper to close, shouting that its reporters were traitors who had organized the demonstrations. In September, a magazine editor was assaulted and arrested by security forces, which later filed a defamation suit against him for reporting the incident on the magazine’s website. In December, seven media offices suffered arson attacks, and at least 15 journalists were injured or detained for questioning.

Since the ouster of the former regime in 2003, Iraq has been home to hundreds of privately owned television, radio, and print media outlets producing content in Arabic, Kurdish, Syriac, Turkmen, and other languages. However, media are usually split along sectarian, ethnic, and political lines. Political parties and ethnic groups fund most outlets, and journalists often blur the distinction between news and opinion. The government controls the Iraqi Media Network, which includes Al-Iraqiya television and the newspaper *Al-Sabah*. The government also shapes the editorial content of some outlets by controlling advertising or pressuring advertisers. Advertising with no editorial demands attached makes up only a small fraction of media outlets’ revenues. Satellite dishes are legal, and a majority of Iraqis have access to satellite news channels, including Al-Sharqiya, an Iraqi-owned station that broadcasts from Dubai; Qatar-based Al-Jazeera; and the Saudi-owned Al-Arabiya.

Five percent of the population had access to the internet in 2011. The internet operates without government restriction, and usage has steadily increased since 2003, but poor infrastructure and sporadic access to electricity have made Iraq’s penetration rate for terrestrial internet access one of the lowest in the region. Instead, the majority of Iraqis who use the internet access it through wireless technology. A draft Informatics Crimes Law proposed in October would prohibit computer use that “compromises the independence of the state or its unity, integrity, safety, or any of its high economic, political, social, military, or security interests.” Media rights organizations decried the broad language, saying it could give the authorities a free hand to censor any electronic expression.

Ireland

Status: Free

Legal Environment: 4

Political Environment: 6

Economic Environment: 6

Total Score: 16

Survey Edition	2007	2008	2009	2010	2011
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Total Score, Status	16,F	15,F	15,F	15,F	16,F
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Press freedom is guaranteed in Ireland’s 1937 constitution and is generally respected in practice. However, archaic defamation laws are still in place, under which journalists remain guilty until proven innocent. In November 2011, the national public broadcaster, Radio Telefís Éirean (RTÉ), agreed to settle a case with a priest who claimed he had been wrongly accused in a Prime Time Investigates broadcast of raping a minor and fathering her child while a missionary in Kenya. RTÉ was set to print the first public correction for this story under the 2009 Defamation Act. In 2010, former Fine Gael minister Michael Lowry claimed that he had been defamed by journalist Sam Smyth under Section 34 of the Defamation Act, saying that Smyth’s assertions “portrayed him as corrupt, dishonest, and untrustworthy.” In October 2011, Smyth successfully defended himself against the defamation charge, with a judge ruling that Lowry should pay tens of thousands in legal costs to Smyth. Lowry planned to appeal to the high court, but the case was still pending at year’s end.

A 2010 Defamation of Religions law established blasphemy as a punishable offense, with fines of up to €25,000 (\$32,500). Article 36 of the statute states that “a person publishes or utters blasphemous matter if he or she publishes or utters matter that is grossly abusive or insulting in relation to matter held sacred by any religion, thereby causing outrage among a substantial amount of the adherents of that religion, and he or she intends, by the publication or utterance of the matter concerned, to cause such outrage.” This law also included new grounds for defense against such charges and the option for media outlets to issue an apology without the assumption that they are admitting libel. Discussion to remove the blasphemy ban from the constitution continued in 2011, but the statute remained on the books at year’s end. In October, a proposed constitutional referendum to award parliament the power to make inquiries into issues of public interest raised concern among journalists who feared the change would force them to release confidential sources and information.

The Broadcasting Act of 2009 established the Broadcasting Authority of Ireland, which is mandated to oversee the public service broadcasters, allocate public funding, and promote accountability. This act expands the role of the former Broadcasting Commission of Ireland, which previously had no responsibility for public service broadcasting. In 2008, the Press Council of Ireland and the Office of the Press Ombudsman were set up to safeguard and promote professional and ethical standards of newspapers and periodicals. Journalists can generally report freely without harassment and without having to exercise self-censorship. Cases of physical attacks or harassment of journalists are rare.

Ireland has a strong and competitive print news media, with the privately owned *Irish Independent* and the *Irish Times* leading the way. RTÉ dominates the radio and television sectors, but provides a comprehensive and balanced news service. RTÉ does receive competition from both private and public British television. As of 2011, there were 54 licensed independent radio stations. Cross-ownership is allowed within certain limits, with publishers allowed to own up to 25 percent of a broadcast outlet. Today FM’s editorial independence was challenged in 2011 by the National Union of Journalists of Ireland after the announcement that investigative journalist and broadcaster Sam Smyth’s longtime Sunday radio program would be taken off air. Smyth alleged that it was the result of his criticism of Today FM’s owner, Denis O’Brien. During the Moriarty Tribunal, a public inquiry into tax evasion committed by a number of politicians and businessmen, Smyth had given evidence showing that O’Brien had paid Lowry to help win a mobile phone contract for Esat Digifone. In October, journalist Eamon Dunphy

resigned from his radio show on Newstalk—a national independent broadcaster—after receiving a 50 percent pay cut, which Dunphy argued was a punishment for his criticism of O’Brien and the sacking of Smyth. Dunphy claimed that Newstalk journalists had been intimidated by management and had been encouraged to produce more favorable news.

Approximately 77 percent of the Irish population accessed the internet in 2011, and internet use is unrestricted by the government. A defamation case brought against Google Ireland by the owners of the Ballymascanlon House Hotel in County Louth began in November 2011. The hotel’s owners alleged that the word “receivership” was automatically generated following their hotel’s name in Google searches, insinuating that the hotel was in financial trouble. The case was settled out of court, and the terms were not made public.

Israel

Status: Free

Legal Environment: 7

Political Environment: 15

Economic Environment: 8

Total Score: 30

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	29,F	28,F	31,PF	29,F	29,F

Israel enjoys a lively, pluralistic media environment in which press freedom is generally respected. But due to ongoing conflicts with Palestinian groups and neighboring countries, media outlets are subject to military censorship, and journalists sometimes face travel restrictions. The year 2011 featured some worrying developments, including increased political pressure on critical media outlets.

Legal protections for freedom of the press are robust. While the country’s basic law does not specifically address the issue, the Supreme Court has affirmed that freedom of expression is an essential component of human dignity. The legal standing of press freedom has also been reinforced by court rulings citing the principles laid out in the declaration of independence. In November 2011, a controversial proposed amendment to Israeli libel laws passed its first reading in the Knesset, despite vocal objections from members of both the ruling coalition and the opposition. The amendment seeks to raise compensation for libel to 300,000 shekels (\$84,000), six times the amount currently prescribed by law, even without proof of damage. The court will be allowed to double the compensation to 600,000 shekels if it is convinced that the libel caused damage. Critics of the proposed amendment believe it will hamper press freedom by making newspapers far more cautious about printing controversial stories on public figures, for fear of financial losses.

Hate speech and publishing praise of violence are prohibited, and the 1948 Prevention of Terrorism Ordinance bans expressions of support for terrorist organizations or groups that call for the destruction of Israel. Publishers are required to obtain a license from the Interior Ministry to operate a newspaper, while broadcasters are covered by a separate regulatory regime. The Government Press Office (GPO) requires journalists operating in Israel to have proper accreditation to attend official press conferences, gain access to government buildings, and pass

through Israeli military checkpoints. In January 2011, the Committee to Protect Journalists (CPJ) accused security officers of “humiliating” a number of foreign journalists who were invited to an annual conference with the prime minister, citing extremely intrusive physical examinations of journalists from the *Wall Street Journal* and Qatar’s Al-Jazeera television network, as well as longer delays and harsher treatment for journalists from Arab countries. Hundreds of foreign journalists are generally accredited. However, the GPO has occasionally refused to provide press cards—especially to Palestinians—citing national security concerns, thus preventing the affected reporters from entering Israel.

Under a 1996 Censorship Agreement between the media and the military, the censor has the power—on the grounds of national security—to penalize, shut down, or stop the printing of a newspaper, or to confiscate its printing machines. In practice, however, the censor’s role is quite limited, and journalists often evade restrictions by leaking a story to a foreign outlet and then republishing it. In 2010, a widely condemned gag order in the case of Anat Kam was lifted, revealing that she had been charged with “serious espionage” for giving *Haaretz* newspaper reporter Uri Blau over 2,000 classified military documents during her military service. Under house arrest since December 2009, Kam eventually pleaded guilty to a lesser count of “leaking classified material” and was sentenced to four and a half years in prison in October 2011. Blau faced a possible seven-year sentence for “holding classified information without authorization,” with the verdict pending at the end of the year. In April, a partial gag order to prevent reporting on the case of Dirar Abu Sisi—an engineer abducted by intelligence operatives in Ukraine and charged with being a senior commander for Hamas—was lifted.

A long-standing law forbidding Israeli citizens from traveling to “enemy states” such as Lebanon and Syria without permission from the Interior Ministry has on occasion been applied to journalists. Press freedom organizations have condemned the selective application of the law, as well as the potential effects of such travel restrictions on the diversity of news available to the Israeli public. In general, Israeli journalists are barred from entering the Palestinian territories without explicit military approval. However, under an informal arrangement, the military ignores the presence of Israeli journalists in the West Bank. Israeli journalists have been prohibited from entering the Gaza Strip since 2006 under a military decree that cites their personal safety. This ban was extended to all foreign journalists in 2008 but lifted in late January 2009. In November 2011, five foreign journalists were detained and had their equipment confiscated after Israeli forces boarded two ships headed for the blockaded Gaza Strip. All five were soon deported, though London-based Hassan Ghani of Iran’s Press TV was held longer than the others. While Israeli authorities dropped their earlier threat to ban journalists on Gaza-bound ships from entering Israel for 10 years, Reporters Without Borders (RSF) claimed that the deported journalists were pressured to sign documents admitting that they had entered Israel illegally and agreeing to such restrictions.

Deliberate violence against or harassment of journalists is rare in Israel, but it does occur, with the principal targets being Arab journalists—both foreign and local—often in and around Jerusalem. The GPO has been known to impose obstacles, especially in airport security checks, for foreign journalists who are suspected of an anti-Israel political orientation.

Israelis are active news consumers. Mainstream Hebrew newspapers garner an estimated one million daily readers, out of a population of less than eight million. The pluralistic makeup of Israeli society is reflected in the vibrant press landscape, which includes 12 daily newspapers. Three of those are mainstream Hebrew outlets, one has a national-religious outlook, three are aimed at ultra-Orthodox readers, one focuses on the Arab population, one is printed in English,

and another is in Russian. In addition, there are two daily newspapers that are distributed free of charge. A wide range of weekly newspapers and internet news sites operate, and these are also divided along religious, ethnic, and language lines. The major newspapers are independent, and all newspapers are privately owned and provide a range of views. Some freely criticize government policies and aggressively pursue cases of official corruption. However, the popularity of the free daily newspaper *Israel Hayom*, which has captured around 40 percent of the market, has placed financial pressure on other mainstream papers, as its business model has forced them to slash advertising rates, thus threatening their own sustainability. *Israel Hayom* is owned by Sheldon Adelson, a prominent American businessman who is openly aligned with Prime Minister Benjamin Netanyahu and the conservative Likud Party.

A diverse selection of broadcast media is available, although ownership is somewhat concentrated. Most Israelis subscribe to cable or satellite services that provide access to international stations. As a result, the dominance of the state-run Israel Broadcasting Authority (IBA) in the television market has declined significantly. The IBA's radio station, Kol Israel, and the military-operated Galei Tshahal remain popular, while a broad range of pirate radio stations also operate, serving the country's ultra-Orthodox, Russian-speaking, and Arabic-speaking communities in particular. In 2011, the financially troubled private television station Channel 10, which is often critical of the government, came under significant political and economic pressure. In September, station executives were allegedly pressured by investors into apologizing for a story about Adelson, while both Netanyahu and his wife Sara initiated libel suits against the station during the year. In December a Knesset Finance Committee rejected the station's request to postpone its debt payment by a year, meaning the station faced the prospect at year's end of paying the government 60 million shekels (\$17 million) to avoid being shut down. At the same time, the public Channel 1 station was relieved of a much larger debt obligation.

Israel has the region's highest rate of internet usage, at 70 percent in 2011, and the government generally does not restrict internet access, although blocking of data on applications like Google Maps, as well as surveillance of internet service providers and telecommunications services, is carried out, ostensibly for security purposes.

[This rating and report reflect the state of press freedom within Israel proper. The West Bank and Gaza Strip are covered in a separate report.]

Italy

Status: Partly Free

Legal Environment: 12

Political Environment: 12

Economic Environment: 9

Total Score: 33

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	29,F	29,F	32,PF	33,PF	34,PF

Freedoms of speech and of the press in Italy are constitutionally guaranteed and generally respected in practice, despite ongoing concerns regarding concentration of media ownership. The

2004 Gasparri Law on broadcasting has been heavily criticized for provisions that had enabled Prime Minister Silvio Berlusconi to maintain control of the private media market, largely through his ownership of the Mediaset Group, though Berlusconi's resignation from the premiership in November 2011 curtailed his parallel influence over state media. A 2010 report released by the Vienna-based International Press Institute noted a number of other legal impediments to press freedom, including the lack of a proper law to deal with conflicts of interest, particularly between media ownership and holding political office, as well as licensing procedures for journalists that can lead to official influence and limit opportunities for foreign-born reporters.

In February 2011, the Constitutional Court struck down a law that effectively guaranteed Berlusconi immunity from prosecution by allowing the prime minister to postpone any trial for up to 18 months. The court had overturned a different law in 2009 that granted Berlusconi protection from prosecution while he remained in office. The 2011 ruling paved the way for a number of court cases against him to proceed, including a tax fraud case involving Mediaset.

In October 2011, the lower house of Parliament resumed discussion of a bill that would limit the media's use of wiretaps and force websites to publish corrections automatically. The legislation prescribes heavy fines and up to 30 days in jail for journalists who publish content from law enforcement agencies' wiretap recordings before the implicated defendant goes to trial. The bill was seen primarily as an effort to keep embarrassing information about politicians out of the news, and it was opposed by all of the major newspapers in Italy. Protesters mounted a demonstration against the measure in October, and the Italian site of the online encyclopedia Wikipedia temporarily hid all its pages. The bill had not yet passed by year's end.

Defamation is a criminal offense, punishable by fines and imprisonment. In May 2011, the lead prosecutor in the controversial murder trial of U.S. citizen Amanda Knox filed defamation charges against blogger Frank Sfarzo, who had been covering the case since it began in 2007. The prosecutor had a history of antagonistic behavior toward the press, and other journalists complained of harassment by the local authorities for their coverage of the trial. Separately, in September, two journalists were sentenced to one year in prison and fined €12,000 (\$14,600) for an article that investigated a dispute between the mayor of a small town in the south and an entrepreneur. The director of the paper was similarly jailed and fined. Civil libel cases against journalists are also common in Italy.

When Berlusconi was prime minister, political interference at the state broadcaster, RAI, was a key issue of concern, as Parliament has direct control over the appointment of most directors and a number of key journalists at the outlet. On two occasions in early 2011, Berlusconi called in to a political talk show on the state-owned network to complain that the program was biased and did not give equal time to center-right candidates. There have been instances in the past in which RAI journalists seen as critical of the government were removed from their positions, and RAI channels have been barred from airing political discussions prior to elections.

Journalists occasionally face physical threats or attacks from organized crime networks and other political or social groups. Several journalists live under police protection due to their writing on organized crime, including Roberto Saviano, who wrote the best-selling book *Gomorra* about the Neapolitan mafia.

While the print sector is more diverse in both ownership and content, most Italians receive news and information through the broadcast media. There are several newspapers and news magazines, most of them with regional bases. Newspapers are primarily run by political

parties or owned by large media groups, but they continue to provide a range of political opinions, including those that are critical of the government.

Italy suffers from an unusually high concentration of media ownership by European standards. Berlusconi's departure from office late in 2011 helped to reduce this concentration in de facto terms; when in power, he had indirect control over up to 90 percent of the country's broadcast media through the state-owned outlets and his own private media holdings. However, he continues to control a significant stake in the private media, as he is the main shareholder of Mediaset, which owns several television channels; the country's largest magazine publisher, Mondadori; and Publitalia, Italy's largest advertising company. Publitalia controls 65 percent of the television advertising market, giving Berlusconi's channels an advantage in attracting ads. In addition, one of the country's major nationwide daily newspapers, *Il Giornale*, is owned by Berlusconi's brother.

Approximately 57 percent of the population accessed the internet regularly in 2011, and blogs and social media have played a growing role in political debates and news dissemination. Although the internet is generally unrestricted, the government regulates certain websites, especially those offering gambling or child pornography. Italy's telecommunications agency, AGCOM, was in the process in 2011 of reviewing a proposal that would give it more power to block and remove websites determined to have violated copyright laws. The plan was criticized for infringing on the freedom to receive and provide information; critics also raised the possibility that internet operators would practice preventive self-censorship. An antiterrorism law passed after the 2005 bombings in London requires internet cafés to obtain a government license, allows internet surveillance, and obliges internet café users to show photographic identification. In early 2010, three executives with the U.S.-based internet giant Google received six-month suspended prison sentences for privacy violations after allegedly failing to promptly remove an objectionable clip posted on Google's YouTube video-sharing site in 2006. Despite this conviction, proposals to make websites responsible for prescreening data posted by users were for the most part abandoned by the end of 2010.

Jamaica

Status: Free

Legal Environment: 3

Political Environment: 9

Economic Environment: 6

Total Score: 18

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	15,F	15,F	15,F	16,F	18,F

Jamaica maintained its free media environment in 2011, and made significant progress toward reforming its libel laws, a promise first made by the government more than three years ago. In late November, a bill to repeal the Defamation Act and the Libel and Slander Act was tabled in the House of Representatives, but was not debated before Parliament was dissolved ahead of general elections held on December 29. However, the People's National Party (PNP) victory over the incumbent Jamaica Labour Party (JLP) is not expected to impede the passage of the

legislation in 2012. A Joint Select Committee of Parliament also submitted recommendations in March to repeal the Official Secrets Act, which has served as an obstacle to the implementation of the country’s 2002 Access to Information Act.

Journalists and media houses face occasional threats from both state and nonstate actors, and some practice self-censorship on sensitive topics. Two notable incidents of verbal intimidation of the media occurred during the year. In March 2011, Everaldo Warmington, who had just resigned as a member of Parliament for the then ruling JLP, used abusive language in response to questions posed by journalists from RJR News and CVM Television, leading both the Press Association of Jamaica (PAJ) and the Media Association of Jamaica to issue a joint statement criticizing his behavior. In late July, Delano Seiveright, president of Generation 2000, the youth wing of the JLP, announced that the organization would “go after” journalists and media houses it deemed to be biased against the party. He later insisted that he did not mean to imply a threat of physical harm. In December, the PAJ wrote to then prime minister Andrew Holness to denounce several instances of verbal attacks on media workers by members of the JLP during election rallies. In the letter, the PAJ drew attention to the not too distant past, when such comments had resulted in attacks on journalists.

Jamaica has two national daily newspapers and a daily afternoon tabloid. There are a number of national and regional periodicals serving a variety of sectors and interests, as well as more than 20 radio stations, 3 terrestrial television stations, and multiple cable channels. The majority of media outlets are privately owned and provide a range of news and commentary.

The authorities imposed no restrictions on the internet, which was accessed by 32 percent of the population in 2011. The December 2011 election campaign was notable for the increased use of social-media networks, such as Facebook and Twitter, by the main political parties.

Japan

Status: Free

Legal Environment: 2

Political Environment: 14

Economic Environment: 6

Total Score: 22

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	21,F	21,F	21,F	21,F	21,F

Press freedom in Japan is constitutionally guaranteed and generally respected in practice. However, in December 2010, the general affairs committee of the Tokyo Metropolitan Assembly approved Bill 156 to amend the Youth Healthy Development Ordinance, which authors and fans of Japan’s popular *manga* (comic books) criticized for limiting freedom of expression. Originally passed in 1964, the ordinance aims to promote the healthy development of minors by restricting their access to harmful published material. The amendment allows for the expansion of the definition of “harmful publications” and allows the government to regulate images if the depictions are “considered to be excessively disrupting of social order.” In 2011, a government

committee said it planned to submit a bill in 2012 that would create new punishments for leaking “special secrets” related to diplomacy, national security, and public order.

Concerns regarding the lack of diversity and independence in reporting are rooted in Japan’s *kisha kurabu*, or press clubs. Through the press clubs, major media outlets maintain cozy relationships with bureaucrats and politicians, resulting in an arrangement under which journalists are granted access in exchange for refraining from writing critical stories. The March 2011 earthquake and tsunami, and the resulting disaster at the Fukushima Daiichi Nuclear Power Plant, magnified this problem. Members of *kisha kurabu* were among the few journalists admitted to official press conferences, and admission was often granted in exchange for foregoing tough questions regarding the disasters. Additionally, freelance journalists and foreign and online media were excluded from reporting on the nuclear threat and were not allowed into official press conferences. In March 2011, freelance journalist and author Takashi Uesugi was removed from his weekly guest slot on the local TBS radio station because of his regular criticism of the Tokyo Electric Power Company (TEPCO), which runs the nuclear plant. Following the catastrophe, a group of independent journalists who were fed up with the system launched the Free Press Association of Japan. It remains to be seen if this group will have any influence.

There were accusations of official censorship in the aftermath of the disaster, but the Japanese government denied that it had attempted to withhold negative information. Self-censorship remains a problem in Japan and was further highlighted after the disaster, as many reporters did not question TEPCO about the radiation leaks until two weeks later. The disaster also highlighted the amount of influence TEPCO has in Japan’s advertising industry. TEPCO reportedly spends \$120 million annually on advertising, a factor that contributed to the media’s conservative reporting on the company. In mid-2011, press freedom groups voiced concern that the government might take control of TEPCO, but the organization maintained its independence through the year. Intimidation of journalists in Japan is rare, and there were no reported cases of this in 2011.

Japan has one of the highest print readerships in the world, but print outlets were hurt in the immediate aftermath of the disaster. Major news outlets recovered quickly. One small newspaper in the town of Ishinomaki—with no power or access to a printer or the internet—began writing articles by hand and delivering the papers to evacuation centers and areas where residents were most likely to gather. More than half of the national newspaper market is controlled by “the big three”: the *Yomiuri Shimbun*, the *Asahi Shimbun*, and the *Mainichi Shimbun*. There is considerable homogeneity in reports, which relate the news in a factual and neutral manner. Television news content, once dominated by the public broadcaster NHK, has diversified considerably with the rising popularity of TV Asahi, Fuji TV, the Tokyo Broadcasting System, and satellite television. Japan also has roughly 228 community radio stations. The internet remained an important source of news, and around 80 percent of the population accessed the medium in 2011.

Jordan

Status: Not Free

Legal Environment: 21

Political Environment: 23

Economic Environment: 19**Total Score: 63**

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	61,NF	63,NF	64,NF	63,NF	63,NF

Confronted with mass demonstrations beginning in January 2011, Jordan's government toggled between policies that sought to placate public anger and measures designed to rein in the popular protests. King Abdullah fired his cabinet twice in order to appear responsive to public outrage over the slow pace of political reforms. The second government dismissal came after passage of a new law that made it a crime to publicly accuse someone of corruption. The legislation was widely seen as an official attempt to limit freedom of expression and stymie the ability of journalists to report on corruption.

The constitution guarantees freedoms of speech and expression, but press laws contain vague clauses that restrict media freedoms and allow journalists to be tried under the penal code. Jordan's State Security Court (SSC) tries journalists for violations involving speech and association, and the Press and Publications Law allows for fines of almost \$40,000 for speech that denigrates the government or religion.

In 2010, the legislature passed an amendment that established special courts to prosecute violations of the Press and Publications Law. In 2011, the government appeared divided on whether to allow greater press freedoms or to impose further restrictions. In June, the minister of information and communications resigned in protest over proposed amendments to the Press and Publications Law that he described as a blow to press freedom. Because of the controversy surrounding them, the parliament postponed discussion of the amendments. However, in September the parliament passed the law that criminalized reporting on corruption, including news that defames someone or "impacts his dignity."

The government used the courts to stifle dissent during 2011. In late May, Prime Minister Marouf al-Bakhit ordered the transfer of a criminal defamation case against a journalist, Alaa' al-Fazaa', from a civilian court to the SSC. The SSC detained al-Fazaa' for "working to change the constitution by unlawful means" through his article about a Facebook group that promotes the reinstatement of former crown prince Hamza. Al-Fazaa' was released on bail in early June. Later in the year, he also faced prosecution for an article on the news website Khabarjo in which he accused senior officials of inappropriately allowing convicted business tycoon Khalid Shahin to leave the country. The charges against al-Fazaa' were subsequently dropped as part of a general amnesty.

The 2007 Right of Access to Information Law was supposed to improve freedom of information in the country. However, according to the Amman-based Center for Defending Freedom of Journalists, implementation suffers from arbitrary classification and distribution of information by the different ministries and state institutions. Journalists complain that while the outlets for news have increased, they are often blocked from obtaining information on government policies and officials.

Print news outlets must obtain licenses to operate, and journalists must belong to the Jordan Press Association (JPA) to work legally. Those who are critical of the government have sometimes been excluded from JPA membership, and the organization does not admit journalists who work for internet-based news outlets, leaving them with limited legal protections. Licensing responsibilities for television and radio are shared between the Council of Ministers, the Audio

Visual Commission (AVC), and the Telecommunications Regulatory Commission (TRC). The Council of Ministers is responsible for granting, revoking, and renewing licenses, but does so based on the recommendations of the AVC. The AVC also handles disputes between broadcasters, issues directions on programming, and takes punitive action against broadcasters who violate their licensing conditions. The TRC is responsible for allocating frequencies to broadcasters, issuing telecommunications licenses, and managing information technology services.

The government tolerates a certain measure of criticism of officials and policies, and allows some room for Islamist movements and other elements of the opposition to express their ideas. However, attempts to influence editorial content occur regularly. In March 2011, several hundred journalists held protests calling for the divestment of all state-owned shares in newspapers. Journalists also demanded that the government stop “meddling” in the coverage of *Al-Ghad*, an independent daily. In June, Agence France-Presse (AFP) reported that it had stopped receiving official government notices and transcripts of speeches after it published news that Bedouin tribes had accused Queen Rania of corruption. In November, a journalist for *Al-Dustour* was ordered to appear before a disciplinary committee after writing an article in which she criticized the “government’s takeover of the newspaper.” The government closely monitors journalists, and self-censorship is commonplace.

Journalists were harassed and intimidated throughout 2011, in part due to their coverage of protests. In April, the Qatar-based satellite television station Al-Jazeera received telephone calls threatening that its Amman office and correspondents would be attacked. In June, a group of unidentified assailants broke into the AFP’s Amman office. Three hours prior to the attack, bureau chief Randa Habib received a threatening phone call from an anonymous source. The intimidation followed an AFP story detailing an incident in which individuals threw bottles at King Abdullah’s motorcade. The king’s representatives denied that the incident occurred, and government loyalists insisted that the bureau be shut down for its “inaccurate reporting.” Mass demonstrations took place repeatedly over the course of the year, and security forces often moved to rein in both protesters and journalists. In July, police beat and arrested journalists covering a sit-in led by a group called the July 15 Movement that had gathered in a main square to demand government reforms. Media watchdog organizations noted that the journalists had worn special clothing so police would not confuse them with the demonstrators.

Jordan boasts several independent newspapers, but the government has a majority stake in *Al-Rai*, a major daily, and a minority stake in *Al-Dustour*, a second large national newspaper. The 2003 Audio Visual Law ended the government monopoly on broadcasting, and there has been an increase in the number of private radio stations in recent years—mainly regional outlets that cater to a specific demographic, such as women or students. However, terrestrial television stations remain under state control; the country’s first privately owned television channel was launched as a pilot project in 2007 but later stalled. Satellite dishes are allowed, and pan-Arab news channels remain popular. Journalists complain that the government tries to shape editorial content by pressuring advertisers.

The government encourages internet usage, and 35 percent of the population had access to the web in 2011. Jordanian blogs continued to flourish during the year. Some became focal points for the organization of popular protests, and in March bloggers held the fourth annual “blog for Jordan day.” There were no reports of arrests of bloggers in 2011. However, online journalists and media personnel were subject to attacks and harassment throughout the year. A cybercrime law passed in 2010 contains a number of provisions that could easily be used to stifle

online expression and information. In August 2011, the government “invited” the country’s more than 100 news websites to “voluntarily” register as media outlets, a status that would give them access to accreditation and government press conferences, though it would also subject them to the Press and Publications Law. It remained unclear whether registered online outlets would also be subject to the relevant portions of the penal code. According to press reports, a government spokesman said the penal code would not apply to online publications, but a media watchdog organization noted that more than 100 cases had already been brought against websites using a host of laws, including the penal code.

Kazakhstan

Status: Not Free

Legal Environment: 28

Political Environment: 30

Economic Environment: 23

Total Score: 81

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	76,NF	78,NF	78,NF	78,NF	80,NF

Kazakhstan’s media continued to suffer from legal restrictions, prohibitive libel and defamation judgments, self-censorship, harassment, and pressures from partisan owners and politicians in 2011. Several web publications remained blocked, and a journalist remained imprisoned throughout the year.

The constitution guarantees freedom of the press, but also provides special protection for the president. Despite pledges by authorities during the year to work toward decriminalization, libel remained a criminal offense, with higher penalties for defaming the president, members of Parliament, and other state officials. At least 27 libel suits were pursued in 2011, and many of them were brought by government officials. A law stipulating punishments for violations of privacy has placed a chill on journalism, but does not appear to have been used against investigative journalists. Ramazan Yesergepov, editor of the independent newspaper *Alma-Ata Info*, remained in jail at the end of 2011. He was sentenced to three years in prison and an additional two years of suspension from journalism in 2009, after his paper published internal memorandums from the National Security Committee (KNB) as part of an investigative report on the agency’s alleged pressure on a local prosecutor in a tax evasion case. Despite repeated international appeals during Kazakhstan’s year of chairmanship of the Organization for Security and Cooperation in Europe (OSCE) in 2010, the government refused to release him.

Kazakhstan is one of the few OSCE member states without a freedom of information law. Such a measure was proposed in 2010, and it received the endorsement of the London-based freedom of expression group Article 19; however, little progress on the bill was made in 2011. Rules for the accreditation of foreign journalists include vaguely worded restrictions barring hate speech and speech that undermines national security and the constitutional order.

Journalists and media outlets that criticized the government continued to face harassment, physical attacks, and various other obstacles to reporting in 2011. In a highly publicized incident in late March, Daniyar Moldashev, head of the publisher of *Respublika*—which is often highly

critical of President Nursultan Nazarbayev—disappeared from his home. The disappearance came days after Moldashev was attacked near his home after returning from a trip to meet with staff at *Respublika*'s editorial office in Moscow. In the attack, highly confidential documents related to the newspaper's investigative reporting and a camera were stolen. A few days after his disappearance, Moldashev sent a message from Belarus stating that he intended to resign. These events coincided with Kazakhstan's presidential election, in which Nazarbayev secured another seven-year term with 95.5 percent of the vote. In October, Stan TV correspondent Orken Zhoyamergen and cameraman Asan Amilov were attacked by unknown assailants. Stan TV is an independent news website and television content production company funded by Kazakh businessman and former minister Mukhtar Ablyazov, who lives in self-imposed exile in London. The attack followed an order from an Almaty court in September that the station stop using the antenna on its office roof because it was a danger to public health. Editors claimed that they were targeted for inspections due to their independent news coverage.

Reporters regularly face difficulties in trying to cover sensitive news stories. Beginning in the spring of 2011, thousands of oil workers in Aktau and Zhanaozen went on strike to protest low pay and other grievances, and journalists attempting to cover the strikes were often subject to violence and harassment. In March, Igor Larra, a journalist for the *Svoboda Slova* newspaper, was attacked on his way home from work, likely as a result of his reporting on the strikes. The October attack on the two Stan TV journalists occurred as they went to cover the strike in Aktau.

Harassment of independent news media mounted in December, as the January 2012 parliamentary elections approached and the oil workers' labor dispute culminated in a major outbreak of violence. On December 16, security forces shot striking workers and protesters at an Independence Day celebration in Zhanaozen. At least 15 people were killed, according to an official report, and many more deaths were reported by eyewitnesses who were considered credible by independent journalists. The authorities declared a state of emergency and sealed the city for weeks; during this period, journalists were obliged to obtain special permission to enter, and independent reporters were generally denied permission. A journalist from the Russian news site Lenta and two reporters from the Russian business daily *Kommersant* were briefly detained, and their equipment was taken for examination. All of their recorded interviews were deleted. In the village of Shetpe in the Mangistau region, police physically assaulted blogger Murat Tungishbayev as he was uploading videos to YouTube of a rally protesting the crackdown in Zhanaozen, according to the Kazakh service of Radio Free Europe/Radio Liberty (RFE/RL). Police reportedly held a pistol to his head until he deleted his recorded material. He was released when other journalists rushed to the scene. Another blogger who attempted to travel to Zhanaozen was stoned by unidentified men. While some local bloggers and foreign reporters were permitted to visit Zhanaozen several days later, accompanied by officials, they were unable to talk to victims' families or witnesses.

Major broadcast media, especially national television networks, are at least partly owned by the state or by members or associates of the president's family. Government oversight extends to the country's broadcast transmission facilities. Kazakh law limits rebroadcasts of foreign-produced programming to 20 percent of a station's total airtime, overburdening smaller stations that are unable to develop their own programs. There are well over a thousand daily and weekly newspapers in Kazakhstan. As with the broadcast media, many of them are either government run or controlled by groups or individuals associated with the president, and do not carry critical content. The government controls all of the country's printing presses, and with advertising revenue in short supply, private print media are often forced to rely on state subsidies.

The internet was accessed by 45 percent of the population in 2011. The government has adopted the internet and social media for its own use, while moving to restrict internet freedom for independent outlets. A 2009 law classified websites as mass media outlets, giving the authorities greater latitude to arbitrarily shut them down under vaguely worded extremism statutes or in the interests of state security. At least a dozen sites were blocked in 2011. In July, a court in Astana issued a three-month suspension to the popular LiveJournal blogging platform and 13 other sites for allegedly containing “terrorism and religious extremism propaganda.” Opposition sites such as *Zona.kz*, and the sites of opposition newspapers including *Respublika*, were frequently blocked or subjected to distributed denial-of-service attacks. *Respublika*’s website remained inaccessible for much of the year and was forced to move to various mirror sites and to the social-networking site Facebook, losing readership in the process. During the December unrest in Zhanaozen, internet and mobile phone services in the area were shut down for five days.

Kenya

Status: Partly Free

Legal Environment: 16

Political Environment: 19

Economic Environment: 17

Total Score: 52

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	59,PF	60,PF	60,PF	57,PF	54,PF

In 2011, the Kenyan media continued to live up to its traditional reputation for vibrant and critical reporting, despite cases of threats and intimidation against individual reporters in regions outside the capital, Nairobi. Improvements in the legal framework for media freedom were strengthened during the year. Articles 33 and 34 of the 2010 constitution have been widely praised for expanding freedoms of expression and the press, and specifically prohibiting the state from interfering with the editorial independence of individual journalists as well as both state-owned and private media outlets. The new constitution also guarantees the right of access to state information, and requires state-owned media to be impartial at all times. While there are potential curbs on the enjoyment of these freedoms with regard to incitement, hate speech, antigovernment propaganda in times of war, and privacy, they are not as severe as those in the previous constitution.

Libel and defamation cases, which can be tried under either criminal or civil law and in which the burden of proof rests with the accused, were brought against journalists in 2011. In one high-profile defamation lawsuit, Deputy Prime Minister Uhuru Kenyatta sued the private Kenya Television Network (KTN) in March for airing a 2008 interview with Prime Minister Raila Odinga in which he claimed that Kenyatta had links with an outlawed ethnic militia, the Mungiki. In July, a High Court judge ordered KTN to pay Kenyatta 7 million shillings (\$77,250). Also in March, parliament member William Kabogo sought an injunction against KTN and the *Standard* to prevent them from publishing or broadcasting allegedly libelous reports about his links to the coastal illegal drug trade; the High Court ruled in favor of the

injunction in September. Police Commissioner Mathew Iteere sued KTN for libel in November for a report implicating him in a major drug deal in the coastal city of Mombasa. Kenyan courts maintained independence in several other cases involving the media, including the June acquittal of journalist Bernard Okebe of blackmail charges filed by Lawrence Njoroge, a police chief in western Kenya, in 2008. The court ruled that Njoroge had presented insufficient evidence to support his claims. The police chief is also a prime suspect in the 2009 murder of *Weekly Citizen* journalist Francis Nyaruri.

The Information Ministry's draft freedom of information bill, published in 2007, has yet to be presented to parliament, but access to information has improved with the passage of the new constitution. New rights guaranteed to the media effectively weaken secrecy laws such as the Official Secrets Act, which prevented the release of information on national security grounds. Fears that Kenya's October military incursion into Somalia would lead to state censorship did not materialize, although independent media experts reported that many media houses resorted to self-censorship regarding the conflict.

The Media Council of Kenya, established by the 2007 Media Act, regulates the conduct and discipline of journalists, but is hampered by a lack of funds. A draft Media Bill was introduced in 2010 to amend the 2007 act. Although it maintains the use of statutory measures to regulate media ethics and standards, the draft bill would provide greater independence to the council and institute a Code of Ethics that is consistent with international standards. The Communications Commission of Kenya (CCK) is responsible for broadcast media licensing and public broadcasting regulation. It also oversees and regulates the telecommunications sector, including licensing internet service providers (ISPs). In compliance with the new constitution, a bill was introduced in 2010 to establish an independent regulatory and oversight body for the broadcasting sector, which would replace the existing commission. Neither the Media Bill nor the legislation to create a new regulatory commission had been passed by year's end.

Several extrajudicial threats and attacks against the media by state and nonstate actors occurred in 2011, particularly in the western and eastern regions of the country. In September, unknown assailants raided the offices of the investigative magazine *Nairobi Law Monthly* and stole computers and hard disks containing critical information for the October issue. Publisher Ahmednasir Abdullahi told reporters that he suspected government involvement in the raid. The staff managed to release the October edition despite the stolen property. Two KTN investigative reporters, Mohamed Ali and Dennis Onarigo, faced threats to their lives after investigating cases of drug smuggling along coastal Kenya in May for a series of reports aired during the year. And in December, an anonymous caller with suspected links to a local official in Bungoma, in western Kenya, made repeated death threats to KTN reporter Robert Wanyonyi for his story on a theft at a coffee factory and resulting violence between villagers and local police. Wanyonyi was forced to leave the area with his family after being followed by police with suspected links to the Bungoma official, as well as further anonymous phone threats.

Journalists of Somali-Kenyan origin received the bulk of threats in 2011, often being targeted by Islamic militias based in neighboring Somalia as supporters of the Kenyan government. Threats became particularly acute for some of these journalists after the Kenyan army invaded southern Somalia in October in a bid to secure its borders from attacks by the Somali Islamic militia Al-Shabaab. For example, individuals with suspected links to Al-Shabaab issued threats through phone calls and e-mails, and physically attacked relatives of the *Nairobi Star's* award-winning journalist Fatuma Noor in late October, after they accused the reporter of assisting the Kenyan police in the arrest of some of their members. Also, journalists who

investigated the 2007–08 postelection violence were threatened by supporters of politicians currently facing indictments by the International Criminal Court (ICC) for their role in instigating the crisis. Two correspondents from the western city of Eldoret, Walter Barasa of the *People* and Mathews Ndanyi of the *Star*, were compelled to leave the city late in the year after repeated threats and accusations by locals that they were informants for the ICC.

Kenya’s leading media outlets, especially in the print sector, are often critical of politicians and government actions. They remain pluralistic, rigorous, and bold in their reporting, although they also frequently pander to the interests of major advertisers. There are four daily newspapers, one business daily, and several regional weekly newspapers. In addition, several irregularly published independent tabloids are highly critical of the government. While the number of private broadcast media outlets has risen steadily, the state-controlled Kenya Broadcasting Corporation (KBC) remains dominant outside major urban centers, and its coverage tends to favor the government. Two private companies, the Standard Media Group and the Nation Media Group, run independent television networks and respected newspapers. There has been a significant expansion of FM radio, particularly ethnic stations, and their call-in shows have fostered increasing public participation as well as commentary that is unfavorable to the government. However, community broadcasting is underdeveloped. International news media, including the British Broadcasting Corporation and Radio France Internationale, are widely available in Kenya. The use of bribery by political actors to influence news coverage remains a concern, as does the allocation or withdrawal of advertising to control content.

About 28 percent of Kenyans accessed the internet in 2011, and in recent years there has been a growth in online news publications as well as the use of social media sites. There were no reports that the government restricted internet access. Due to lack of infrastructure and electricity, internet availability is still limited in rural areas, though expanding mobile-phone usage has increased access. In July, the government launched a website, Kenya Open Data, which made large amounts of official information, including the national census, available to the public for the first time.

Kiribati

Status: Free

Legal Environment: 6

Political Environment: 8

Economic Environment: 13

Total Score: 27

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	26,F	26,F	27,F	27,F	27,F

Kosovo

Status: Partly Free

Legal Environment: 14

Political Environment: 18

Economic Environment: 17

Total Score: 49

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	NA	NA	NA	53,PF	51,PF

While Kosovo's constitution and legal framework provide for freedom of expression and freedom of the press, the media environment continues to be affected by political interference, corruption, and financial pressure. A weak judiciary that is not considered to be fully independent and an underdeveloped civil society present further obstacles to media freedom. Defamation remains part of the provisional criminal code, though the penalties do not include imprisonment and journalists are infrequently targeted for prosecution. There is a law on access to information, but journalists report that they are often denied access to public sources in practice.

The media are governed by two independent regulators: the Independent Media Commission (IMC), which handles broadcast licenses and promotes ethical, technical, and professional standards, and the Kosovo Press Council, which is focused on print media and advocates freedom of expression. While the IMC is considered to be largely independent, it does not enjoy full financial autonomy. The public broadcaster, Radio Television of Kosovo (RTK), also lacks adequate financing and continues to draw funds directly from the state. The Fund for the Support of Media of Minority, Multiethnic, and Other Special Groups has not been operational since 2009, when collection of the public broadcasting fee for RTK was suspended. In 2011, two bills were introduced in the parliament to reform the IMC and RTK, but a number of local and international civil society groups, such as the Association of Independent Electronic Media, objected to their content, including their treatment of the financing problems. The bills were withdrawn before year's end and were set to undergo revisions.

Political interference, direct and indirect, is a concern for both the public and private media. In 2011, the Association of Professional Journalists of Kosovo reported 33 instances of government officials, business interests, or media owners abusing press freedom, including through verbal threats against journalists and their agencies, pressure on outlets not to publish stories, and obstruction of reporters' work. Analysts noted during the year that RTK appeared to be producing increasingly one-sided, progovernment coverage. Journalists who criticize public officials are often denounced, and at times accused of being traitors or Serbian sympathizers. Official actors as well as religious authorities continued to harass the independent daily *Koha Ditore* in 2011. In January, the Kosovo Liberation Army Veterans' Association accused *Koha Ditore* journalist Halil Matoshi of being a traitor due to his reporting. Also in 2011, the Ministry of Trade and Industry suspended relations with the daily newspaper *Zëri* as a result of its critical coverage. Editors often bar their reporters from publishing or broadcasting stories that are critical of the government or particular officials due to the outlets' connections to, or preferences for, certain leaders. In some cases, editors have allegedly threatened to fire reporters if they continued to produce such stories. Newspapers that are not aligned with the government or ruling parties are subject to intimidation through tax investigations or blocked from accessing public information.

Although there were no fatal crimes against journalists in 2011, a number of journalists were physically threatened and beaten. In two separate incidents in August, a reporter and a cameraman from TV Klan were attacked while trying to film a fire, and a correspondent for

Pravda was verbally and physically abused. Also during the year, a photographer from *Zëri* was dragged by her hair out of the Kosovo Assembly by the chamber’s information officer, preventing her from taking close-up photographs during the inauguration of the new president. It remains difficult for both Kosovo-based and Serbia-based media to report in contested border areas, particularly in periods of heightened tension and violence. In June, Željko Tvrđišić, the editor in chief of Radio Kontakt Plus, was attacked while reporting on the demolition of illegally constructed buildings in the divided city of Kosovska Mitrovica. The next month, Bojan Božović, a journalist with the Klan Kosova cable television station, was beaten and had his camera broken by a group of Serbs in northern Kosovo. In a separate incident in July, a Belgrade-based Tanjug news agency film crew was attacked by a local mob near the village of Leposavić, also in northern Kosovo.

Kosovo has a large number of media outlets, both in Pristina and in other parts of the country. There are around 10 daily newspapers, over 90 radio stations, and 22 television stations. Newspaper readership is low, with about 30,000 copies sold daily. There are three television broadcasters with national reach. Television remains overwhelmingly the top source of information. In a 2009 survey conducted by Index Kosova, 86 percent of respondents said they receive their news from television, around 5 percent from radio, and 7 percent from print media. Ownership structures, particularly for print media, remain unclear. Kosovo lacks a strong and private advertising industry that could support the growth of private media. As a result, private broadcasters have been dependent on international donors. While some outlets have started to rely more on their own revenues from advertising, most remain financially unstable, and very few are able to operate without support from the government or businesses associated with public officials. Indirect economic pressure is hard to avoid given that the government is the country’s largest employer and public entities provide the largest amount of advertising revenue. Cases of advertising being withdrawn from certain media outlets have been noted in the recent past. Journalists have few professional rights, earn low wages, and often work without contracts, leaving them vulnerable to corruption and prone to self-censorship.

There were no reports of government restrictions on the internet in 2011. About 20 percent of the population accessed the medium during the year, according to Internet World Stats. In July, a group of hackers broke into the website of a Kosovo radio station, Radio City, and left the message “Kosovo is Albanian.” Radio City later issued a statement noting that the attack likely stemmed from its efforts to provide programming that bridges the gap between ethnic Albanians and Serbs in Kosovo.

Kuwait

Status: Partly Free

Legal Environment: 19

Political Environment: 22

Economic Environment: 16

Total Score: 57

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	56,PF	54,PF	55,PF	55,PF	57,PF

Kuwait's media environment, although one of the most open in the Middle East, remained somewhat constricted by self-censorship, intimidation, and government pressure in 2011. Freedoms of speech and the press are protected under Articles 36 and 37 of the constitution, but only "in accordance with the conditions and in the circumstances defined by law." The Press and Publications Law, revised in 2006, extends some important protections to the media, but it prohibits the publication of material that insults God, the prophets, or Islam. It also forbids criticism of the emir, the disclosure of secret or private information, and calling for the overthrow of the regime. Penalties for criticizing Islam were increased under the 2006 amendments, and can include prison sentences of up to one year and fines of up to 20,000 dinars (\$72,000). Violations are reported frequently, as any citizen may initiate criminal charges against an individual who they believe has committed an offense under the press law. The government enforced the press law during 2011, including for internet-related offenses, and often in conjunction with other criminal charges. In March, a court sentenced Muhammad al-Juwaihel, a political activist and owner of the satellite channel Al-Sour, to a year in prison for slandering lawmakers Musallam al-Barrak and Sa'doun al-Otaibi during a 2009 live television broadcast. However, al-Juwaihel was released in April after the court suspended his sentence, contingent on good behavior, and fined him 200 dinars (\$720). In a separate case, Mohamed Abdel Qader al-Jassem, the founding editor of the Arabic editions of *Foreign Policy* and *Newsweek*, was freed in January 2011 after serving 62 days in prison. He had been convicted of criminal defamation and sentenced to one year in prison in November 2010. Additional charges of defamation, stemming from complaints brought against him by the prime minister, were dropped.

In September 2011, the parliament was asked to approve amendments to the press law that would prescribe harsher penalties and implement a better monitoring system for violations. The proposed changes included a ban on attributing any act or statement to the emir or the crown prince without prior written permission. Violations would be punishable by jail terms and fines, in addition to criminal law penalties. Under another provision, those engaged in broadcasting activities without permission would be subject to two-year prison sentences as well as an optional fine of 100,000 to 300,000 dinars. In addition, equipment used for broadcasting would be confiscated, and the broadcasting facility would be shut down. Other proposed penalties included jail time and fines for incitement, undermining national unity, and causing internal strife. The draft amendments had not been passed by year's end.

All publishers are required to obtain an operating license from the Ministry of Information (MOI) to launch a daily newspaper. However, the MOI must issue the license or provide an explanation for its refusal within 90 days of application, and refusals can be appealed in court. Media licenses may not be revoked without a court order. Despite the fact that the 2006 press law requires capital of at least 250,000 dinars (\$950,000) to establish a paper, the government licensed six new daily Arabic-language newspapers in 2007. In January 2011, the Mubasher satellite channel and *Al-Mustaqbal* newspaper were closed for violating their licensing terms. Both outlets had carried criticism of the prime minister.

The MOI can censor all books, films, and periodicals it deems morally offensive. However, in practice, it does not actively interfere with or restrict access to news, and the Kuwaiti media are considered more critical and outspoken than those in the rest of the region. More in-depth reporting and a greater diversity of opinions appear in newspapers than in broadcast media. Nevertheless, given the ongoing restrictions in the press law and an atmosphere of increased governmental intolerance toward critical reporting, journalists continued to practice self-censorship in 2011, as failure to do so often results in reprisals. Journalists and media outlets

occasionally face physical harassment.

International news is widely available, and a number of foreign media outlets maintain bureaus in Kuwait. News sources originating outside Kuwait must be reviewed by the MOI before circulation. The MOI screens all imported media for morally offensive content, and controls the publication and distribution of all materials classified as informational. The government closed the Kuwait City bureau of Al-Jazeera, the Qatar-based satellite television channel, in December 2010. The closure was in reprisal for the station's coverage of police brutality at an unauthorized demonstration against proposed amendments to the constitution, and for its airing of an interview with an opposition lawmaker. The bureau remained closed at the end of 2011.

Fourteen Arabic and three English-language newspapers circulate in Kuwait, all of which are privately owned, largely independent, and diverse in their reporting. Private media have relatively transparent ownership and their own presses, and they are free to set their own prices. The state owns nine local radio stations and five television stations. However, there are now 16 privately owned television stations, and satellite dishes are common. Although the advertising market remains limited, it continues to grow, thanks in part to an increase in advertising agencies. Wage levels for journalists at both state and private media are not high enough to discourage occasional bribery to influence coverage. Low salaries have also dissuaded many Kuwaiti nationals from pursuing journalism as a profession; at the end of 2006, only 2 percent of workers in the local media sector were Kuwaitis.

About 74 percent of the population used the internet in 2011. However, the government continued to debate how best to regulate this growing medium. The authorities monitor internet communications for defamation and security threats, and the Ministry of Communications (MOC) blocks websites suspected of "inciting terrorism and instability." The state requires all internet service providers to install and operate systems to block websites carrying material that is deemed anti-Islamic, extremist, or pornographic, as well as certain types of political websites. However, the blocking policies are not always clear or consistent. Internet café owners are required to record the identities of customers and turn over the information if requested by the MOC. When the parliament was dissolved in December 2011, many Kuwaitis created Twitter microblog accounts to discuss the upcoming elections, and several users were temporarily detained in connection with their posts on political topics. Separately, online activist Nasser Abul was detained from July to September 2011 for a series of posts criticizing the Bahraini regime's crackdown on protesters. He was released after an outcry from international human rights organizations.

Kyrgyzstan

Status: Not Free

Legal Environment: 20

Political Environment: 29

Economic Environment: 20

Total Score: 69

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	67,NF	70,NF	72,NF	73,NF	70,NF

In 2011, media freedom in Kyrgyzstan continued to face challenges in the wake of the violent overthrow of President Kurmanbek Bakiyev and ethnic unrest in the south in 2010. A transitional government oversaw the adoption of a new constitution and parliamentary elections in October 2010, and interim president Roza Otunbayeva was replaced as head of state by former prime minister Almazbek Atambayev in an October 2011 presidential election. Conditions improved slightly for the Kyrgyz-language media during 2011, while ethnic Uzbek journalists were beaten and arrested, and the Uzbek population continued to be denied access to broadcasting in their own language.

Freedoms of speech and of the press are guaranteed in the Kyrgyz constitution and in the nation's laws, but observance of those rights is inconsistent. Kyrgyzstan decriminalized libel in 2011, bringing its laws into line with the constitution approved in 2010; however, insult of public officials remains a criminal offense. Access to public information is guaranteed by law, but a 2010 study by the Open Society Institute found that the law is little known and seldom used, and that information is often designated "secret" with little justification. All media outlets must register to operate, and while a number of broadcasters have applied for permission, authorities have not approved any new licenses since 2006. Independent journalists reporting on politically sensitive issues like government corruption and the improper privatization of state companies have faced aggressive harassment from tax inspectors, security officers, and the state antimonopoly committee.

A law passed by the parliament under Bakiyev and implemented by the transitional government in 2010 converted the state television channel into a public-service broadcaster. Independent journalists and civil society representatives were appointed to a supervisory board for the station. However, in June 2011 the parliament passed a law allowing it to dissolve the independent board and name new board members itself. Separately, in September 2011 the parliament voted to override a presidential veto on legislation that converted Channel Five into a state parliamentary television channel. The move came after a dispute between the parliament and Channel Five, in which the legislative body attempted to withdraw the channel's accreditation and it responded with negative coverage of lawmakers.

In the month leading up to the October 2011 presidential election, Kyrgyzstan's television stations and cable operators were banned from rebroadcasting foreign news programming that could affect the election's outcome, with violators facing a \$100,000 fine. Broadcasters were given the option of editing out segments pertaining to Kyrgyz politics, but given the high cost of doing so, most simply cut out foreign programming altogether. The move was intended to limit the Russian media's ability to influence Kyrgyz voters.

Ethnic clashes in the southern region of Osh in June 2010 resulted in restrictions on Uzbek-language media, including an order by regional authorities for two independent stations with ethnic Uzbek owners—Osh TV and Mezon TV—to stop broadcasting. Mezon TV remained closed in 2011, while Osh TV came under the control of new owners who no longer carried Uzbek-language programming or coverage that was critical of regional officials. In October, a court in southern Kyrgyzstan convicted the two stations' former owners, Mezon's Dzhavlon Mirzakhodzhayev and Osh's Khalil Khudaiberdiyev, and handed them lengthy prison sentences. Both men, who had fled the country, were found guilty in absentia of inciting ethnic hatred during the 2010 ethnic unrest. Azimzhan Askarov, a contributor to the regional news website *Voice of Freedom* who documented the 2010 ethnic violence on video, was arrested in June 2010 on charges of extremism, inciting ethnic hatred, and complicity in the murder of an ethnic

Kyrgyz police officer. In December 2011, the Supreme Court upheld a life sentence imposed on Askarov by a lower court in September 2010, despite appeals by local, regional, and international human rights activists who argued that he was targeted for his coverage of police abuses.

No journalists were killed in 2011. However, as in previous years, several assaults were reported. In August, Shokhrukh Saipov, the ethnic Uzbek editor and publisher of the news website *UzPress*, was attacked by unidentified assailants in Osh. He is the brother of Alisher Saipov, a prominent journalist from southern Kyrgyzstan whose 2007 murder remains unsolved. *UzPress* had published commentary on ethnic tensions between Kyrgyz and Uzbeks. Among other cases during the year, supporters of the nationalist organization Asaba threatened non-ethnic Kyrgyz reporters employed by the Bishkek-based 24.kg news agency in May 2011. In June, journalists Chinara Sydykova and Vladimir Bezborodov of the Bishkek-based NTS television station were hospitalized after suffering injuries while covering a protest organized by the Ata Jurt party in Osh.

A May 2011 parliamentary resolution banned Kimmo Kiljunen, head of an international commission of inquiry into the June 2010 ethnic violence, from entering the country. The resolution was based on claims that Kiljunen had published biased information concerning the Kyrgyz government's response to the violence. Another parliamentary resolution attempted to censor accounts of the 2010 violence by ordering government agencies to block the independent news site Ferghana.ru. However, the site remained accessible as of the end of 2011.

Nearly 50 newspapers and magazines publish regularly with varying degrees of independence. Approximately 50 state-owned and private television and radio stations operate in the country, with two television stations, both state owned, broadcasting nationwide. The independent printing press run by the local nongovernmental organization Media Support Center surpassed the state-run printing house, Uchkun, as the country's leading newspaper publisher several years ago. State-owned media outlets benefit from government subsidies. However, the ability of authorities to use advertising to influence media content has receded as more private sources of advertising revenue become available.

Approximately 20 percent of the population had access to the internet in 2011, and there was a significant increase in Kyrgyz-language news content on the web during the year. Internet news sites such as Barakelde.org, Akipress.org, 24.kg, and Kloop.kg; blogging platforms such as LiveJournal and Twitter; and forums such as Diesel.kg provide lively alternative news sources for those with access. However, internet access outside towns and cities remains limited. Around half of users accessed the internet through the state-controlled Kyrgyztelecom, creating the potential for government influence over the medium. A growing number of Kyrgyz citizens access the internet through their mobile phones; the new outlet Kush Kabar provides free news via short-message service (SMS) on mobile phones.

Laos

Status: Not Free

Legal Environment: 26

Political Environment: 33

Economic Environment: 25

Total Score: 84

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	81,NF	83,NF	86,NF	84,NF	85,NF

Press freedom in Laos remains highly restricted. Despite advances in telecommunications infrastructure, government control of all print and broadcast news prevents the development of a vibrant, independent press. Article 44 of the 1991 constitution guarantees freedom of the press, and the government has demonstrated some willingness to enact positive legislation related to expression and association. In collaboration with international donors, the country passed a new press law in 2008, but it had little practical effect on conditions for journalists. Under the criminal code, individuals may be jailed for up to one year for reporting news that “weakens the state” or importing a publication that is “contrary to national culture.” Defamation and misinformation are criminal offenses, carrying lengthy prison terms and even the possibility of execution. However, due to high levels of official censorship and self-censorship, legal cases against media personnel are extremely rare.

The country’s media remain under the tight control of the ruling Lao People’s Revolutionary Party (LPRP). Media personnel are appointed mostly from within the LPRP, and publications must be approved by the Ministry of Information and Culture. Journalists write primarily about uncontroversial topics, though stories on social issues that were never previously broached have begun to appear in newspapers. Physical attacks and extralegal intimidation aimed at journalists are rare, as reporters avoid covering politically sensitive topics. Foreign journalists face significant barriers in establishing a permanent presence in the country, but are generally permitted to enter and travel to cover specific stories. The government continues to limit journalists’ access to the 4,000 Hmong refugees who were forcibly repatriated from Thailand in 2009.

The number of media outlets has increased in recent years. There are around 24 regularly printed newspapers, all government affiliated. Newspaper circulation figures remain extremely low due to low literacy rates and an insufficient distribution infrastructure outside the capital, Vientiane. The government is eager to boost Laos’s information and communication technology capabilities, and advancements in this sector have resulted in an increase in television and radio stations. All 32 television stations and 44 radio stations are government run, though companies are increasingly permitted to buy airtime and run privately produced content. Much of the investment in the broadcast infrastructure has been provided by China and Vietnam. A few community radio programs, covering mostly local interest stories, have sprung up with the help of international development organizations. Foreign television and radio services, such as Voice of America and Radio Free Asia, broadcast in Laos without disruptions. A number of citizens watch Thai television and radio, and wealthier individuals have access to satellite television.

About 9 percent of the population accessed the internet in 2011, and Lao-language content, though minimal, is growing. The state controls all internet service providers, and there are some reports that the government sporadically blocks web activity. The government’s technical ability to monitor the internet is limited, though concerns remain that Laos is looking to adopt the censorship policies and technologies of its neighbors, Vietnam and China.

Latvia

Status: Free
Legal Environment: 6
Political Environment: 12
Economic Environment: 9
Total Score: 27

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	19,F	22,F	23,F	26,F	26,F

Latvia’s constitution protects freedoms of speech and the press, and the government generally upholds these rights in practice. Libel remains a criminal offense. While in previous years journalists rarely faced criminal prosecution, in 2011 Aleksandrs Mirskis, a member of the European Parliament, charged journalist Gunta Sloga with libel for publishing a report that questioned the merit of his military experience. Sloga was acquitted in July after a long trial, but Mirskis appealed the judgment, and at year’s end the case was pending before the Riga Court of Appeals. If the verdict is overturned, Sloga could face a fine, compulsory labor, or imprisonment. Tolerance for varying opinions on controversial issues related to the Second World War is still a challenge. In August, Latvian journalist Ruslan Yefimov was sentenced to 60 hours of community service for defending the Soviet deportation of Latvians, Lithuanians, and Estonians in 1941. Yefimov pleaded guilty to “justifying genocide and crimes against humanity.” In February, the Ministry of Defense introduced amendments to a draft law on states of emergency that would allow the government to block internet and other data-transfer systems, including television and radio broadcasts, postal correspondence, and publishing houses, during declared states of emergency. The draft was endorsed by the cabinet in July, but it had not been passed in the parliament by year’s end.

The Law on Freedom of Information provides detailed rules on access to public information. After considerable debate, the parliament adopted a law on electronic mass media in 2010 that requires at least 65 percent of broadcast programming to be in Latvian, the country’s only official language, despite the presence of a large Russian-speaking minority.

Political parties have been known to exert influence over the media. In January 2011, a popular anchorman and producer at TV5, Oļegs Ignatjevs, was fired after being warned several times by his superiors about criticizing the powerful Harmony Center party. TV5, which had recently been purchased by Andrejs Ēķis of the For a Good Latvia party, insisted that Ignatjevs was let go for reasons related to downsizing. A monitoring team from the Organization for Security and Cooperation in Europe (OSCE) concluded that during the September 2011 parliamentary elections, Latvian media overall provided balanced and neutral coverage, even though some outlets have been accused of showing bias in nonelection periods.

In recent years, journalists and media outlets have occasionally been harassed or attacked. Investigative journalist Grigorijs Nēmcovs was gunned down in April 2010 in an apparent contract killing. Police were not able to identify any suspects by the end of 2011. There was an increase in raids and data thefts targeting media outlets that had criticized government officials or agencies during the year. Editor Leonīds Jākobsons of the internet news site *Kompromat*, known for its investigative reporting on corruption issues, was arrested in December on charges of illegally obtaining electronic communication data. A month earlier, he had published e-mail correspondence between Riga mayor Nils Ušakovs of Harmony Center and Alexander Hapilov

of the Russian embassy, suggesting that the former was engaging in corrupt activities and espionage. Before his arrest, police had raided Jākobsons's apartment and confiscated computer equipment, including servers that hosted *Kompromat*. Jākobsons claimed that his website was subsequently hacked by the Department of Defense and Security and its content deleted, but police refused to investigate. In May the Latvian Corruption Prevention and Combating Bureau (KNAB) raided the offices of several media outlets, including the daily paper *Neatkarīgā Rīta Avīze* (Independent Morning Press); its parent firm, SIA Mediju Nams; and the offices of Viesturs Koziols, the majority shareholder of the media company SIA Dienas mediji. *Neatkarīgā Rīta Avīze*'s data were also seized during the raid. While KNAB claimed that the raids were a part of a corruption investigation of various firms that had advertised with the affected media houses, critics accused the anticorruption bureau of seeking revenge for media criticism of its disorganization and inefficiency.

Latvian media are relatively diverse and competitive, offering a wide range of political viewpoints. The main national television stations include two public channels—LTV 1 and LTV 7—and the commercial channels LNT and TV3. A number of privately owned radio and television outlets operate on a regional basis. Programming for the country's large Russian-speaking population is available on traditional and cable television networks. The print media, which include a large number of both Latvian and Russian-language papers, are independent and privately owned. Foreign companies, including Scandinavian firms, own or control a considerable portion of Latvia's print and broadcast media.

In response to recent scandals that have exposed Latvia's inadequate legislation on media ownership transparency, in September 2011 the parliament adopted an amendment to the Law on the Press and Other Mass Media that requires full disclosure of the beneficiaries of media enterprises, including websites. Outlets must now list their beneficiaries in the Register of Enterprises.

Latvia discontinued analog terrestrial broadcasting in June 2009 to make way for the switchover to digital broadcasting. Critics accused the Ministry of Transport, which oversaw the change, of failing to consult adequately with the public and interested parties. Moreover, the state-owned telecommunications company Lattelecom won a tender that year for the right to control digital terrestrial broadcasting in the country until 2013. Media companies argue that this allows Lattelecom to charge unreasonably high rates for transmission, negatively affecting competition and increasing the rates paid by consumers. Due to complaints filed by Lattelecom's competitors and other interested parties, the government announced that it would restructure the bidding process after Lattelecom's mandate expires.

The media environment continues to suffer from the effects of the economic downturn that started in 2008. Declining advertising revenues have caused media outlets' budgets to shrink, resulting in the increasing tabloidization of news and the use of recycled content. Some media have engaged in "hidden advertising," effectively disguising paid material as news content. KNAB received some 30 complaints of hidden campaign advertising during the September 2011 parliamentary elections. The Law on Preelection Campaigning prohibits political advertising that does not clearly identify itself as such or indicate who paid for it. The global economic downturn also caused a drop in newspaper and magazine subscriptions. Some print media are facing extinction as more and more readers turn to online sources for news and cultural information.

The government does not restrict access to the internet, which was used by an estimated 72 percent of the population in 2011.

Lebanon

Status: Partly Free

Legal Environment: 18

Political Environment: 19

Economic Environment: 14

Total Score: 51

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	59,PF	55,PF	56,PF	55,PF	53,PF

Lebanon's media remained more free in 2011 than those in most other Middle Eastern countries, but throughout the year there were isolated incidents in which officials attempted to curb freedoms of speech and expression. The constitution provides for freedom of the press, but vague laws prohibiting the publication of news deemed to contravene "national ethics" or trample "religious feelings" remain on the books. Journalists are also prohibited from insulting the head of state or foreign leaders, and those charged with press offenses may be prosecuted in a special publications court. Lebanese journalists complain that the media laws are chaotic, contradictory, and broadly worded. Provisions concerning media can be found in the penal code, the Publications Law, the Audiovisual Media Law, and the military justice code, giving the government considerable leeway to prosecute journalists at will, though it rarely does so. A Lebanese media watchdog group has crafted amendments that would abolish prison sentences for crimes related to publishing, loosen restrictions on electronic media, provide for greater transparency of media ownership and financing, and halt requirements for precensoring of political publications. The proposals were still pending at year's end.

A draft law on access to information that was proposed in 2009 would allow citizens to request information held by public bodies. However, it was largely overlooked by lawmakers, and no progress was made on the measure in 2011.

The licensing of print media outlets is subject to quotas for different types of publication and restrictions on the number of days an outlet can publish. Broadcast licenses are allocated to ensure that each of the country's sectarian groups is represented in the media landscape. The 1994 Audio Visual Media Law 382 granted six new licenses to political and sectarian groups, and several additional television outlets with sectarian affiliations have been granted licenses since then, including New TV, owned by a rival of assassinated prime minister Rafiq Hariri, and OTV, owned by Michel Aoun's Free Patriotic Movement.

The Directorate of General Security (SG) is authorized to censor all foreign magazines, books, and films before they are distributed, as well as pornography and political or religious material that is deemed a threat to the national security of either Lebanon or Syria. The government sporadically investigated and detained journalists and attempted to censor news and information in 2011. In June, national security forces banned two politically charged documentaries from a Beirut film festival—the Iranian film *Green Days* and the Lebanese film *What Happened?* In September, lawyer Nizar Saghieh was investigated for writing an article that criticized proposals to restrict lawyers' contact with media; Saghieh argued that the rules could harm the legal defense of the accused, particularly in human rights cases. The media environment in Lebanon is both vibrant and diverse, and outlets are able to express many different viewpoints and cover important events. However, the political strife and violence in the country have

contributed to an increased level of self-censorship and security risks for journalists. At the end of 2011, it remained unclear how rising violence in Syria might affect Lebanon or influence its media.

Journalists in Lebanon continue to face violence and intimidation due to tensions in the region. In March 2011, Ibrahim Dsoki, a correspondent for New TV, received death threats from supporters of the Amal political movement over an opinion piece on his personal Facebook page. On a number of occasions during the year, journalists were harassed while trying to cover protests. Past cases of attacks on or murders of journalists have not been adequately investigated, leading to a climate of impunity.

Lebanon was the first country in the Middle East to authorize private ownership of radio and television stations. It boasts a vibrant media industry that includes more than a dozen privately owned daily newspapers in English, Arabic, and French, and more than 1,500 weekly and monthly periodicals. The two largest Arabic-language dailies are *As-Safir* and *An-Nahar*, owned by Shia Muslim and Maronite Christian families, respectively. There are nine television stations, two digital cable companies, and about 40 radio stations that are similarly linked to confessional groups. News content typically reflects the political viewpoint of a given outlet's affiliated ethnic or religious group. Politicians and influential families own most media companies, and politicians also frequently sit on their boards. In July 2011, Saudi billionaire investor Prince Al-Walid bin Talal increased his holdings in the company that owns the Maronite-affiliated Lebanese Broadcasting Corporation (LBC) to 85 percent following a long court battle over control of the station. In addition to locally based outlets, access to satellite television has grown substantially over the last decade. The advertising market in Lebanon is extremely limited, and is not able to sustain the breadth of media outlets operating within the country. The Choueiri Group, one of the largest media brokerage firms in the Middle East, has long dominated the small market that does exist. According to the local business magazine *Executive*, it controls an estimated 70 percent of Lebanon's ad spending.

In 2011, 52 percent of Lebanon's 4 million people had access to the internet. The Telecommunications Ministry controls the international gateway for internet traffic. The country lacks the infrastructure necessary for high-quality broadband connections, and does not have a special network to transmit data, relying instead on existing landline telephone networks. Lebanon's blogosphere has been lively in its coverage and analysis of political events unfolding in Syria. However, local coverage of antigovernment protests in Syria in 2011 heightened tensions between the Lebanese government and some media outlets, particularly online publications and blogs. In October, the National Audiovisual Media Council called on Lebanese online publications, including all news websites and blogs, to register with the council, raising concerns among journalists and media watchdog groups that the move was intended to restrict online news coverage and increase self-censorship. Both Twitter and Facebook are popular among Lebanon's internet users, and politicians began to use social media to help build voter support during 2011.

Lesotho

Status: Partly Free

Legal Environment: 14

Political Environment: 19

Economic Environment: 16**Total Score: 49**

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	42,PF	46,PF	48,PF	48,PF	48,PF

The government generally respects freedoms of speech and the press. Although press freedom is not directly mentioned, the constitution guarantees the freedom of expression and informational exchange. However, multiple laws, including the Sedition Proclamation (No. 44 of 1938) and the Internal Security (General) Act of 1984, prohibit criticism of the government, provide penalties for seditious libel, and endanger reporters' ability to protect the confidentiality of their sources. The 1967 Official Secrets Act and the 2005 Public Service Act prohibit civil servants from disclosing information, limiting the transparency of government institutions and making it difficult for journalists to conduct investigations. The government has recently improved its disclosure practices, but access to information remains impeded, and the process for requesting it is unclear. After 13 years of discussions between the government and media professionals, a package of media reforms came close to passing in 2010, but the cabinet decided to refer the proposed policies back to the Ministry of Communications rather than send them to Parliament for approval. The reforms would depoliticize government-owned media outlets, eliminate "national security" statutes that allow government censorship, and move many slander and libel cases from the courts to an arbitration system.

In recent years, extremely high fines have been handed down by the courts in libel cases against publications and radio stations known for criticizing the government, forcing some to the verge of closure and encouraging a high level of self-censorship among journalists. In March 2011, the private radio station Harvest FM was served with a M1 million (\$145,000, with an interest rate of 18.5 percent from date of judgment) defamation suit by Assistant Police Commissioner Thakane Theko over a 2010 story alleging that she had accepted bribes and engaged in other corrupt activities in renovating police headquarters. In September, High Court Judge 'Maseforo Mahase also initiated a M8 million (\$1.1 million) defamation lawsuit against Harvest FM over comments on a talk show that accused her of taking a bribe to hand a prison sentence to a sibling of two Harvest FM radio presenters.

Journalists are occasionally assaulted, and more often threatened with assault, as a result of their work. In November 2011, two state television journalists were attacked by a mob while covering a protest in Maseru. The protesters accused the journalists of bias in their coverage of the antigovernment demonstration.

On August 17, 2011, the broadcasts of four private radio stations were interrupted for most of the day; the stations had been providing live coverage of days of economic protests that had begun two days earlier in the capital. The blackout occurred one day after representatives from Harvest FM and at least one other station were called to a meeting with a communications ministry official and the head of the Lesotho Communication Authority, where they were allegedly warned to broadcast "respectfully."

Several independent newspapers, none of them dailies, operate freely and routinely criticize the government, while state-owned print and broadcast media mostly reflect the views of the ruling party. Although Lesotho has a printing press, many local newspapers are printed in South Africa and transported into the country to avoid the high cost of printing domestically. Because of high distribution costs and low literacy rates, especially in rural areas, radio is the

most popular news medium. There are eight private and two state-run radio stations, and many South African and other foreign broadcasts reach Lesotho. The country’s only television station is state run. Media development is constrained by inadequate funding and resources. The private media are increasingly turning to private advertising to generate income, but many outlets, both print and broadcast, continue to rely heavily on government advertising, which allows the government to tacitly reward those that provide more favorable coverage.

The government did not restrict access to the internet in 2011, but due to a lack of infrastructure and high costs, the internet was used by just 4.2 percent of the population during the year.

Liberia

Status: Partly Free

Legal Environment: 16

Political Environment: 23

Economic Environment: 21

Total Score: 60

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	65,NF	65,NF	63,NF	61,NF	59,PF

The constitution provides for freedom of speech and of the press, and the government largely respected these rights in 2011, with some exceptions. Despite enacting West Africa’s first Freedom of Information law in 2010, Liberia saw increased attacks against journalists in 2011, both in the form of physical violence, as well as the use of libel charges by politicians to silence journalists. Violence and intimidation of journalists markedly increased around the presidential elections in the fall of 2011 as tensions rose between incumbent President Ellen Johnson-Sirleaf’s United Party (UP) and the opposition Congress for Democratic Change (CDC).

Libel is still a criminal offense in Liberia, and several libel charges were threatened and leveled against media houses and freedom of expression activists in 2011. Fines sought and imposed in civil cases are often astronomical, leading to severe financial difficulties for journalists and their outlets, and encouraging self-censorship in the media. Corruption and bribery in the judicial sector also lead to a largely unfavorable environment for journalists. In February, the former agriculture minister filed a \$2 million defamation suit against the newspaper *FrontPage Africa* over articles linking him to a rubber industry corruption scandal. A jury unanimously passed down a guilty charge, and fined the paper \$1.5 million in damages. In November, the minister demanded payment of the damages, and at year’s end, the newspaper risked closure. In other cases, in March the mayor of Monrovia threatened to file a lawsuit against the Center for Media Studies and Peace Building (CEMESP) after it alleged in a report that she had ordered her bodyguards to arrest and jail Love FM reporter Nimpson Todd. In November, a former chairman of the opposition Liberty Party filed a \$10 million libel suit against the *Liberian Journal* for publishing a story accusing him of attempting to flee the country after being indicted for embezzling funds from LoneStar Cell MTN.

According to CEMESP, Liberia is an “unregulated multi-media society” with very few legal provisions to help facilitate media policy. There are some regulatory bodies in place;

however, they have failed to effectively enforce media policies due to the lack of legal and economic protections for journalists and media institutions. A 2008 Independent Broadcast Regulator draft bill, which would establish an independent regulatory body free from government intervention, is still waiting to be passed by the Senate. Additionally, a draft law seeking to convert the state broadcaster into a public service broadcaster was still pending at the end of 2011.

Although Liberia's media environment is not heavily polarized, media outlets did openly exhibit political loyalties—between the incumbent UP and the opposition CDC—in the period surrounding the November 2011 presidential election. Many media outlets were criticized for “yellow journalism,” politically biased reporting, and lack of accountability. Media houses on both sides of the political spectrum reported being victims of violence and intimidation prior to and during the elections. In September, Johnson-Sirleaf suspended and replaced Liberian Broadcasting System (LBS) Director General Ambrose Nmah, allegedly due to the broadcast of a press conference in which the leader of a main opposition party was critical of the president. Two opposition stations, Love FM and Love TV, were targets of arson attacks in October. In November, four radio stations and three television stations were found guilty of propagating hate messages before the presidential election. While the order to close the stations was quickly rescinded, the argument presented in the case—that the government had the authority to shut down media outlets based on their news content—has the potential to set a negative precedent for censorship in the media.

Reporters also face difficulty in covering the news, and there were several attacks on journalists in 2011. A reporter for Truth FM was attacked in April by a mob loyal to a local political candidate after he inquired about an alleged personal scandal involving the candidate. In May, two journalists were forcibly removed and their equipment confiscated after taking pictures of lawmakers in the Capitol building. After having initially authorized their removal, the Speaker of the House later issued a written apology to the journalists. In September, four reporters with Renaissance Communication Incorporated were attacked by members of the Liberty Party for attempting to report on the former party chairman's release from prison.

The media sector includes both state-owned and private outlets. Although about a dozen newspapers publish with a varying degree of regularity, of which the government-owned *New Liberian* is one, distribution is limited largely to the capital. Low literacy rates and the high price of newspapers and transportation made radio the most important source of information for most Liberians. There were 15 independent radio stations in Monrovia and 24 community radio stations outside the capital, as well as three television stations. There were no cases in 2011 of the government or other parties attempting to influence editorial content through the withholding of advertising. However, reporters commonly accept payment from individuals covered in their stories, and the placement of a story in a paper or radio show can often be bought and influenced by outside interests. Most media outlets are not self-sustaining and rely heavily on financial support from politicians or international donors. According to the Liberia Media Center, most newspapers are owned and operated by journalists, who are rarely trained in business management. Journalism training is also limited, with CEMESP providing one of the only venues for training in journalism ethics. Both the Press Union of Liberia and the CEMESP offer assistance to journalists. In 2011, the Ministry of Information, Culture and Tourism teamed up with the UN Development Programme to offer a short-term training program for rural female journalists.

In 2011, 3 percent of Liberians accessed the internet. There are no restrictions on the use of the internet and there were no instances of government monitoring e-mail activity or internet chat rooms.

Libya

Status: Partly Free

Legal Environment: 16

Political Environment: 27

Economic Environment: 17

Total Score: 60

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	96,NF	94,NF	94,NF	94,NF	94,NF

Status change explanation: Libya improved from Not Free to Partly Free due to significant improvements in media freedom and access to information as Mu’ammār al-Qadhafī’s control over the country progressively crumbled during 2011. The draft constitution contains provisions for expanded freedom of expression and of the press, and access to officials is far greater than under the Qadhafī regime. There has also been a boom of media outlets, particularly in the east, with a diversity of viewpoints. Journalists are able to cover the news more freely than before, and with less threat of violence and intimidation.

Prior to the 2011 uprising that led to the overthrow of longtime leader Mu’ammār al-Qadhafī, the Libyan media were among the most tightly controlled in the world. However, following al-Qadhafī’s downfall, the media environment in Libya experienced a transformation. The revolution began in February, when citizens in several Libyan cities—inspired by early 2011 uprisings in Tunisia and Egypt—took to the streets to protest al-Qadhafī’s 42-year rule, sparking a brutal crackdown by the regime. Libyan civilians and army defectors took up arms in response to the regime’s attacks, and in March, a NATO-led campaign of airstrikes was launched to protect civilians. Rebel forces quickly established control of the east, and a National Transitional Council (NTC)—based in the eastern city of Benghazi—was formed. In August, rebel militias captured Tripoli, the capital, and al-Qadhafī and his family fled the city. Al-Qadhafī was seized and killed by militia members near his hometown of Sirte on October 20. The NTC relocated to Tripoli, and by year’s end, it was operating as a de facto national government.

Under the Qadhafī regime, there was no independent press, and state-owned media operated largely as mouthpieces for the authorities. Journalists worked in a climate of fear and self-censorship. In the initial stages of the conflict, state-controlled media only broadcast demonstrations in favor of the regime. After the fall of the regime, Libyan media experienced unprecedented freedom, without clear regulations or set red lines. The NTC declared that it would not attempt to control content—including criticism of its own performance—and access to officials is less restricted than under the previous regime. At the beginning of the revolution, there was pressure to self-censor to show a united front, but since the official liberation of the country, local media have been free to write critically about the NTC. The media environment in

eastern cities experienced change earlier than the rest of the country, with around 130 outlets registered by July.

Under al-Qadhafi, Libyan journalists had operated under the 1972 Publication Act, which contained provisions banning libel and slander, and broadly restricted critical speech. After taking power, the NTC was tasked with drafting a new constitution and electoral laws. In August 2011, the transitional government published the Draft Constitutional Charter for the Transitional Stage, which is intended to fill the gap until elections and a new constitution. The draft charter guarantees several fundamental human rights. Article 13 guarantees, among other rights, “freedom of opinion for individuals and groups, freedom of scientific research, freedom of communication, liberty of press, printing, publication and mass media.” While these provisions are a positive start, they do not fully reflect the guarantees of the right to freedom of expression as set by international standards. The charter provides a broad definition of freedom of expression, but does not explicitly abolish censorship or include the right to seek, receive, and impart information and ideas. Additionally, it does not cover all types of expression and methods of communication, and it does not grant these rights to every person. In addition, clear laws on libel and slander have yet to be established.

The five fatalities recorded during 2011 made Libya one of the most dangerous countries in the world for journalists, although this was unsurprising given the armed revolt, during which journalists were caught in the crossfire, and the overall level of violence. Libyan journalist Mohammad Nabbous was shot dead by a sniper in March while covering a battle in Benghazi. Also in March, Ali Hassan al-Jaber, a Qatari cameraman for Al-Jazeera, was shot outside Benghazi following coverage of the protests. In April, American photographer Chris Hondros and British documentary filmmaker Tim Hetherington were killed by a mortar round in Misurata while covering the conflict. South African freelance journalist Anton Hammerl was also killed in April outside Brega by loyalist forces. There were also numerous cases of detention and harassment of international and freelance journalists during the conflict. In February, Al-Jazeera reporter Atef Al-Atrash disappeared after reporting that several journalists had been detained in Libya. American photographer James Foley was detained for six weeks in April, and was released with three other foreign journalists in May. In addition, al-Qadhafi at the outset of the conflict invited a number of international reporters to Tripoli to cover the conflict; however, their movements were closely monitored, their reporting was restricted to covering progovernment demonstrations, and often they were prevented from leaving Tripoli’s Rixos Hotel.

A dramatic increase in outlets in 2011 significantly altered the Libya media landscape, with a much wider diversity of independent and pro-NTC viewpoints. Many smaller media sources are owned by individuals and often survive on donations, and in many cases, ownership of these outlets remains unclear. Activists and entrepreneurs launched hundreds of outlets on a variety of platforms during and in the wake of the uprising. Benghazi, one of the first cities to declare itself free of the Qadhafi regime, had 800 media outlets registered by the time Libya declared itself independent in October 2011. During the year, media outlets flourished in Misurata, Tripoli, and in the western Nafusa Mountains, where the Amazigh minority established newspapers as well as television and radio stations in their own language (under the Qadhafi regime, Amazigh was a banned language). Tribute FM was the first Libyan English-language radio station established. When it received this license, the NTC said it wanted the outlet to be “as critical of the new regime as they liked.”

There has also been an explosion of print media in the wake of the revolution. As Libya does not have a recent history of independent media, the quality of the journalism has frequently

been criticized, and few newspapers have enough content to establish a daily edition. Many of the newspapers and magazines founded during the fall of the old regime are closing, mostly due to activists returning to their normal lives or because their enterprises lacked equipment, funding, or experience in the media industry. More recently, the government has proposed giving some funding to independent media outlets in their early stages to help them become established.

The General Press Corporation (GPC) that had existed under Qadhafi has been dissolved, along with state-owned newspapers such as *Al-Shams* and *Al-Zahf al-Akhdar*. A new body, the Press Support and Encouragement Corporation, has taken its place. It was founded and is headed by journalist and poet Idris al-Mismari. He has vowed that this new press body will not replace the GPC, but instead will “safeguard the state-owned [press] to serve journalism.” He has also promised that Libya’s press will be based on “freedom and transparency,” and that a code of ethics will be written by journalists.

Before February 2011, all TV stations were run by the state broadcaster, the Libya Jamahiriyah Broadcasting Corporation (LJBC). The LJBC was disbanded after the fall of Tripoli in August 2011 and replaced by the state-owned Libyan Radio and Television network (LRT). There are currently more than 20 television stations and dozens of radio outlets, many of which are controlled by private owners. Among the new television stations that were established during the conflict are Libya al-Hurrah, which replaced the pro-Qadhafi channel Al-Libiyah. The station was founded by Nabbous; since his death in March, it has expanded from a web-based television channel, and is broadcast live from several Libyan locations. Libya TV or Libya al-Ahrar was launched in April 2011 with support from the Qatari government and Libyan businessmen. Although it is a private channel, it is increasingly seen as the mouthpiece of the NTC. Before the fall of the regime, satellite channels that carried stations such as Al-Jazeera were jammed in order to withhold information from citizens. Nevertheless, journalists continued to work around these barriers to spread information, and after the fall of the regime, access to these channels resumed.

Internet penetration remains relatively low, with about 17 percent of the population accessing the medium in 2011. The social media scene in Libya experienced constant growth in 2010, and it more than doubled between February and October 2011. Libyans’ use of social media, as well as video- and photo-sharing websites, was instrumental in the provision of information, news, and multimedia content about the protests and ensuing conflict. According to Social Bakers, which provides usage statistics for social media sites, Libyan Facebook users increased by 121 percent, from 72,000 to 230,940 people (3.57 percent of the population), in 2011. After journalists, bloggers, and activists uploaded images of the initial February protests to the internet and social networking sites, the Qadhafi government shut down or disrupted the internet and mobile phone, and many bloggers were arrested. Between February and August 2011, access to the internet was severely limited in the west; however, it was gradually restored after the rebels established control in the east, and the rebels set up their own mobile phone network in Benghazi in April. Following the liberation of the country, there were no reports of the resumption of filtering that had been prevalent during the Qadhafi era.

Liechtenstein

Status: Free

Legal Environment: 1
Political Environment: 5
Economic Environment: 8
Total Score: 14

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	14,F	14,F	14,F	14,F	14,F

Lithuania

Status: Free
Legal Environment: 5
Political Environment: 9
Economic Environment: 9
Total Score: 23

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	18,F	18,F	18,F	21,F	22,F

Lithuania's constitution provides for freedoms of speech and the press, and those guarantees are respected by the government in practice. According to the criminal code, libel and defamation are punishable by fine or imprisonment. In the spring of 2011, online journalist Gintaras Visockas was convicted of libel and fined €10,000 (\$12,400) for an article in which he allegedly suggested that former presidential candidate Česlovas Ježerskas was controlled by the KGB during the Soviet period. Because he could not pay the fine, Visockas was sentenced to 40 days in jail. He subsequently filed an appeal at the European Court of Human Rights.

The Law on the Provision of Information to the Public and the Law on the Right to Obtain Information from State and Local Government Institutions regulate access to public information. In June 2009, Lithuania, along with 11 other European countries, signed the Council of Europe's Convention on Access to Official Documents, which establishes the right to request information held by public authorities at no charge. However, continuing restrictions on information disclosures have prevented these measures from being properly enforced in practice. In June 2011, a new Law on the Provision of Information to the Public took effect, with provisions barring discriminatory media content with respect to sexual orientation. An earlier draft of the legislation had barred the mention or promotion of homosexuality.

Media freedom advocates remain concerned about the 2009 Law on Protection of Minors against the Detrimental Effect of Public Information, which limits or bans a wide range of content considered harmful to young people, including the promotion of bad hygiene, sexual intercourse, gambling, certain forms of hypnosis, and a number of other practices. No prosecutions under the law have been reported. In March 2011, the law was amended to ban information considered harmful to children—including information that challenges traditional concepts of the family or marriage—from public places accessible to minors.

There were no reports of attacks or threats against journalists in 2011. Lithuania's media freely criticize the government and express a wide variety of views.

In addition to the public broadcast media, dozens of independent television and radio stations are available nationally, regionally, and locally, including the main commercial television stations LNK, TV1, and BTV. More than 300 privately owned newspapers—such as the dailies *Lietuvos Rytas*, *Vakaro Žinios*, and *Respublika*—publish in Lithuanian, Russian, and a few other languages. Media ownership has undergone increased concentration over the last several years, with purchases of outlets by both domestic firms and foreign companies, mainly from Scandinavia. In 2009, the Lithuanian bank Snoras became the top shareholder in the country’s largest media group, Lietuvos Rytas, which owns the newspaper of the same name.

A U.S. diplomatic cable released by the antisecrecy organization WikiLeaks in June 2011 revealed new information on the extent of corruption in media advertising in Lithuania. Major newspapers such as *Respublika* and *Lietuvos Ryta* had allegedly threatened politicians with negative coverage to obtain advertising revenue, according to the document. The cable also indicated the ease with which politicians could buy positive press coverage. Media outlets responded defensively to these accusations; *Respublika* owner Vitas Tomkus sued Lithuanian Union of Journalists chairman Dainius Radzevičius for defamation in October merely because he made references to the WikiLeaks cable in his blog.

The global financial crisis of late 2008 had a major impact on the country’s media market, with many outlets cutting staff and salaries and a number of periodicals ceasing publication. However, the rapid decline in advertising revenues slowed as the country’s economy began to recover in 2010 and 2011.

Lithuanians are increasingly turning to online news sources at the expense of traditional media. About 65 percent of Lithuanians used the internet in 2011, and the government does not limit access. A proliferation of online hate speech aimed at Jews and Roma has been reported, but according to the European Journalism Centre, inaction by law enforcement officials has left local nongovernmental organizations—specifically the Tolerant Youth Association—with the task of addressing the problem.

Luxembourg

Status: Free

Legal Environment: 2

Political Environment: 3

Economic Environment: 7

Total Score: 12

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	12,F	12,F	12,F	12,F	12,F

Macedonia

Status: Partly Free

Legal Environment: 16

Political Environment: 21

Economic Environment: 17

Total Score: 54

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	45,PF	47,PF	47,PF	46,PF	48,PF

Press freedom conditions deteriorated in 2011 due to the declining legal environment, including increased government control over regulatory bodies and the pretrial detention of a leading opposition-oriented media owner in a politically fraught tax case. As part of the same case, the country's most popular television station and three affiliated newspapers were forced out of business.

The Macedonian constitution includes basic protections for freedoms of the press and expression, but government representatives do not uphold them impartially. In March 2011, the parliament passed an amendment to the country's lustration law that expanded its scope from public officials to journalists and other professionals, meaning journalists will be investigated for past service as police informants. Journalists remain subject to criminal and civil libel charges, though imprisonment has been eliminated as a punishment. Over 100 libel cases against journalists were ongoing in 2011, with some resulting in significant fines. The large number of cases continues to hinder freedom of expression and encourage self-censorship. The law on open access to public information is unevenly and selectively enforced. Collection of fees used to finance the Broadcasting Council, which regulates television and radio outlets, and Macedonian Radio and Television (MRTV), the public broadcaster, has improved in recent years, but they remain in need of sustainable, independent funding. In July 2011, the parliament passed legislation—rapidly and without consultation—that increased the size of the Broadcasting Council from 9 to 15 members, with all of the new members to be named by government-controlled entities. Enforcement of media regulations, including rules on ownership transparency, is weak, and the licensing process is subject to undue political and economic influence. A new journalists' trade union was formed in December 2010, but its president was arbitrarily dismissed in July 2011 after being pressured to cease her union activities by the private Alsat-M television station.

Most private media outlets are tied to political or business interests that influence their content, and state-owned media tend to support government positions. The government of Prime Minister Nikola Gruevski and its media allies has shown growing hostility toward critical news outlets. The situation worsened significantly in 2011 as the authorities pressed forward with a tax evasion case against Velija Ramkovski, the owner of four opposition-oriented outlets: A1 TV, the country's leading television station, as well as the newspapers *Špic*, *Vreme*, and *Koha e Re*. Ramkovski and 13 associates had been arrested in late December 2010. Their trial, which began in May, was ongoing at the end of 2011. Ramkovski and seven other defendants remained in detention throughout the year, reportedly under difficult conditions; the rest were moved to house arrest after one detainee suffered a miscarriage in February. The bank accounts of Ramkovski's news outlets were frozen in January 2011, and they finally ceased operations in July, as the authorities demanded payment of roughly \$14 million in alleged tax debt. The government rejected international proposals to allow the outlets to pay their debts in installments and remain in business. A1 TV's frequency license was revoked on July 30 without the prior approval of the Broadcasting Council, which violated the legally defined procedure, according to Reporters Without Borders. Progovernment media supported the tax case against Ramkovski and

his outlets, and in September progovernment reporters disrupted a European Parliament hearing to which rival journalists and press freedom activists had been invited.

There have been occasional cases of physical harassment of journalists and media outlets. Past death threats and other forms of intimidation have not been prosecuted.

Macedonia has a large number of broadcast and print outlets for its population, but the closure of Ramkovski’s media group gave progovernment media—including the public MRTV and several private television stations and newspapers—a dominant position in the market. Ownership is fairly concentrated, and rules against partisan owners and cross-ownership of broadcast and print outlets are not enforced. A number of outlets, such as Sitel TV and Kanal 5, are run by relatives or close associates of elected officials. The main foreign media company in the country, Germany’s WAZ Media Group, was preparing to sell its three dailies to local businessmen at the end of 2011. One of its papers, *Utrinski Vesnik*, suffered staff cuts and strikes during the year. The British Broadcasting Corporation (BBC) ended its Macedonian and Albanian-language radio services in 2011, but Qatar’s Al-Jazeera launched a new Balkans television service based in Sarajevo, with a branch office in Skopje. Concerns about the government’s excessive use of promotional advertising grew during 2011, as media outlets became increasingly dependent on the spending. The state is the country’s single largest advertiser. Journalists face low salaries, poor job security and working conditions, and editorial pressure from owners.

Access to the internet is restricted only by cost and infrastructural obstacles, with around 52 percent of the population accessing the medium in 2011, according to *Internet World Stats*. The vast majority of Macedonian users reportedly have accounts on the social-networking site Facebook.

Madagascar

Status: Not Free

Legal Environment: 19

Political Environment: 29

Economic Environment: 15

Total Score: 63

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	50,PF	48,PF	51,PF	61,NF	64,NF

After a coup swept Andry Nirina Rajoelina, the former mayor of the capital, Antananarivo, to power in March 2009, the ensuing dismissal of the parliament, a virtual suspension of the constitution, and the end of any semblance of judicial independence ushered in a dangerous and violent period for the media that saw one journalist killed and more than 80 opposition media outlets closed through 2010. While 2011 did not see any further killings or closings, the press environment remained extremely volatile, with high levels of government censorship and intimidation of journalists and media outlets. An agreement on a “road map” to presidential and parliamentary elections was reached in September 2011, but an election date had yet to be set, and political instability continued throughout the year.

With the breakdown of democracy and constitutional governance since 2009, the laws protecting freedom of the press have been routinely ignored or selectively applied by the High Authority of the Transition (HAT), Rajoelina's interim government. The increased corruption of the judiciary, and the lack of a parliament or any independent media regulatory bodies, has allowed the HAT to rule by decree without checks and balances. Attempts to strengthen constitutional and legal protections for journalists have been delayed pending resolution of the political crisis. Despite attempts by several members of the media to formally draft a code of ethics, no such code exists, and the barely functional Association of Journalists lacks independence from political influence. At the end of the year, the HAT's Communication Ministry established an ethics commission for the media.

Censorship, harassment, and intimidation throughout the media sector remained widespread in 2011. According to Madonline, the website of a nonprofit organization of independent journalists in Madagascar, 10 reporters remained behind bars at the end of 2011, and none of the radio and TV stations closed after the coup had reopened. In October, a judge postponed the trial of the staff of Radio Fahazavana. The station, which had supported ousted president Marc Ravalomanana, had been closed in May 2010 based on a variety of charges including "non-respect for journalistic ethics resulting in a threat to state security and incitement of violence and rebellion," and its staff was arrested. In December, TV Plus received an official warning letter from the government after openly criticizing the president for "inappropriate" holidays in Mauritius. Also that month, the government threatened the Free FM radio station with closure for its regular criticism of the HAT, and the station accused the government of retaliatory frequency interference. Several other media outlets either owned by or sympathetic to the opposition walked a tightrope between self-censorship and closure. Many television and radio stations have altered their formats, airing live call-in shows to avoid editorial responsibility for the content.

In 2011, there were approximately 250 radio stations and 39 television stations, but many of these remain closed after being shut down by the government after the 2009 coup. The government retains a monopoly on nationwide broadcasting, and radio and television licenses are often suspended arbitrarily. These suspensions, as well as arrests of journalists, are commonly justified by "national security" concerns by the government. Thirteen private daily newspapers, and many more that appear less frequently, are published throughout the country, but the number also fluctuates due to several closures and reopenings. Widespread poverty and illiteracy severely limit the penetration of television, print media, and the internet, making radio by far the most important medium in the country. Major political figures own several of the private media outlets. Ravalomanana owns the Malagasy Broadcasting System, which operates television and radio stations, and Rajoelina owns the Viva television and radio networks. The state-owned media include Television Malagasy and Malagasy National Radio.

While there were no reports that the government restricted internet usage or monitored e-mail, accusations of technical sabotage of websites from both political camps surfaced during the year. Given the extremely chaotic, violent, and restrictive media environment within the country, access to information from abroad via the internet took on added importance. Because many internet servers are located outside of the country and beyond the reach of the regime, the internet is seen as one of the most reliable sources of information. Political groups and parties use the internet to share opinions and to criticize opposing parties. However, only about 2 percent of the population accessed the internet in 2011, and access to the internet was limited mainly to urban areas. Prospects for rapid expansion of internet access from these low levels

improved greatly with the November 2009 inauguration of the Lower Indian Ocean Network (LION) submarine cable, a fiber-optic network connecting Madagascar, Reunion, and Mauritius. The project, financed by a consortium made up of Orange Madagascar, Mauritius Telecom, and France Telecom S.A., made it possible for Madagascar to access broadband internet for the first time.

Malawi

Status: Partly Free

Legal Environment: 19

Political Environment: 23

Economic Environment: 18

Total Score: 60

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	53,PF	55,PF	56,PF	56,PF	55,PF

While Malawi has strong constitutional guarantees for freedom of the press, there were several substantial setbacks for media freedom in 2011. In January, the president signed into law an amended version of Section 46 of the penal code. The law previously allowed the minister of information to prohibit the importation of publications deemed “contrary to the public interest,” but as amended it also allows the minister to ban the domestic publication of such materials. Although no publications were banned during the year, self-censorship reportedly increased in the wake of the amendment.

The constitution guarantees access to information, but a draft bill to implement this right has been stalled in the parliament since 2003. Access to information has remained a considerable challenge for reporters. Powerful individuals have also used court injunctions to prevent newspapers from publishing damaging articles about them. Libel is considered both a criminal and civil offense. If prosecuted as a criminal violation, it is punishable with two years’ imprisonment; however, many libel cases are processed as civil cases or settled out of court. The broadcast media are licensed by the Malawi Communications Regulatory Authority (MACRA), which is funded by the government and led by a presidential appointee. During 2010, MACRA closed at least eight private radio stations that it deemed “pirate stations” operating without licenses in violation of national law. No such actions were taken in 2011. However, MACRA ordered two stations to halt coverage of widespread antigovernment protests on July 20. MACRA is regularly accused of political bias in its operations. It issued eight new broadcast licenses in November, after an extended period of accepting applications. Two of these went to allies of the president. Other applicants, most notably a religious group seen as hostile to the president, had its application denied without explanation. MACRA also attempted to implement a new “Consolidated ICT Regulatory Management System” (CIRMS) during the year, ostensibly to more effectively monitor the performance of mobile-phone companies. This has generated privacy concerns given the capacity of the system to access the call records of users. Media professionals have warned that their ability to keep sources confidential could be compromised. In mid-2011, the implementation of the system was temporarily blocked by the courts. A permanent ruling was expected in 2012.

Violence and harassment of journalists increased markedly in 2011, bringing condemnation from international rights groups and foreign donors. By conservative estimates, at least seven journalists were assaulted during the July 20 protests, and several others were detained. One radio station had its vehicles attacked with petrol bombs in the wake of the demonstrations. Police arrested a journalist in September for photographing the president's estate, while at least three others received death threats from anonymous sources for reporting on controversial issues. Robert Chasowa, a political activist and blogger, was killed under mysterious circumstances in September. In November, several journalists had to seek police protection from ruling party thugs who harassed them as they covered the president's return to the country.

Malawi's print sector consists mainly of 10 independent newspapers, including two dailies and four weeklies. While there are numerous private stations with a diverse array of opinions, government-controlled outlets continue to dominate the broadcast media market. Radio remains the primary source of information for most people, and the Malawi Broadcast Corporation (MBC) is the only station with national reach. Most privately owned stations are located in large urban centers in the south and do not broadcast to more rural sections of the country. Although there are four television stations, only the state-controlled Television Malawi (TVM) broadcasts nationally. It recently merged with the MBC. State-run outlets are strongly biased in favor of the government and have been accused of serving as little more than propaganda tools. In the lead-up to the July 20 demonstrations, these outlets spread misinformation about the planned protests, claiming that they were pro-gay rallies. State media also have substantial control over important information. For example, according to a letter from the Ministry of Information and Civic Education, only state media are allowed to cover live events involving people the government deems "VVIPs" (Very Very Important Persons).

Advertising revenue, including government advertising, is critical to the survival of Malawi's press, which operates in a tenuous financial environment. A ban on advertising in one of the most reputable dailies, *The Nation*, remained in effect in 2011. Reports also surfaced that government allies planned to start a new "private" newspaper to drain advertising resources away from the second major daily.

There are no government restrictions on the internet, although only 3 percent of the population accessed the medium in 2011.

Malaysia

Status: Not Free

Legal Environment: 24

Political Environment: 22

Economic Environment: 17

Total Score: 63

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	68,NF	65,NF	65,NF	64,NF	64,NF

Although there were no significant changes to the laws affecting the press in 2011, increased pressure from civil society groups forced the ruling Barisan Nasional (BN) coalition to acknowledge the public's disapproval of the current climate of censorship and control.

The constitution guarantees freedom of expression under Article 10, but allows for a host of limitations to this right. The Sedition Act, the Internal Security Act (ISA), and harsh criminal defamation laws are used regularly to impose restrictions on the press and other critics of the government. Violations of these laws are punishable by several years in prison, in many cases without trial. Although the opposition-controlled states of Selangor and Penang passed freedom of information laws in April and November 2011, respectively, Malaysia has no federal freedom of information legislation, and officials remain reluctant to share controversial data with journalists for fear of being charged under the colonial-era Official Secrets Act.

In July 2011, tens of thousands of peaceful protesters took to the streets of Kuala Lumpur in the "Bersih 2.0" rally to demand changes to the voting process, including free and fair access to mainstream media during campaigns. They were forcibly dispersed by police, prompting an inquiry by the Human Rights Commission of Malaysia. In the wake of the rally, Prime Minister Najib Razak in September pledged to repeal the ISA and called for a review of existing media censorship laws, stating that they were no longer "effective." He said he would also eliminate a provision in the 1984 Printing Presses and Publications Act (PPPA) that requires all publishers and printing firms to obtain an annual operations permit, but would leave all other restrictions in place, including the government's authority to grant or deny license applications and to revoke licenses at any time without judicial review. Despite these promises, official action to reform the media laws had not occurred by year's end, and a new Peaceful Assembly Act passed by Parliament in late 2011 was considered more draconian than its predecessor.

Also during 2011, the Home Ministry continued to deny the online news website Malaysiakini a print publishing license, stating that such a permit is "a privilege," not a right. Malaysiakini's challenge to this decision was expected to be reviewed by the High Court in 2012. The Home Ministry may issue "show cause" letters, which require newspapers to explain certain articles or face suspension or revocation of their permits. In August, the *Star* newspaper was asked to explain a food supplement called "Ramadan Delights" that included non-halal eateries. Although the paper twice issued public apologies, *Star* editors were summoned to the Home Ministry on two separate occasions and asked to account for the error.

The 1988 Broadcasting Act allows the Information Ministry to decide who can own a broadcast station and what type of television service is suitable for the Malaysian public, leading to considerable self-censorship among broadcast journalists. In September 2011, the Malaysian Communications and Multimedia Commission (MCMC) issued a directive banning the broadcast of a four-minute video clip aimed at increasing voter registration. The video featured prominent BN lawmaker Tengku Razaleigh as well as other Malaysian politicians and celebrities.

Physical harassment and intimidation are less of a danger for journalists in Malaysia than arbitrary arrest or threats of legal action. However, several instances of extralegal harassment were noted in 2011, including a case of police intimidation of a Malaysiakini reporter in August. The perils of journalistic independence were evident in an April guilty verdict against National Union of Journalists (NUJ) president Mohamed Ha'ta Wahari, who was convicted of tarnishing his employers' image and revealing their "secrets." In September 2010, Ha'ta, a senior journalist with the Malay-language daily *Utusan Malaysia*, had publically criticized the paper for its lack of independence from its owner, the United Malays National Organization (UMNO), the party at the core of the BN.

Although the media industry is for the most part privately owned, the majority of both print and broadcast outlets are controlled either by political parties in the ruling coalition or by businesses with political connections. The largest media conglomerate is Media Prima, which owns half of the Malay and English newspapers as well as many television channels, and is believed to be closely linked to UMNO. Huaren Management—which is associated with another BN member, the Malaysian Chinese Association—monopolizes Chinese newspapers. Despite the BN’s insistence that mainstream newspapers are impartial, owners’ political and business interests often lead to self-censorship by journalists. Foreign print media are occasionally censored or banned. For example, a July *Economist* piece on the Bersih 2.0 demonstration was censored, with parts of the report blotted out by the Home Ministry.

The internet remained the one bright spot in the media landscape in 2011, as the country was formally committed to a policy of refraining from online censorship, enshrined in Section 3(3) of the Communications and Multimedia Act (CMA) and the Multimedia Bill of Guarantees. With around 61 percent of the population accessing the internet in 2011, Malaysia is home to many websites and blogs that offer competing points of view. Although not all of these internet news organizations are politically independent—many have suspected affiliations with politicians from either the opposition or the ruling coalition—they nevertheless offer an array of political opinions that cannot be found in the traditional media, and play a growing role in the media landscape. Social-networking sites such as Facebook continued to flourish in 2011, hosting vigorous debates on political issues and government policies. The internet has also been a place to challenge corruption and other human rights concerns, but bloggers are still required to tread carefully. In 2011, a Malaysian subsidiary of the manufacturer Asahi Kosei Japan brought a defamation lawsuit for 10 million ringgits (\$3.3 million) against Malaysian activist Charles Hector over blog posts in which he criticized the company’s treatment of Burmese migrant workers. The firm dropped the lawsuit after Hector agreed to retract his statements.

Media observers have voiced concern about an announcement from the Home Ministry that a new law would be introduced to govern sedition in cyberspace. Although this had not occurred by the end of 2011, advocacy groups such as the Centre for Independent Journalism continued to view it as a threat to free expression online. Temporary blocking and censoring of internet content was reported during the year; several opposition and news websites were inaccessible in the days leading up to the April state elections in Sarawak, and a few months later, another episode of “denial of service” occurred surrounding the Bersih 2.0 demonstrations.

Maldives

Status: Partly Free

Legal Environment: 17

Political Environment: 18

Economic Environment: 16

Total Score: 51

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	68,NF	66,NF	56,PF	50,PF	50,PF

The media environment in 2011 started to decline following periods of political and social unrest, with increased scrutiny of and violence against journalists. The 2008 constitution protects freedom of expression, but also places restrictions on speech deemed “contrary to the tenets of Islam.” The overall legal framework protecting free expression remained weak, with many proposed media reform bills still awaiting passage. In November 2011, the Maldives Broadcasting Commission (MBC), the legal entity assigned to regulate broadcast media, drafted new regulations that would curtail the power and reach of the broadcast media, through high licensing fees and an ownership structure that would favor international monopolies. While these changes have yet to be implemented, they pose a worrisome precedent for the Maldivian media. In August, the MBC announced that it was planning to sue Finance Minister Ahmed Inaz for withholding its annual budget approved by the parliament for 2011.

A 2008 law called for the establishment of an independent Media Council, consisting of eight media workers and seven members of the public, tasked with developing a code of conduct for journalists and investigating complaints from the public against both print and broadcast outlets. While advocacy groups warned about the potential for government influence (the minister of information nominates the public candidates) and noted that self-regulation was preferable to statutory regulation, they cautiously welcomed the formation of the council and an end to formal control over media content by the ministry. After a considerable delay, elections to the council were held in May 2010. The election process was criticized for not being sufficiently transparent, and former members of political parties were nominated as candidates to the council. In October 2011, the Maldives Media Council (MMC) was found to have unlawfully distributed living allowances to its members, despite provisions in the MMC Act stipulating that no additional money other than wages be given to council members for their work.

The Maldives Journalist Association (MJA), formed in 2009, regularly made statements regarding media freedom issues and journalists’ rights during the year, accusing the government and political leaders of interference with the private media in a number of cases. Following the reports of corruption within the MMC, the MJA, along with other media watchdog organizations, called for a separate and independent regulatory body to be formed.

Over the past few years, greater media diversity had led to improved coverage of major political events and issues, such as the May 2009 parliamentary elections. However, throughout 2011, the media faced limitations to access information, threats from the police, and an inability to cover certain topics. While the Maldives provides protection in its basic law for journalists to maintain confidentiality of sources, it has become regular practice for the police to summon journalists for interrogation about their sources and authenticity of news reports. In a few cases, journalists were physically limited in their ability to report. In May, a number of journalists suffered various injuries while covering a protest against the rising prices of commodities, some as a result of being pushed back by police riot shields. In November, journalists were detained on Dhoonidhoo, the prison island, and their press passes, cameras, and phones were confiscated, as a result of covering a protest organized by the opposition.

Private print media have expanded, and the sector’s coverage presents a fairly wide diversity of viewpoints. However, some publications are owned by allies of former president Maumoon Abdul Gayoom or other political actors, who exercise considerable control over content. The number of private radio stations has increased to at least six, while the country’s first private television channels, DhiTV and VTV, began operating in 2008 and compete with the state-run Maldives National Broadcasting Corporation. Private outlets are authorized through individual agreements with the government rather than new broadcasting legislation, limiting

their legal protections. Moreover, broadcasters remain subject to high annual licensing fees and must be relicensed every year. Most newspapers are not profitable and rely on financial backing from businessmen with strong political interests. Private media came under further financial pressure in September 2009, when the government began publishing its advertisements in the weekly official gazette instead of private media outlets.

The internet was accessed by about 34 percent of the population in 2011, and the number of web-based news outlets has greatly expanded. Opposition websites remained unblocked, but beginning in 2008, a number of websites have been blocked by the Communication Authority of the Maldives (CAM) at the request of the Ministry of Islamic Affairs, on the grounds that they could negatively affect belief in Islam. In December 2011, blogger Ismail “Hilath” Rasheed, one of the country’s most well-known journalists, was arrested for his involvement in a “silent protest” for religious tolerance. Rasheed’s arrest followed the blocking of his blog, hilath.com, by the CAM on the grounds that his site contained anti-Islamic material. Also that month, the editor of news website *DhiIslam Daily*, Ali Ahsan, was arrested after violent slogans calling for the murder of anti-Islamic activists were posted on his website, 23December.com. There is debate surrounding his responsibility for the hate messages posted.

Mali

Status: Free

Legal Environment: 9

Political Environment: 7

Economic Environment: 8

Total Score: 24

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	24,F	27,F	26,F	25,F	24,F

Article 4 of Mali’s constitution protects the right to free speech, and the country’s broadcast and print media have ranked among the freest in Africa in recent years, a trend that continued through 2011. Severe criminal punishments for libel still exist under a 1993 law, and the accused face a presumption of guilt despite improvements to the law in 2000. However, no journalist has been prosecuted under this law since 2007. Mali has no legislation that guarantees the right to access information.

Mali is a particularly easy country in which to open a media outlet. There are no restrictions on the establishment of a newspaper, and although new private broadcasters must first receive authorization from the state, the procedures are inexpensive and easy to follow and denials of licenses are rare. However, the capacity of the government to regulate the media is limited, as the two government bodies responsible for the media—the High Communications Council and the Committee for Equal Access to the State Media—lack the capacity to mediate press affairs due to insufficient funding. In a positive development, in December 2009 the government officially opened a new, partially government-funded *Maison de la Presse*, providing journalists with facilities from which to work, as well as training in journalism skills and area specialization. This new center held a number of training workshops for Malian journalists in preparation for the upcoming 2012 election.

Since 2008, there have been virtually no reports of journalists being harassed in the course of their work, and in 2011 the government generally upheld the country’s long-standing tradition of allowing a space for independent media to operate freely. The only recent reported incident was in 2010, when Diakaridia Yossi, a journalist for the daily *L’Indépendent*, was detained and beaten while covering the police dispersal of a demonstration outside the Court of Appeals. Yossi apparently had been mistaken for a demonstrator, and after being released from custody, he received an apology and 25,000 CFA francs (\$50) for medical expenses from the director of the National Police.

Mali boasts a diverse media environment, with some 300 FM radio stations—many of which are community radio stations—operating throughout the country and 40 newspapers and magazines that publish on a regular basis, though few beyond the state-owned *L’Essor* have a circulation that exceeds 1,000. However, the only domestic television station with national reach is the public broadcaster, which typically takes a progovernment line. In October 2011, the government announced the launch of a new public broadcaster targeting the younger population that will begin broadcasting in 2012. The government also runs eight public radio broadcasters. However, the overall quality of the media in Mali is limited by the lack of adequate journalism training—though this has been improving—and the high level of poverty, which leads many low-paid journalists to take bribes.

With one of the lowest internet penetration levels in West Africa, only 2 percent of Malians had access to internet in 2011. Internet connection costs have been dropping in the last few years, improving access to this medium, but it is still restricted predominantly to internet cafés in Bamako due to infrastructure limitations. There are no government restrictions on access to the internet, and no reports of official monitoring of the content of e-mails or chat rooms.

Malta

Status: Free

Legal Environment: 4

Political Environment: 9

Economic Environment: 9

Total Score: 22

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	17,F	20,F	22,F	22,F	22,F

Malta’s constitution guarantees freedoms of speech and of the press, but restricts these rights under a variety of circumstances. Laws against “vilification” of or “giving offense” to the Roman Catholic faith, the country’s official religion, have led to restrictions on expression. In the first six months of 2011 alone, there were 119 convictions for public blasphemy. Defamation is a criminal offense, and perceived victims have a legal right to reply. Maltese law strongly defends public morality by criminalizing obscene speech, acts, and gestures.

Malta bases its laws on the European model but is one of only three European Union (EU) member states that lack an operational freedom of information law. While there is a website for Malta’s freedom of information act, it states that the act is not yet fully implemented,

meaning requests cannot be submitted. Malta is a physically safe environment for journalists, with no reported cases of threats or harassment in 2011.

The active independent media sector is free to convey a variety of opinions, with at least five daily and two weekly newspapers publishing in both Maltese and English. Political parties, private businesses, and the Catholic Church all have direct investments in broadcasting and print media, and these outlets openly express partisan views. The only national television broadcaster is TVM, though the country also has access to Italian television, which many Maltese watch. The several domestic radio stations are regulated through the Broadcasting Authority.

The government does not restrict the internet, and it was regularly accessed by 69 percent of the population in 2011.

Marshall Islands

Status: Free

Legal Environment: 2

Political Environment: 6

Economic Environment: 9

Total Score: 17

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	17,F	17,F	17,F	17,F	17,F

Mauritania

Status: Partly Free

Legal Environment: 17

Political Environment: 18

Economic Environment: 17

Total Score: 52

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	55,PF	56,PF	58,PF	56,PF	53,PF

Mauritania's media environment continued to open up in 2011, despite a history of dictatorship and the 2008 ouster of the first democratically elected president by an army general, Mohammed Ould Abdel Aziz. Abdel Aziz subsequently contested and won elections held in 2009. Since then, his administration has passed a number of reforms to improve media freedom in the country.

Article 10 of Mauritania's 1991 constitution guarantees freedom of opinion, of thought, and of expression. Legal and regulatory reforms enacted in 2006 eliminated prepublication government approval for newspapers, established journalists' legal right to protect sources, and created the High Authority for the Press and Audiovisual Sector (HAPA), whose board members are appointed by the president without representation from nongovernmental organizations (NGOs) and journalists. In addition to its regulatory role, HAPA is responsible for nominating

the heads of public media outlets and the Mauritanian News Agency. In October 2011, the legislative branch approved amendments to the 2006 Press Freedom Law that abolished prison sentences for slander and defamation, including of heads of state, though fines can still be imposed for these offenses. Some critics believe that the country's media laws continue to leave room for the abuse of press freedom. Mauritania has no legislation guaranteeing access to information.

Though the media express a variety of views, journalists practice a degree of self-censorship in their coverage of issues such as the military, foreign diplomatic missions, corruption, and Sharia (Islamic law). There were reports in 2011 that the police detained and questioned journalists for their coverage of sensitive topics, including protests and slavery. Throughout the year, opposition activities and positions were presented in government-owned media, which appeared to provide generally balanced coverage.

Both local and foreign journalists faced government interference in 2011. In August, a crew from Africa 7, a Senegal-based private television station, was detained while in Mauritania to interview an opposition leader and an antislavery activist. The journalists were interrogated for nearly seven hours, and their equipment, passports, and press cards were confiscated. Most of the items were later returned. Reporter Cheikh Ould Nouah with the website Al-Hurriya was arrested and beaten while covering clashes between police and protesters in September. Another journalist, Djibril Diallo, was also reportedly detained by the police for his coverage of the protests. In December, Abdelhafiz al-Baqali of the Moroccan Press Agency was expelled from the country; the reasons for the move were not disclosed.

The print sector features both state-run and private outlets. The government owns two daily newspapers, *Horizons* (in French) and *Chaab* (in Arabic), and dozens of independent print outlets are active. HAPA provides subsidies to several independent newspapers, and most papers have access to the state's printing press. Mauritania has two public television stations, two public radio channels, and two private, internet-only television stations. A public station that began broadcasting in 2008 devotes airtime to the country's minority languages—Pular, Soninke, and Wolof. In November 2011, HAPA announced that two new independent television stations and five independent radio stations would be allowed to begin broadcasting, ending the government's 51-year monopoly on domestic broadcast media. Some opposition members maintained that the allocation of permits favored progovernment interests. Radio France Internationale rebroadcasts locally, and Mauritians have access to international satellite television.

Internet access is not generally restricted by the government, but penetration remained at 4.5 percent in 2011. Mobile telephone subscriptions are within the reach of more than 66 percent of the population. The impact of online media has grown in recent years. However, existing legislation does not address the emergence of online journalism. In June 2011, the website of local newspaper *El-Badil al-Thalith* was blocked for publishing articles that criticized Arab leaders after the web hosting company—Emirates Technology and Design, based in the United Arab Emirates—succumbed to pressure from Emirati authorities to shut the site down.

Mauritius

Status: Free

Legal Environment: 7

Political Environment: 9

Economic Environment: 13

Total Score: 29

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	26,F	26,F	26,F	27,F	28,F

Mexico

Status: Not Free

Legal Environment: 17

Political Environment: 31

Economic Environment: 14

Total Score: 62

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	48,PF	51,PF	55,PF	60,PF	62,NF

The violence and impunity that pushed Mexico into the ranks of Not Free nations continued in 2011, with the targeting of journalists as well as communicators who used social media to bypass censorship in the traditional press. The challenging conditions that have emerged from the convergence of the country's central position in the international narcotics trade, the use of the military to combat feuding criminal groups in major cities, and an inability to enact reforms to enhance government accountability and the rule of law continued to pose a key threat to media freedom. Promises to improve ineffective government protection and prosecution agencies failed to materialize, and there was no headway on structural reforms to offset media concentration issues in broadcasting.

Freedom of expression in Mexico is established in Articles 6 and 7 of the constitution. The federal criminal defamation law was eliminated in 2007, but civil insult laws remain intact, as do criminal defamation statutes in 15 states. In 2002, Mexico passed a Freedom of Information Law, and a 2007 amendment to Article 6 of the constitution stated that all levels of government would be required to make their information public. However, that information can be temporarily withheld if it is in the public interest to do so. Despite the existence of these laws, accessing information is a time-consuming and difficult process.

Impunity remains a problem in Mexico, with little progress in the prosecution of cases of murder and allegations of torture of media workers. The special prosecutor's office is considered largely ineffective, and it failed to prosecute any major crimes against journalists in 2011. The protection unit has only eight journalists under its care, after estimating last year that hundreds would seek protection. The prosecutor's office is hampered by jurisdictional weaknesses, a small number of investigators, and the need to draw upon the resources of several rival agencies. Further, journalists distrust the government because in some cases, politicians and police officers are among those threatening them. In October, an initiative to make crimes against journalists a federal offense was reignited, but the bill had not passed at year's end.

Press freedom organizations also distrust government programs to protect them or investigate crimes against journalists, echoing journalists' frustration. President Felipe Calderón had promised a number of international press monitors in 2010 that the revamped special

prosecutor's office and a new program protecting journalists would operate more effectively than in the past. However, a special report by the Committee to Protect Journalists (CPJ) found that both promises remain unfulfilled.

Over the past decade, journalists have attempted to be more critical than they were during the 71-year rule of the Institutional Revolutionary Party (PRI) that ended in 2000, and although media pluralism has improved during this period, concerns remain about fairness and balance, particularly in the concentrated broadcast sector. Also, journalists and news organizations regularly censor news about criminal organizations and increasingly avoid covering local corruption. And in a growing number of cities, media are pressured to follow the orders of organized crime cartels in their reporting, and to bow to pressure from the government. Journalists are frequently removed from their positions after reporting on these sensitive issues. In February 2011, journalist Carmen Aristegui was briefly fired from her position at MVS Radio after inviting the president's office to respond to opposition claims that the president had a drinking problem. She was reinstated after a firestorm of public criticism of the network. In April, a reporter and editor were fired from their positions at San Luis Potosí newspaper *El Portal* at the request of the state government. The government conditioned state advertising on their removal from the newspaper. In addition, a number of community radio stations were raided and closed by state police.

The extension of drug traffickers' influence over the media signaled a transition from imposed silence to active control of the news agenda in a number of states. Because of this, self-censorship is also prevalent regarding sensitive topics such as threats to press monitors, which in turn causes an underreporting of threats in several states where drug gangs violently dispute territory. In 2010, the Center for Journalism and Public Ethics (CEPET) questioned whether false reports of press attacks were made to discredit state security forces and create aversion to the presence of the police and military in high-conflict areas of the country.

Mexico remains among the most unsafe environments for journalists in the world due to the expansion of Mexican drug cartels, the government's decision to fight the cartels with the armed forces, criminal organizations' turf battles, and the institutional weaknesses of Mexico's public security institutions. As in previous years, drug cartels are behind the majority of the violence, but local political authorities and police forces appear to be involved in some cases, creating an environment where journalists do not know where threats are coming from or how to avoid the violence. Additionally, the professional federal judicial authorities have difficulty policing local officials who answer to either criminal organizations or abuse their own increased power following the demise of the 71-year-old centralized state in the late 1990s.

According to CPJ, seven journalists and one media worker were killed in 2011. Information regarding journalists' murders is difficult to assess, as police investigations are frequently incomplete or manipulated, witnesses can be reluctant to talk, and violence is pervasive. Further, part-time journalists sometimes have other jobs that can take them into the line of fire. Violence is widespread throughout the country, with rival groups staging attacks and murders on journalists and media workers to prove a point and encourage an environment of fear. In March, Luis Emmanuel Ruiz Carrillo, photographer for the Monclova, Coahuila-based daily *La Prensa*, was killed with local television entertainer José Luis Cerda Meléndez and his cousin, Juan Gómez Meléndez, as they left Televisa's studios in Monterrey. Ruiz Carrillo had been sent to Monterrey to report on a man who overcame a drug addiction. Graffiti on the wall near the three bodies said to "stop cooperating" with one of the criminal organizations fighting for control of the area. In February, Rodolfo Ochoa had been killed when armed forces entered

the transmission facilities of Multimedios Laguna, a local television station in Torreón. The attackers also stormed the Radiorama Laguna station and damaged equipment. Multimedios employees have been subject to attacks in recent years, with a murder in 2009 and a kidnapping in 2010, despite the fact that they do not usually report news about crime for fear of reprisal. Ocuilan municipal press spokesman and columnist Ángel Castillo Corona was beaten to death on the highway from Ocuilan to nearby Tiaguistenco in July 2011. The unidentified assailants also killed his 16-year-old son.

The state of Veracruz experienced exceptional violence in 2011. Columnist Miguel Ángel López Velasco, his wife Agustina Solano Melo, and their son Misael were found shot to death in their home in June. Also in June, the body of Noel López Olguín, a columnist for the newspaper *La Verdad de Jáltipan*, was found in a grave after an arrested drug lord confessed to his murder. A month later, Yolanda Ordaz de la Cruz, who covered politics and crime for the newspaper *Notiver*, was kidnapped and her body was found decapitated and tortured on the roadside. All of the local reporters who cover the police sector fled the state in the aftermath of these murders, leaving the city without investigative crime reporting.

Social media has become an alternative means for journalists and citizen communicators to denounce and discuss issues related to the drug violence; however, bloggers and social media journalists were increasingly targeted in 2011 in an effort to shut down alternative forms of public communication. Maria Elizabeth Macías Castro, a journalist and blogger for *Nuevo Laredo en Vivo*, a website about organized crime, was killed in October for her anonymous reporting on the drug war via social media. A note found with her body claimed that a criminal group had killed her because of a blog she wrote. Three other journalists were also murdered for publishing blog posts critical of the drug wars. All the bodies were tortured or mutilated and left in public places with notes to intimidate internet users. Media outlets were also the target of intimidation. In November, gunmen attacked and set fire to the offices of the Veracruz newspaper *El Buen Tono* one month after it opened because it published articles about local politics and organized crime. Additionally, in Coahuila, men threw a grenade at the printing plant of Saltillo's *Vanguardia* newspaper in May, damaging the facility. In November, gunman ran a car into the front door of *El Siglo de Torreón*, set it on fire, and showered the building with gunfire.

There are numerous privately owned newspapers, and diversity is fairly broad in the urban print media. Broadcast ownership is predominantly private but highly concentrated, and television news coverage is driven by particular corporate interests. A majority of television stations are affiliated with Televisa or TV Azteca, two family-owned corporations that control around 85 percent of the stations in Mexico. These stations are the only networks with national reach, while a dozen or so family-owned companies control radio. The telephone industry is dominated by Telmex, and this organization is also taking ownership of pay television services and internet service providers. These oligopolistic practices are criticized in Mexican civil society, but a lack of political will prevents politicians from taking on powerful media and telecommunications companies. There was no movement in the Mexican Congress or from executive-based regulatory bodies to legalize and support community broadcasters or act on demands to diversify ownership of the broadcast spectrum, and only a handful of community radio operators have been awarded licenses. Advertising is occasionally used to influence editorial content, as is bribery and the granting of favors, particularly by local officials and political actors. Cases continue to occur of advertising being withheld from critical publications

by federal and local authorities. Such practices occur particularly in the periods prior to elections and during the campaign periods themselves.

In 2011, 36 percent of the Mexican population was using the generally restriction-free internet. While content is not limited, internet service is costly and the market is not well diversified due to poor infrastructure, which is where the lack of telecommunications competition has an impact. The government has acknowledged this issue, and in May 2010 the Department of Communications and Transportation invested 1.5 billion pesos (\$120 million) to extend the internet to different regions throughout Mexico. Proposals to open the industry to competition and strengthen noncommercial media remained stalled in part because politicians reportedly feared reprisals from large media corporations. While violence and intimidation remained the preferred tactics, a relatively rare cyberattack was used against Culiacan's muckraking weekly *Ríodoce*, one of the few media outlets in Mexico to report on organized crime. The publication went offline temporarily after its internet provider decided to end service in the wake of the attack, which affected other customers.

Micronesia

Status: Free

Legal Environment: 2

Political Environment: 8

Economic Environment: 11

Total Score: 21

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	20,F	21,F	21,F	21,F	21,F

Moldova

Status: Partly Free

Legal Environment: 17

Political Environment: 18

Economic Environment: 19

Total Score: 54

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	65,NF	66,NF	67,NF	65,NF	55,PF

Press freedom improved slightly in 2011 as the ruling coalition, the Alliance for European Integration (AIE), reviewed a new Broadcasting Law, supported state broadcaster Teleradio Moldova (TRM) in providing balanced news coverage, started cracking down on corruption among broadcast media regulators, and fostered an environment in which physical attacks and politicized lawsuits against journalists continued to decline. The AIE bloc in Parliament—under the leadership of Prime Minister Vladimir Filat—continued to work with civil society experts to advance several media initiatives, but did so at a slower pace due to the country's ongoing

political deadlock over the election of a president, which required a three-fifths vote in Parliament.

Moldova had decriminalized defamation by 2009, but a few civil defamation cases emerged during 2011. In August, a Chişinău court fined the investigative newspaper *Ziarul de Gardă* 500,000 lei (\$42,000) for defamation over an article on the alleged corruption of two prosecutors. The fine was reduced to 20,000 lei (\$1,700) on appeal, and a further appeal was pending at year's end. In April the minister of transportation accused the Unimedia news portal and the newspaper *Timpul* of defamation. He claimed that both news organizations had published a Moldavian Airlines press release that accused him of taking part in fraudulent collusion with the industry. The case remained pending at year's end.

The appointment of three new members to the Audiovisual Coordinating Council (CCA) was expected to improve broadcast media regulation, but the council continued to be criticized for politicized, nontransparent, and at times corrupt decision making. Two senior CCA officials, Gheorghe Gorincioi and Terentie Cherdivara, were arrested in January 2011 on charges of extorting some 110,000 lei (\$9,400) from a company. Cherdivara was convicted in April and received a suspended four-year prison sentence. The trial of the second official was ongoing at the end of the year. The CCA was also criticized for being ineffective in its enforcement of election-related regulations, handing down only small administrative fines—following the conclusion of the June 2011 local elections campaign—against the television channel NIT, which blatantly supported the opposition Communist Party. The Electronic Broadcasters' Association (APEL) prepared a draft Broadcasting Law in 2011, which the government debated in October and was still under consideration at the end of the year.

Reporters were able to obtain a greater amount of public information in the capital due to increased compliance with the Access to Information Law, but compliance remained poor in smaller cities and towns, according to a study conducted by Access-Info, a local nongovernmental organization. Some senior public officials continued to blame the media for political disputes within the ruling coalition. On January 12, Parliament speaker and acting president Marian Lupu justified keeping the media away from some parliamentary debates by claiming that their presence negatively affected the behavior of some deputies. Throughout the year, the press officers and bodyguards of senior officials from the ruling coalition arbitrarily excluded some journalists from press conferences and briefings without explanation. For example, on January 29, presidential security officers prevented Curaj TV journalist Oleg Brega—who is well known for his sharp criticism of abuses committed by police, prosecutors, judges, and politicians—from entering an event commemorating National Prosecutor's Day in Chişinău.

Media pluralism and the volume of locally produced programming continued to expand in 2011 in response to the improved legal and political environment that the AIE began fostering in 2010. In May, six local television stations from around the country joined together and launched the regional television network AICI to share news content for the 13 cities they cover. Local media analysts reported that two television stations launched in 2010, Jurnal TV and Publika TV, expanded and diversified the overall news coverage of the June 2011 local elections.

State-sponsored intimidation of journalists continued to decline during 2011, and local media freedom organizations reported no serious cases. The change reflected aggressive reporting of attacks against journalists by Publika TV, as well as efforts by government officials to interact more carefully with reporters. However, journalists remained vulnerable to attacks by private individuals. In July, Brega of Curaj TV was assaulted and briefly detained by managers

from the private Slavonic University of Moldova while trying to film a story about a student whose personal documents were inappropriately confiscated, according to the Chişinău-based Independent Journalism Center (IJC). Police officers consistently failed to properly investigate such abuses, and in some cases failed to intervene when journalists were attacked in their presence. In December, a lawyer representing a priest assaulted a Publika TV crew as they filmed a dispute between parishioners and church officials in the town of Călăraşi. A group of police officers observing the altercation failed to protect the journalist.

In the separatist Transnistria region, media are highly restricted and politicized. Most local broadcast media are controlled by the Transnistrian authorities or by companies like Sheriff Enterprises that are linked to the separatist regime. Print media are required to register with the separatist Ministry of Information in Tiraspol, the region's capital, rather than the internationally recognized Moldovan government in Chişinău. Media pluralism declined further after one of only three independent newspapers published in Transnistria—the Russian-language weekly *Novaya Gazeta*—was closed by its owners after facing years of harassment from separatist authorities. Any critical information regarding the authorities is promptly suppressed and the journalists responsible harassed. The Transnistrian State Security Ministry intensified pressure on the region's few remaining independent-minded journalists ahead of the December 2011 election for the separatist presidency. During the first round of voting on December 11, police in Tiraspol detained Valentina Ursu, a reporter for Radio Free Europe/Radio Liberty who was covering the voting. In May, separatist officials had responded to international pressure by pardoning and releasing independent journalist Ernest Vardanean, who had been sentenced in 2010 to 15 years in prison for allegedly spying on behalf of the Moldovan government. Vardanean had worked for the Chişinău-based newspaper *Puls*, the Romanian-language service of Radio Free Europe/Radio Liberty, and the Russian internet news agency Novy Region. His arrest and imprisonment after a deeply flawed trial had intensified pervasive self-censorship among Transnistrian journalists.

There is a mix of private and public media in Moldova, but ownership transparency is still lacking, with many outlets employed to advance the business or political interests of their secretive owners. For the second year in a row, TRM managers appointed by the AIE government received high marks for the broadcaster's balanced coverage of politically sensitive events like the June 2011 local elections. The AIE also took steps to reduce government influence over some 40 state-owned newspapers; a plan to strengthen their editorial independence and privatize them took effect in February 2011, giving state institutions two years to reorganize, privatize, or shutter publicly funded newspapers. The city of Bălţi liquidated two municipal newspapers in August. Progress on implementing the legislation remained slow, however, as the government was unsure how to establish new management structures for the newspapers and requested assistance from APEL during 2011. Due to the global economic downturn, private media remained highly dependent on financial subsidies and advertising revenue that usually came from affiliated businesses and political groups, rather than being allocated according to market forces. Economic pressures continued to force media outlets to become more efficient and intensified the shift from print to online advertising revenue.

Although the underdeveloped telecommunications infrastructure and high fees for internet connections have resulted in limited usage, access is generally not restricted by the authorities, and approximately 38 percent of the population had access to the internet in 2011. Over 20 news portals and social-networking sites have become popular, with some one million users registered on the Russian site Odnoklassniki and some 200,000 on Facebook, according to

the IJC. However, the growing number of bloggers remain excluded from reporting on the government because they are not officially recognized as journalists and cannot receive accreditation. In the separatist Transnistria region, residents increasingly use social-networking websites to anonymously discuss politically sensitive issues with their counterparts in the rest of Moldova.

Monaco

Status: Free

Legal Environment: 3

Political Environment: 7

Economic Environment: 6

Total Score: 16

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	16,F	16,F	16,F	16,F	16,F

Mongolia

Status: Partly Free

Legal Environment: 13

Political Environment: 12

Economic Environment: 12

Total Score: 37

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	36,PF	38,PF	41,PF	39,PF	39,PF

Freedoms of speech and of the press are protected by law in Mongolia, and the government generally respects these rights in practice. However, media freedom continued to be compromised somewhat in 2011 by legal harassment of journalists, political influence over news outlets, and financial difficulties faced by media workers. Censorship of public information is banned under the 1998 Media Freedom Law, but a 1995 state secrets law limits access to government information to a degree, as many archived records have been given classified status. After an eight-year campaign by activists, the parliament passed the Law on Information Transparency and Right to Information in June 2011, but the legislation did not take effect until December. The government routinely monitors broadcast and print media for compliance with restrictions on violent, pornographic, and alcohol-related content.

Officials frequently file criminal and civil defamation suits in response to critical articles, with a quarter of journalists reportedly affected. To avoid being sued for libel, many independent publications practice a degree of self-censorship. Although there is no direct government censorship, journalists frequently complain of harassment and intimidation as well as pressure from the authorities to reveal confidential sources. In November 2010, criminal charges were filed against a reporter from the newspaper *Zuuny Medee* over articles about human trafficking

that implicated a notable businessman in the buying of virgin teenagers. However, the presiding judge dismissed the case in August 2011. In March 2011, Dolgor Chuluunbaatar, editor in chief of the *Ulaanbaatar Times*, was jailed on charges of illegally privatizing a newspaper, but he was released on medical grounds in July. His case was still pending as of the end of the year, and he faced 15 years in prison if convicted. In November, two journalists were convicted of “insulting the reputation” of Luimed Gansukh, the minister of nature, environment, and tourism. One of the journalists, Baviya Baatarkhuyag, had written an article in *Udriin Sonin* claiming that the minister had moved into a \$1 million house soon after the government signed a lucrative deal with a Canadian mining firm. The minister also filed criminal defamation charges against journalist Gantumut Uyanga, Baatarkhuyag’s wife, following a speech in which she mentioned his house. She is a member of the People’s Movement, an organization dedicated to pressuring the government to fulfill its campaign pledges. Baatarkhuyag and Uyanga were each ordered to pay over \$4,000 in compensation.

According to a local media freedom organization, Globe International, many journalists continue to face verbal threats or pressure against either themselves or their family members.

Although independent print media outlets are common and popular in cities, the main source of news in the vast countryside is Radio Mongolia. Under the 2005 Law on the Public Radio and Television, state-run radio and television broadcasting outlets like Radio Mongolia are transforming into public service broadcasters, but progress has been slow. Both state and public media still frequently experience political pressure, and most provincial media outlets continue to be controlled by local authorities. According to media watchdogs, journalists often seek payments to cover or fabricate stories. Mongolians have access to local, privately owned television stations, English-language broadcasts of the British Broadcasting Corporation and Voice of America on private FM stations, and, in Ulaanbaatar, foreign television programming via cable and satellite systems.

Owing to widespread poverty in Mongolia, the internet has yet to serve as a significant source of information; only about 20 percent of the population used the internet on a regular basis in 2011.

Montenegro

Status: Partly Free

Legal Environment: 9

Political Environment: 16

Economic Environment: 10

Total Score: 35

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	37,PF	38,PF	37,PF	37,PF	37,PF

Freedom of the press is guaranteed by the constitution and is generally respected in practice, and the current government of Prime Minister Igor Lukšić has made efforts to increase protections for media freedom and independence. In the recent past, Montenegro had been criticized for criminal defamation laws that were used to place pressure on the media. For example, in February 2011, journalist Petar Komnenic was convicted in a libel case brought by a judge

following an article he wrote in the weekly *Monitor* in 2007, and was ordered to either pay a €3,000 (\$4,200) fine or spend four months in jail. But in July 2011, as part of a broad reform of its criminal code, Montenegro fully decriminalized defamation and libel, leaving them entirely a matter for civil litigation, with monetary compensation as the only possible sanction. In addition, the Supreme Court has adopted guidelines regulating the level of compensation in defamation cases against the media in keeping with European standards and the case law of the European Court of Human Rights. Since the government decriminalized defamation in July, the European Commission has reported a decrease in the number of court cases filed against journalists.

There were no reports of significant physical violence against members of the media in 2011. However, the daily *Vijesti* continued to face harassment. Journalists from the paper have in the past reported receiving death threats, and on several occasions in 2011, cars belonging to *Vijesti* were set on fire. Although the government condemned the attacks, local media organizations reported that the authorities failed to identify or apprehend a single perpetrator.

The media environment is very diverse for such a small country, with 23 television stations, 53 radio stations, 4 daily print outlets, 3 weeklies, and 30 monthlies operating. In the absence of strong opposition parties, both broadcast and print media sometimes play the role of political opposition, and content is also significantly influenced by the business interests of media owners. The print media consist of private newspapers, including major outlets *Vijesti* and *Dan*, and *Pobjeda*, a state-owned newspaper with national circulation. At the end of 2011, the state still held a majority stake in *Pobjeda*, despite a 2002 law requiring the government to sell its shares. The public broadcaster has been accused of favoring the government in its news coverage. The country's media regulator is not fully financially independent and has an inadequate monitoring capacity.

Journalists are not highly paid, and combined with poor training and political and business influence, this often leads to biased coverage. The global financial crisis exacerbated the financial problems of Montenegro's media environment, in which a large number of broadcast and print media compete for a small advertising pool. The slowdown in economic growth in 2011 continued to weigh on the sector, although the government allocated state funds to support media outlets in financial trouble.

Access to the internet is not restricted, and approximately 40 percent of the population had access in 2011.

Morocco

Status: Not Free

Legal Environment: 25

Political Environment: 25

Economic Environment: 18

Total Score: 68

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	62,NF	64,NF	64,NF	66,NF	68,NF

Morocco's constitution guarantees freedom of expression, but the press law prohibits criticism of the monarchy and Islam, and effectively bars coverage of taboo subjects, including the royal

family and the government's position on the status of Western Sahara. Libel remains a criminal offense that carries potentially exorbitant fines or prison terms, and legal cases are a primary method of repressing critical reporting. In April 2011, Rachid Nini, the editor of the daily *Al-Massae*, was arrested on charges of disseminating misinformation and attacking state institutions, public figures, and "the security and integrity of the nation and its citizens." Press freedom advocates in Morocco suggested that the charges were politicized and a result of the paper's coverage of corruption cases and investigations of Authenticity and Modernity Party leader Fouad el-Himma. In June, Nini was found guilty, sentenced to one year in prison, and fined 1,000 dirhams (\$125). In December 2011, one of Nini's colleagues, journalist Radwan Hifani, was prevented from entering his office at the *Assabah* newspaper when he returned from vacation, following a dispute with his editor in chief over Hifani's defense of Nini. Other journalists have also been targeted for reporting on corruption. Mohamed al-Dawas, a blogger and anticorruption advocate, was arrested in September on what his lawyer called politically motivated and trumped-up charges of drug trafficking. Al-Dawas was sentenced to 19 months in prison and fined 20,000 dirhams (\$2,430).

King Mohamed VI and his government wield considerable control over the editorial content of domestic broadcast media. Oversight includes the authority to appoint the heads of all public radio and television stations, and the president and all four board members of the High Authority for Audio-Visual Communication, which is responsible for issuing broadcast licenses and monitoring content to ensure compliance with licensing requirements.

Physical attacks on journalists are less common than legal actions, though there were sporadic reports of attacks in 2011, particularly in relation to coverage of the country's February 20 protest movement, which grew following the eruption of prodemocracy uprisings across the Middle East and North Africa early in the year. The February 20 movement, led by students and activists, called for the expansion of democratic freedoms. At least five journalists and bloggers were attacked while covering a March protest in Casablanca. Journalists also reported intimidation—including the confiscation of equipment—while covering the protest movement, despite clear indications that they were media workers and not protesters. Progovernment protesters attacked the Casablanca offices of the independent newspaper *Akhbar al-Youm* in October, cursing its staff and burning copies of the paper.

Self-censorship remains widespread, as many journalists fear heavy fines, prison sentences, or extralegal intimidation and physical violence in retribution for their stories. Nevertheless, some journalists continue to push the boundaries and report on sensitive subjects such as the military, national security, religion, and sexuality.

Foreign publications are widely available in Morocco, but the foreign media are not immune from government repression. In 2010, the government targeted the Qatar-based satellite television network Al-Jazeera, denying accreditation to two of its journalists and accusing it of editorial bias. Authorities rescinded accreditation for all Al-Jazeera journalists working in Morocco in October 2010, effectively suspending the network's reporting in the country. Al-Jazeera remained unable to operate in Morocco in 2011.

According to the constitution, the press in Moroccan-occupied Western Sahara is free, but this is not the case in practice. There is little in the way of independent Sahrawi media. Moroccan authorities are sensitive to any reporting that is not in line with the state's official position on Western Sahara, and they continue to expel or detain Sahrawi, Moroccan, and foreign reporters who write critically on the issue. Alternative viewpoints and resources such as online media or independent broadcasts from abroad are not easily accessible to the population.

There are 17 daily and 90 weekly publications in circulation, and it is estimated that more than 70 percent of these are privately owned. Broadcast media are still dominated by the state, and FM radio stations are largely prohibited from airing programs of a political nature. However, residents can access critical reports through pan-Arab and other satellite television channels. The regime uses advertising and subsidies, as well as aggressive financial harassment, to repress critical media coverage.

Approximately 51 percent of the population regularly accessed the internet in 2011, the highest penetration rate in North Africa. There is no official legislation regulating internet content or access, but the government sporadically blocks certain websites and online tools, including Google Earth and the LiveJournal blogging platform. The government monitors blogs and other websites and occasionally cracks down on those who produce critical content. This practice intensified with the rise of the February 20 protest movement. During protests in the southwestern city of Agadir in July, bloggers and online journalists who filmed the unrest were subjected to attacks and intimidation.

Mozambique

Status: Partly Free

Legal Environment: 12

Political Environment: 16

Economic Environment: 15

Total Score: 43

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	40,PF	40,PF	41,PF	42,PF	44,PF

Mozambique's revised 2004 constitution guarantees freedom of the press, and explicitly protects journalists and grants them the right not to reveal their sources. Despite these protections, the 1991 Press Law contains some limitations on these rights, particularly on national security grounds. In addition, defamation of the president or other high-ranking officials is illegal, and general criminal libel and defamation laws—under which cases are regularly brought and media workers and outlets can be subject to fines, prison terms of up to two years, and suspension of the publication—deter journalists from writing freely.

Journalists face difficulties accessing public information and official documents. Despite signs of progress in 2010, with a move to hold a parliamentary debate on a freedom of information bill based on a draft that the local chapter of the Media Institute of Southern Africa (MISA) presented to parliament in 2005, no further action was taken in 2011. In May, MISA condemned the inaction on the issue by both political parties and the relevant parliamentary committees. The current media regulatory framework, administered by the Government Information Bureau (GABINFO), is in need of updating and potentially subject to political influence. According to MISA, radio broadcast outlets were subjected to overly bureaucratic procedures to obtain operating licenses.

There were no reports of physical attacks against the press in 2011, although there were several cases of threats and intimidation. In February, Victor Muvale, a correspondent for the daily *Diario de Moçambique*, received death threats from three police officers following a story

he had written about their behavior during an arrest that had led to disciplinary action against them. Other journalists were harassed while attempting to cover news stories, as was the case in April when reporters attempting to cover a student strike were threatened by the vice chancellor of Mussa Bin Bique University in northern Nampula province. Self-censorship by journalists is common, especially in rural areas outside the capital, Maputo. Independent media often release potentially sensitive stories simultaneously, in an effort to decrease this self-censorship and the negative backlash from the government. This strategy was successful during the corruption case against the president of the constitutional court, Luis Mondlane, who later resigned because of the wide-ranging coverage of his case.

Although progress has been made in the development of a strong and free press in Mozambique, the country continues to be dominated by state-controlled media outlets. Independent media are often underfunded and are generally found only in major cities. The state-run television station, Televisão de Moçambique (TVM), continues to be the only domestic television channel with national reach and has by far the largest audience of any broadcasting station. News reporting from TVM is often biased in favor of the government and offers little opportunity for the political opposition to voice opinions. Private channel Soico TV, Portuguese state television's African service RTP Africa, and Brazilian-owned TV Miramar also have wide audiences.

Radio continues to be a key source of information for the majority of Mozambicans. Compared to television, there is far more opportunity for private radio stations to open and operate. There are numerous private FM stations that generally operate in rural areas and broadcast to small audiences. Many of the 70 community stations currently operating were started by and receive their funding from UNESCO or other international aid organizations, but face serious problems of management and sustainability, as they rely on volunteers. Despite the prevalence of privately owned radio stations, state-run Rádio Moçambique has the largest audience and is by far the most influential media outlet in the country. Rádio Moçambique generally receives 60 percent of its operating budget from the federal government. While the station is known for presenting critical political debates and policy issues on its broadcasts, it most frequently invites guests who are sympathetic to the government.

Newspapers and print media in general have a far smaller audience—an estimated 1 million of Mozambique's 22.4 million inhabitants—than both radio and television. This is mainly because the print media is published only in Portuguese, which is only spoken by about 11% of the population. The high cost of newspapers relative to total income, as well as poor distribution networks and a 44 percent illiteracy rate, also contribute to low readership. The government has a majority stake in *Noticias*, the most-read daily newspaper in the country, which rarely prints stories critical of the government, while *O Pais* is the leading privately owned daily. Import taxes on newsprint remain high, leading to high production costs for newspapers. The largest source of advertising revenue for local media comes from government ministries and businesses under state control, and some journalists have accused the government and ruling party of allocating advertising according to political concerns and of favoring pro-state outlets.

Internet access is unrestricted, but penetration is extremely low. Only about 4 percent of the population had access to the internet in 2011, and most usage is confined to major cities. A number of sites posted criticisms of the government and remained untouched. However, there were reports of government intelligence agents monitoring the e-mails of members of opposition political parties.

Namibia

Status: Partly Free

Legal Environment: 9

Political Environment: 13

Economic Environment: 10

Total Score: 32

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	30,F	30,F	30,F	34,PF	34,PF

The constitution guarantees freedom of the media, and Namibia's press has generally enjoyed a relatively open environment. However, constitutional provisions relating to the protection of national security, public order, and public morality provide legal mechanisms for restricting media freedom. There is no access to information law, and the 1982 Protection of Information Act serves to limit the information that can be disclosed by government officials.

Defamation is a criminal offense under common law. A defamation suit brought against the leading independent daily, the *Namibian*, by a former municipal official remained ongoing at the year's end. In June, a journalist for the government-run Namibian Broadcasting Corporation (NBC) was "fined" by a traditional authority for biased reporting, marking the first time a reporter was charged for such a violation. The journalist, who refused to pay the fine, garnered the attention and subsequent support of the Media Institute for Southern Africa (MISA) advocacy group, which condemned the decision, noting that the ruling went against "existing democratic principles as enshrined in the Namibian Constitution." Self-regulation of the media sector has developed slowly, with a media ombudsman established in 2009 to hear complaints against media practitioners.

In previous years, government and party leaders have issued harsh criticism and even threats against the independent press, and called for the establishment of a media council to regulate the activities and operations of the media. No such incidents were reported in 2011. Nevertheless, the head of Namibia's football association assaulted a journalist at a media event in May. Another journalist at the weekly tabloid *Informante* was suspended, and a sub-editor was fired, after the newspaper published an unflattering story about its parent company. The trial of four men accused of a violent attack in 2010 against investigative journalist John Grobler, including three prominent businessmen (and a son-in-law of former president Sam Nujoma) with close ties to the ruling South West Africa People's Organization (SWAPO) party, was ongoing as of the end of 2011. Some journalists and editors practice a degree of self-censorship.

Namibia features four daily newspapers, as well as five weeklies, one biweekly, and about a dozen monthly magazines. There are 25 radio stations and three television stations. Private broadcasters and independent newspapers usually operate without official interference. The NBC is the dominant player in the broadcast sector, and has come under increasing political pressure in recent years. In 2009, a high-ranking director was dismissed amid allegations that he backed the opposition, and the NBC canceled popular phone-in radio programs due to alleged insults against current president Hifikepunye Pohamba and Nujoma. In addition, opposition parties and press freedom organizations accused the NBC of heavily pro-SWAPO coverage

during the 2009 election campaign. In 2011, the NBC was accused of inappropriately censoring the comments of one journalist who was critical of its management. Community radio remains underdeveloped, and high costs for television licenses limit the reach of that medium. Meanwhile, printing and distribution costs for print media also remain relatively high. In a positive development, in 2011 the government lifted its 10-year ban on advertising in the *Namibian*.

Approximately 12 percent of the population accessed the internet in 2011. There are no restrictions on internet sites, and many publications and organizations have websites that are critical of the government. However, the 2009 Communication Act includes a clause that allows for the interception of e-mails, short-messaging services (SMS), internet banking transactions, and telephone calls without a warrant.

Nauru

Status: Free

Legal Environment: 4

Political Environment: 11

Economic Environment: 13

Total Score: 28

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	28,F	28,F	28,F	28,F	28,F

Nepal

Status: Partly Free

Legal Environment: 15

Political Environment: 25

Economic Environment: 15

Total Score: 55

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	58,PF	57,PF	57,PF	59,PF	59,PF

The Nepali media environment improved in 2011, as journalists and other media workers experienced increases in safety. The 2007 interim constitution guarantees freedoms of the press, opinion, and expression. However, it has been criticized for failing to meet international standards. According to the constitution, freedom of expression can be restricted in cases of defamation and incitement, as well as in the interest of promoting sovereignty, public decency or morality, and harmonious relations between different communities. Moreover, the government has struggled to uphold freedom of the press in practice. Certain clauses in Nepal's draft permanent constitution features opaque and malleable language. For example, Clause 2a within Article 2 grants every citizen freedom of opinion and expression, but goes on to state that

authorities have the right to place “reasonable restrictions” on free speech. Article 12 promises citizens the right to access information, but stipulates that “any matter about which confidentiality is to be maintained according to law” shall be excluded from this provision. Article 4, if passed, could be prove to be a positive addition, as it provides a special charter of rights specifically for the mass media. The draft constitution was supposed to be finalized in 2010, but due to political gridlock and inefficient governance, it had yet to be completed by the end of 2011.

Although defamation can be treated as a criminal offense, the charge is rarely employed against journalists. The 2007 Freedom of Information Act was generally welcomed by press freedom groups, but it has been criticized for its requirement that applicants furnish reasons for their requests. In a positive development, there was greater access to public officials in 2011. The Nepali media are generally not subject to direct censorship. The Nepal Press Council and the Federation of Nepali Journalists have a code of ethical conduct, but it lacks effective enforcement mechanisms and support from media stakeholders, and many Nepali journalists continue to face obstacles to ethical practices. Various media and human rights organizations protested against the appointment of Agni Sapkota as minister of information in 2011 because of his alleged involvement in human rights violations. There is no independent regulatory body to oversee the broadcasting sector. Under the current arrangement, the government is the official licensing organization—a point of contention among independent and community broadcasters. According to a report published by the International Fact-Finding and Advocacy Media Mission to Nepal, there is an urgent need for policymakers to implement a comprehensive broadcasting law that would help to ensure fair standards and avoid political entanglements in the broadcasting sector.

Nepal had an active and vibrant media landscape in 2011, but the country remains a dangerous place for journalists. No journalists were killed during the year, and attacks against reporters by the state declined, although youth wings of political parties, government employees, and police and security forces continued to harass journalists. Journalists are also subject to frequent death threats as a result of their reporting. Many were threatened or had their equipment seized or torched as they attempted to cover street protests and other events, or as a consequence of their published work. In January 2011, Himal Chaudhary of Himal FM Radio was stabbed in western Tarai by unknown assailants. In April, several journalists were beaten by the police while covering a story on vandalism and arson in Nepalgunj. In June, Khilanath Dhakal, a journalist for the national daily *Nagarik*, was attacked by members of the Youth Force, a wing of the ruling Communist Party of Nepal–United Marxist-Leninist (CPN-UML). In August, the chairman of the Youth Force threatened to shut down *Nagarik* and jail its editor.

Impunity for attacks on journalists has long been a problem in Nepal, but authorities made progress on this issue in 2011. During the year, the murderers of Birendra Saha (killed in 2007) and Uma Singh (killed in 2009) were sentenced to life in prison. The perpetrators of an attack on Kishor Budathoki in August were sentenced to five years in prison in December. In February, the Supreme Court ordered the authorities to revive a case implicating Maoist cadres in the 2007 disappearance of journalist Prakash Thakuri. A Maoist government had withdrawn the case in 2009, calling it political in nature. In September, the Committee to Protect Journalists expressed alarm over the government’s proposal to grant amnesty to those accused of crimes during the Maoist insurgency, including convicted killers of journalists. Prime Minister Baburam Bhattarai stated that “politically motivated cases” would be pardoned, which could lead to the release of individuals convicted of human rights violations.

The government owns several of the major English-language and Nepali dailies, as well as the influential Radio Nepal and Nepal Television Corporation. There are several hundred dailies, many which are based in central regions of Nepal and the Kathmandu Valley, according to the Nepal Press Council. An increasing share of newspapers are owned by political parties, specifically the ruling CPN-UML. The party has started to publish newspapers in almost every region and district of Nepal, and the outlets are often heavily influenced by the CPN-UML's political views. Media ownership often lacks sufficient transparency, and it is not unusual for the selection of editors at national newspapers to be governed by dubious political deals and bargaining.

Because there are few barriers to market entry, radio remains the most popular news medium. At least 242 FM radio stations and 16 television channels were operating in 2011, and many more had acquired licenses. Community radio stations have become more common, partly as a means of protecting local cultures and languages from the dominance of Nepali-language media. However, community stations have difficulty competing with commercial stations for resources while paying the same fees and royalties. Despite the large number of outlets, the Nepali mainstream media lack effective cultural diversity. The news, analysis, and opinions of the mainstream media often either ignore or are heavily biased against the interests of Dalits, Madhesis, indigenous peoples, and Muslims, who collectively form around 70 percent of the population.

Many workers at Nepal's news outlets do not receive professional training, are informally employed, and are paid well below prescribed minimum wages. In November 2010, a committee was established under Nepal's Working Journalists' Act to review journalists' extremely low wages, as well as their lack of retirement benefits, medical coverage, and insurance. There was no tangible progress on this subject in 2011. Since the government is a major source of advertising, journalists are often forced to self-censor their reporting in order to avoid any conflict with the ruling party. During 2011, the government pulled its advertisements from the Himal group of publications in response to critical remarks published in the Nepali-language paper *Himal Khabar Patrika*.

There are some government restrictions on the internet, to which 9 percent of the population had access in 2011. In 2010, the Nepal Telecommunications Authority (NTA) warned all internet service providers that it would take serious action against them if they did not fulfill their conditions of operation, which include the filtering of pornographic content and of any material that "incites racial and religious hatred and is against the national interest."

Netherlands

Status: Free

Legal Environment: 2

Political Environment: 6

Economic Environment: 4

Total Score: 12

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	13,F	13,F	13,F	14,F	14,F

Freedom of expression is safeguarded under Article 7 of the constitution, and free and independent media operate throughout the country. In 2009, a Dutch court ruled that the Associated Press should pay €1,000 (\$1,400) every time it published pictures of the royal family on vacation, with a maximum fine of €50,000 (\$70,250), but such rules are rarely enforced. The Netherlands still lacks specific national legislation ensuring the right of journalists to protect their sources, despite a landmark 2010 European Court of Human Rights ruling that media premises are exempt from police searches, and that police may not seize journalistic materials unless they obtain a warrant. There was a move during 2011 to abolish the country's blasphemy law, but it failed due to opposition from a minority Christian party. Criminal defamation laws have seldom been used in recent years.

Article 110 of the constitution stipulates that the government must observe the principle of transparency and requires government agencies to publish information. Under the 1991 Government Information (Public Access) Act, any person is allowed to demand information pertaining to an administrative matter. If the information is located in documents belonging to a public body or a private company conducting work for a public entity, the authorities must respond within a period of two weeks.

Journalists in the Netherlands practice some degree of self-censorship, particularly on sensitive issues such as immigration and religion. This has increased since the 2004 murder of the controversial filmmaker Theo van Gogh by a Muslim extremist. In June 2011, the right-wing politician Geert Wilders was cleared of inciting hatred through his public anti-Islam comments. The judge ruled that his statements were against Islam and not against Muslims. The trial had begun in October 2009. The Dutch Muslim complainants in the case said they would bring the matter before UN human rights bodies, claiming that the state had failed to protect them from incitement to discrimination or violence. Physical attacks and intimidation directed against journalists are rare.

Newspaper ownership is highly concentrated in the Netherlands, with three companies owning more than 90 percent of paid newspapers. A decreasing number of independent regional newspapers are available. Moreover, three public broadcasters—NPS, Teleac, and RVU—merged in 2010. Despite high ownership concentration, a variety of opinions are expressed in the media. The state allocates public radio and television programming to political, religious, and social groups according to their size. While every province has at least one public television channel, public broadcasting has faced stiff competition from commercial stations since they became legal in 1988.

The internet is not restricted by the government, and it was used by 92 percent of the population in 2011. In January, a Dutch teenager was convicted for offending Jews through internet postings and sentenced to community service. In June, the lower house of parliament adopted the first “net neutrality” law in Europe and only the second in the world after Chile, barring telecommunications companies from obstructing or charging consumers extra for certain data-intensive services, such as Skype or the mobile messaging application WhatsApp. In November, the government pushed for legislation that would ban unauthorized downloads of copyrighted material, which press freedom advocates said could hinder web access. In an April proposal, copyright holders had called for foreign sites that provide such downloads to be blocked.

New Zealand

Status: Free

Legal Environment: 3

Political Environment: 8

Economic Environment: 6

Total Score: 17

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	13,F	13,F	14,F	14,F	15,F

Press freedom in New Zealand is guaranteed by convention and statute rather than constitutional right, and is supplemented by freedom of information legislation passed in 1982. Sedition legislation was abolished in 2007. While the media are regarded as free and independent, there were several events in 2011 that raised concerns about press freedom in the country. The Search and Surveillance Bill, tabled in Parliament in November 2010, would force journalists to answer police questions, identify sources, and hand over notes and other documents. Breaches of the proposed law could carry penalties of up to one year in jail. However, the bill was shelved in its original form, and an amended version had yet to be introduced by the end of 2011. A proposed Video Camera Surveillance (Temporary Measures) Act was introduced in September 2011, drawing strong protests. Critics argued that the draft legislation would give the police powers that violate the rule of law and fundamental liberties.

In December 2011, New Zealand's Law Commission offered a number of preliminary suggestions for reforming the regulatory environment in which the news media operate. It proposed replacing the Broadcasting Standards Authority, which currently regulates all traditional broadcasters, and the industry-based Press Council, which regulates print media, with a new regulator that would cover all forms of media, including online outlets, and would be independent of both the government and the media industry.

Several incidents during the year raised concerns about harassment and political interference with media content. The former chairman of the New Zealand National Commission for UNESCO, Bryan Gould, warned of "insidious attacks" on press freedom. He cited police demands for news organizations to divulge information relating to the so-called secret recording of a meeting between Prime Minister John Key and a successful conservative ACT Party candidate, John Banks, during the general election campaign in 2011. The politicians involved considered that their private conversation had been illegally recorded, and the prime minister made an official complaint to the police. Warrants were issued to allow searches for copies of the recording at the *Herald on Sunday* newspaper, Television New Zealand (TVNZ), and TV3. Separately, in May, award-winning investigative journalist Jon Stephenson was forced to defend himself against a bitter attack on his credibility by Prime Minister Key and other officials regarding his investigative work on New Zealand troops handing over prisoners to U.S. forces, published in the May edition of *Metro* magazine. Four complaints against *Metro* were filed by the military over Stephenson's report, but they were later dropped. In October, in a move believed to be unprecedented, Speaker of the House Lockwood Smith subjected the *New Zealand Herald* to a 10-day ban on covering politics from its press gallery office within the parliamentary complex. The punishment came in response to the *Herald's* publication of a photograph showing guards and members of the public restraining a protester from jumping from the public gallery into the debating chamber. Smith claimed that the photograph was a breach of standing orders

prohibiting any filming of protests or other disruptions in the public gallery. Despite these incidents, journalists are generally able to cover the news freely, and physical attacks or threats against the media are rare. There were no reports of physical harassment or assault against journalists during the year.

The country has two state-owned broadcasting corporations, TVNZ and Radio New Zealand, but the vast majority of print and broadcast media ownership is private. Australian-owned companies control a substantial portion of the print media sector. Fairfax Media Limited boasts almost 48 percent of daily newspaper circulation. The country’s largest and most influential daily newspaper, the *New Zealand Herald*, and a string of smaller provincial and suburban newspapers are owned by APN News & Media, while ACP Magazines dominates New Zealand magazines. In September, the New Zealand Press Association cooperative closed after 132 years as the national news agency. This was a serious blow to media diversity. TVNZ faces increasing competition from the pay channel network Sky TV and its free-to-air channel, Prime TV. Another rival, TV3, part of the MediaWorks group, has met with financial setbacks, while the government-funded Māori Television continues to develop strongly, with its second channel, Te Reo, broadcasting in the indigenous Māori language.

There are no government restrictions on the internet, which was accessed by 86 percent of the population during 2011.

Nicaragua

Status: Partly Free

Legal Environment: 13

Political Environment: 20

Economic Environment: 16

Total Score: 49

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	42,PF	43,PF	45,PF	47,PF	47,PF

The constitution provides for freedom of the press, but in practice the government acts to restrict it. In 2011 the administration of President Daniel Ortega and his Sandinista National Liberation Front (FSLN) continued to demonize the independent and opposition press while favoring progovernment outlets. Ortega has claimed that right-wing business magnates retain a stranglehold on the media, but his own family, party, and supporters have recently taken control of many outlets, especially television and radio stations.

Criminal libel laws are used frequently against journalists and news outlets. Judges are often aligned with political parties, and some have barred journalists from covering certain stories. Cases of judicial intimidation have also been reported. Many journalists belong to pro- or anti-Sandinista professional associations. In February 2011, a bill that would make “media violence” a criminal offense was introduced in the legislative assembly, raising concerns that it could lead to censorship, self-censorship, and repression of journalists. The bill also includes provisions to reduce crimes against women and would prevent women from being disparaged or satirized in the media.

A 2007 law established the right to access public information. However, Ortega's administration is highly secretive, and he has given no press conferences since taking office in 2007, according to local reports. Journalists loyal to the ruling party receive preferential treatment, including exclusive access to official press conferences and government events. For example, during the meeting of the Foro de São Paulo in Managua, accreditation to cover the annual meeting of Latin American leftist parties was denied to news organizations known for their critical reporting on the Ortega administration, such as *El Nuevo Diario*, *La Prensa*, Channel 2, and Channel 12. According to the Inter American Press Association, the spokesperson for the event, Silvio Esteban Rodríguez, confirmed that he did not have authorization to accredit any reporting team from those outlets.

There were few reports of physical attacks against journalists, but media organizations were subject to threats and harassment by both governmental and private actors. In February 2011, *El Nuevo Diario*'s correspondent in Masaya, Mercedes Vanegas, was threatened by the former head of police after the publication of information and photos indicating that his son was a suspect in a murder case. Also in February, Luis Galeano, an investigative reporter at *El Nuevo Diario*, received death threats resulting from his reporting for a series of articles on official corruption. Two days before the articles were published, Galeano received a call from an unknown number on his mobile phone, with the caller telling him that he had "72 hours to live." The death threat was later reiterated in an anonymous letter addressed to Galeano and sent to the newspaper. In September, *El Nuevo Diario*'s correspondent in the northern city of Jinotega, Silvia González, fled the country after receiving numerous death threats. She wrote a series of articles beginning in February about a former guerrilla, Gabriel José Garmendia, widely known as "Yajob," who was killed under mysterious circumstances, according to news reports. She also wrote about corruption in the local government.

There are 10 Managua-based television stations and more than 100 radio stations, which serve as the population's main source of news. Print media are diverse, with several daily papers presenting both progovernment and critical perspectives. Newspaper ownership has traditionally been concentrated in the hands of various factions of the politically influential Chamorro family, while the prominent Sacasa family dominates the television industry. However, in May 2011, *El Nuevo Diario* underwent an ownership change when businessman Ramiro Ortiz Mayorga purchased a 61 percent stake. In December, the paper's longtime news director, Francisco "Chico" Chamorro, was forced to resign from his post—a result of alleged disputes with the new owners regarding the paper's critical editorial stance on the government. Mexican media mogul Angel Gonzalez, noted for his holdings in Guatemala and Costa Rica, also owns significant outlets in Nicaragua. Several media enterprises are owned and controlled by Ortega's family and the FSLN, and Ortega continued to bolster his administration's influence by acquiring more outlets in 2011. At year's end, the ruling party owned radio stations Radio Ya, Sandino, Primerísima, and Nicaragua. The president or the FSLN also control news websites like El 19 Digital and Nicaragua Triunfa, and nearly half of Nicaraguan television news channels, including Channels 4, 6, and 91. Ortega's children manage the stations Multinoticias and Channels 8 and 13.

The government uses economic means to exert pressure on the media. It is known to steer official advertising toward state-owned and regime-friendly outlets. In January 2011, broadcasts by Canal 15 Condega TV were taken off the air because of government pressure. In February, there were reports that the government tried to block the importation of paper used for printing

El Nuevo Diario, allegedly in reprisal for its reporting on wrongdoing and nepotism in the administration.

There are no government restrictions on the internet, which was used by approximately 11 percent of the population in 2011. Although the penetration rate remains relatively low, the internet has had a significant impact on the Nicaraguan media landscape. The number of Facebook users increased from 150,000 to 700,000 in the past year alone, and many Nicaraguans are now using the internet as a primary source for their news.

Niger

Status: Partly Free

Legal Environment: 15

Political Environment: 17

Economic Environment: 17

Total Score: 49

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	58,PF	63,NF	64,NF	68,NF	59,PF

Media freedom, which had deteriorated in 2009 in the wake of an attempted power grab by then president Mamadou Tandja and a subsequent military coup, continued to improve in 2011 under the government of newly elected president Mahamoudou Issoufou. In the year leading up to the March 2011 presidential election, the transitional government had introduced and adopted several reforms. Since taking office, Issoufou continued these reforms. In November, he became the first African president to sign the Declaration of Table Mountain, which calls for the repeal of criminal defamation and insult laws, as well as a press environment in Africa that is free from government, political, and economic control.

Article 23 of the Nigerien constitution guarantees the right to freedom of thought, opinion, and expression. However, press freedom in Niger remains restricted somewhat by the government's control of media licensing, a requirement that journalists be accredited, and bias in the judiciary; self-censorship was also reported. A series of new measures resulted from the March 2010 National Conference on the Media, which was hosted by the interim government in order to find ways to improve the media climate.

In June 2010, the transitional government adopted a draft decree written during the conference that decriminalized media offenses and allowed for fines but not jail time as punishments for libel and publication of false information. However, in July 2011 journalist Modibo Oumarou Aliou, editor of the independent newspaper *Le Canard Déchain*, was arrested and held in prison overnight for alleged "dissemination of false information" against former transitional government leader Djibo Salou's press secretary. The Media Foundation for West Africa called for the use of civil litigation in the case. Also in July 2011, the National Communication Observatory (ONC), the official media regulatory body, temporarily suspended eight newspapers for "unwarranted attacks on citizens by flagrantly violating the provisions of the charter of professional journalists." While the offending articles were said to have included exaggerations, they reportedly did not reach the standard for libel.

In February 2011, the transitional government approved the Charter on Access to Public Information and Administrative Documents, which aimed to improve transparency and the public's access to information.

Another result of the March 2010 conference was the creation of an independent journalists' organization, the Niger Independent Monitoring Center for Media Ethics and Conduct, to self-regulate the industry by monitoring broadcasts and publications. Plaintiffs who bring complaints to the media self-regulatory body cannot also take legal action on those complaints, and according to a July 2011 report by Reporters Without Borders, journalists appear to trust the self-regulatory body and prefer it to the courts. In April 2010, veteran journalist Abdourahamane Ousmane was appointed to head the ONC, which had replaced Tandja's repressive High Council on Communication. Ousmane at the same time served as the chair of the Nigerien Reporters Network for Human Rights; he was also a former editor in chief of a privately owned media group, Alternative. The ONC commenced its work in 2010 by authorizing the reopening of a privately owned FM station, closed down by the Tandja administration, and it issued new licenses and license extensions for a number of private television stations and commercial and community radio stations. In January 2011, the ONC played a critical role in ensuring media fairness during the election campaign, passing two resolutions that standardized the production and distribution of messages from candidates and parties, and overseeing a code of conduct signed by 36 political parties and 2 independent candidates.

Despite the friendlier media landscape, 2011 saw an apparent increase in articles with slanderous and defamatory intent. In July, the publisher of *Le Visionnaire* newspaper was suspended from the National Association of Independent Press Publishers after an investigation concluded that the publisher had used the paper to further a personal vendetta against the head of a privately owned company in Niamey, the capital, by making false accusations.

There were no reported cases of physical attacks or intimidation of journalists in 2011. Also, unlike in 2010, there were no reports that the government inhibited the work of foreign journalists, including while they were covering politically sensitive events in the north of the country.

Some 45 private newspapers compete with a state-run daily in the print media market and provide some criticism of the government. The state continues to dominate the broadcasting landscape, though there are 15 private radio stations that broadcast in French and local languages. Some stations air programming from foreign services such as Voice of America and Deutsche Welle. Radio is the most widely accessible source of news. Three private television stations operate alongside two state-run stations. Restrictive press licensing legislation and a heavy tax on private media outlets continues to hinder the development of the private media sector. In September 2010, the Niger Press Club appealed for an end to the practice of outside individuals and groups paying journalists "bonuses" for certain articles.

Although the government does not restrict internet access, only 1.3 of the population used the medium in 2011.

Nigeria

Status: Partly Free

Legal Environment: 13

Political Environment: 22
Economic Environment: 15
Total Score: 50

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	55,PF	53,PF	54,PF	54,PF	52,PF

The 1999 constitution guarantees freedom of expression and of the press, but Nigeria’s vibrant and active media sector continues to face numerous attempts by state and nonstate actors to suppress political criticism and intimidate journalists into silence. On a positive note, 2011 saw significant improvement in the legal environment with the signing of the Freedom of Information (FOI) Act by President Goodluck Jonathan. The new legislation is the result of a decade-long advocacy campaign led by civil society groups and media practitioners, and guarantees citizens’ right to public information. Its passage made Nigeria the second country in West Africa, after Liberia, to adopt a comprehensive right to information law. Until the passage of the law, access to official information remained restricted by provisions in the 1962 Official Secrets Act and the criminal code, which creates various press and speech offenses, including sedition, criminal defamation, and publication of false news. Whether the recently passed FOI Act will negate the provisions of some of these laws remains to be seen. Libel is a criminal offense, and several journalists have been charged in recent years. In November 2011, Olajide Fashikun, editor of the *National Accord* newspaper, was arrested after alleging in a series of articles that there is corruption in the Nigerian Football Federation (NFF). At year’s end, he was awaiting libel charges by the NFF.

The National Broadcasting Commission (NBC) is responsible for licensing broadcast media and upholding the broadcast code. Some critics allege the commission’s processes and decisions can be opaque and politically biased. In October 2010, President Goodluck Jonathan announced that the government was giving the NBC full authority to consider and issue licenses, including those for community radio, without obtaining final approval from the presidency, provided applications “have met all the conditions stipulated by law.” Despite the announcement, there has been no indication that an amendment to the law establishing the NBC and its charter is pending before the National Assembly to support the change in the commission’s mandate.

In 1992, the military government of General Ibrahim Badamasi Babangida created the Nigerian Press Council to regulate a wide range of media policy, including ownership, registration, and journalistic practice; a 1998 amendment to the decree continued to impose fines and possible jail sentences on noncompliant journalists. The council had a board of 19 appointed members with few media representatives, as industry groups refused to cooperate in nominating members to the board. With the return to civilian rule in 1999, local media advocacy groups challenged the constitutionality of the repressive decree, and in July 2010, a Federal High Court nullified sections of the Nigerian Press Council Act as unconstitutional, rendering the act powerless. The federal justice in the case, A.M. Liman, called the law “a bulwark against the free expression of opinion, ideas and views whether by individual journalists or by the press,” concluding that the act was “a gross violation of the right guaranteed under Section 39 of the constitution.”

Despite the backing of the federal courts in attempts to extend protections for a free press, Nigeria remains a dangerous place to practice journalism. Sharia, or Islamic law, courts—which operate in 12 northern states—demonstrate antagonism toward free expression, and Sharia

statutes impose severe penalties for alleged press offenses. A major threat to press freedom and general public safety in 2011 was the violent campaign by the militant Islamist sect Boko Haram, whose wave of bombings, assassinations, and intimidation claimed hundreds of lives during the year. The group is seeking to impose strict Islamic law over all of Nigeria. In October, the group carried out one of its most brazen attacks on journalists, when members shot and killed Zakariya Isa, a reporter and cameraman for the state-owned Nigerian Television Authority (NTA), as he covered the aftermath of one of the sect's bomb attacks in the northeastern city of Maiduguri.

Other acts of intimidation against the press in 2011 included more than 30 attacks on press freedom in the period leading up to the April presidential, legislative, and gubernatorial elections. Journalists were frequent targets of ill-disciplined police and State Security Service (SSS) agents, who arrested and detained them for brief periods without judicial or legal authorization. Separately, in October, police raided the offices of the *Nation*, seeking information about how the newspaper had obtained a letter from former president Olusegun Obasanjo to President Jonathan outlining Obasanjo's desire for Jonathan to replace the leaders of the Petroleum Technology Development Fund and four other agencies with his own candidates. After newspaper staff refused to disclose such information, police arrested four editors and two journalists; however, they were all released and charges against them were never filed. A number of journalists' murders in recent years remain unsolved. Some journalists practice self-censorship on sensitive political and social issues.

There are more than 100 national and local publications, the most influential of which are privately owned. However, a number of state and local governments own print and broadcast media, as do individuals directly involved in politics. The print sector is generally vibrant and outspoken in its criticism of unpopular state policies. There are 15 major privately owned daily newspapers, one government-owned daily with national reach, and a number of other state-owned dailies that tend to be poorly produced and require large advertising subsidies. Radio tends to be the main source of information for Nigerians, while television is used mostly in urban areas and by the affluent. Private television stations must ensure that 60 percent of their programming is produced locally. The state's history of monopolizing broadcast communications has prevented the development of community radio, although an advocacy movement begun in 2003 has resulted in signs of support from the government.

Licensing fees and taxes for broadcast media remain high, and many outlets experience financial difficulties, limiting their viability. The only two nationwide broadcast networks are state-owned: the Federal Radio Corporation of Nigeria and the NTA. However, in February 2010 the NBC awarded the first private radio and television network license to Silverbird Communications, which had outbid two other private competitors for the licenses, paying 3.5 billion naira (about \$25 million) for the TV network license, and 1.5 billion naira (about \$11 million) for the radio license. A 2004 NBC ban on the live broadcast of foreign programs, including news, on domestic stations remains in force. Nevertheless, foreign broadcasters, particularly the U.S.'s Voice of America and the British Broadcasting Corporation (BBC), are important sources of news in the country.

Bribery and corruption remain problems in the media industry, particularly in the form of "brown envelopes," or small cash gifts that sources give journalists. A 2009 survey of 184 media professionals in Lagos found that 61 percent of them habitually received brown envelopes while on reporting assignments. However, 74 percent of the respondents disagreed that the gifts led to biased coverage, perhaps because the practice is so common.

Approximately 28 percent of the population accessed the internet during 2011. According to the 2011 Africa Media Barometer report on Nigeria, forms of new media, especially social-media outlets such as Twitter, Facebook, and YouTube, provided civil society with a greater voice during the 2011 elections. In comparison to past elections, increased access to the internet allowed the sharing of information and debate surrounding the campaign. There were no reports that the government restricted access or monitored e-mail. However, in March 2010, a Sharia court in Kaduna ordered a human rights group, the Civil Rights Congress (CRC), to close its blog and stop hosting debates on Twitter and Facebook about the use of amputation to punish theft in Nigeria’s 12 northern states governed by Sharia. The debates were prompted by the 10th anniversary of Nigeria’s first case of amputation under Sharia. The CRC said it would appeal the ruling. Bloggers, many of whom are nonresident Nigerians, are occasionally arrested or harassed by the security services. In January 2011, columnist and blogger Okey Ndibe was briefly arrested on arrival in Nigeria and his passport was confiscated for several days.

North Korea

Status: Not Free

Legal Environment: 30

Political Environment: 38

Economic Environment: 29

Total Score: 97

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	97,NF	98,NF	98,NF	99,NF	97,NF

North Korea remained the most repressive media environment in the world in 2011. The one-party regime owns all media, attempts to regulate all communication, and rigorously limits the ability of the North Korean people to access information. Although the constitution theoretically guarantees freedom of speech, constitutional provisions calling for adherence to a “collective spirit” restrict in practice all reporting that is not sanctioned by the government. All journalists are members of the ruling party, and all media outlets serve as mouthpieces for the regime. Since the death of North Korean leader Kim Jong-il in December 2011, the media have focused their attention on consolidating national unity around his successor and youngest son, Kim Jong-un.

Under the penal code, listening to unauthorized foreign broadcasts and possessing dissident publications are considered “crimes against the state” that carry serious punishments, including hard labor, prison sentences, and the death penalty. Even though North Koreans have been arrested for possessing or watching television programs acquired on the black market, there has been an increase in the flow of news and information into North Korea thanks to foreign radio stations and nongovernmental organizations (NGOs) that send multimedia content across the border. Since 2009, Reporters Without Borders has been supporting Seoul-based radio stations such as Free North Korea Radio, Radio Free Chosun, and Open Radio for North Korea, which are the main sources of independent news and information available to the North Korean population. Operating since the mid-2000s, they are the first radio stations run by North Korean refugees to broadcast to the population in the north.

North Korean media portray all dissidents and foreign journalists as liars attempting to destabilize the government, and authorities sharply curtail the ability of foreign journalists to gather information by seizing their mobile telephones upon arrival, preventing them from talking to people on the street, and constantly monitoring their movements. In March 2009, two U.S. journalists, Euna Lee and Laura Ling, were arrested at the Chinese border and incarcerated in North Korea for committing “hostile acts.” They were sentenced in June 2009 to 12 years in a labor camp, but were freed in early August 2009 after former U.S. president Bill Clinton traveled to Pyongyang to negotiate their release. The dictatorial regime does on occasion invite the foreign press to cover events such as parades and festivals that shed a favorable light on the state. In October 2010, foreign correspondents were invited to the 65th anniversary of the ruling Korean Workers’ Party, during which Kim Jong-il formally presented Kim Jong-un as his successor.

In 2007, a Japanese journalist and several North Korean refugees launched *Rimjingang*, the first newsmagazine to be based on independent reporting from inside the country. The reporting is conducted by specially trained North Koreans—most of them refugees along the border with China—who have agreed to go back into North Korea and operate as undercover journalists using hidden cameras. A number of other news outlets based outside the country, including *Daily NK*, also provide reporting about North Korea and rely to some extent on sources based inside the country. Although reports from these outlets are easily accessible for people outside North Korea, within the country, most citizens still rely primarily on state-owned broadcasting agencies for news.

In a recent opening to Western media, North Korea agreed to allow the Associated Press (AP) to open its first full-time and all-format news bureau in the country. The AP office, which had been due to open in December 2011, was delayed following the death of Kim Jong-il. The new office will be located inside the headquarters of the state-run Korea Central News Agency (KCNA) in Pyongyang. Though the agency previously opened a video bureau in 2006, its photographers and journalists will now be able to work there on a regular basis—albeit under heavy restrictions.

There are currently no accurate statistics measuring the rate of internet penetration in the country. However, the online presence of North Korean media has increased in recent years. *Rodong Sinmun*, the ruling party newspaper, launched a new website in February 2011, while the KCNA website has improved since debuting in 2010. The website of the Korean Friendship Association, a major channel for promoting propaganda abroad, offers multimedia content, including videos. North Korea maintains YouTube and Twitter handles under the name of Uriminzokkiri. These new connections, however, have little significance for average citizens. Global internet access is still restricted to a handful of high-level officials who have received state approval, and to foreigners living in Pyongyang. For average citizens, web access is available only to a nationwide intranet that does not link to foreign sites. The Korea Computer Center, a government information technology research center, controls the information that is allowed to be downloaded onto the intranet. As personal computers are highly uncommon in homes, most access occurs via terminals in libraries or offices.

Norway

Status: Free

Legal Environment: 3
Political Environment: 3
Economic Environment: 4
Total Score: 10

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	11,F	10,F	10,F	10,F	11,F

Freedoms of the press and of information are guaranteed under Article 100 of Norway's constitution. There are laws that prohibit hateful expression, but there were no reported cases of this during 2011. In 2008, the European Court of Human Rights had ruled that a government ban on political commercials, designed to ensure equal access to the media for all candidates regardless of varying resources, violated the freedom of expression clause in the European Convention on Human Rights. The government in 2009 rejected the ruling, and said that political commercials would remain illegal, but attempted to address the issue by providing for greater editorial coverage of small political parties on the public broadcaster NRK, as well as granting them access to another television channel, Frikanalen, to disseminate their views. In 2008, parliament approved a bill designed to protect editorial freedom; under the bill, media owners cannot reexamine an editor's decision regarding editorial operations.

In April 2011, the Norwegian Broadcasting Council rejected a complaint by the Israeli ambassador to Norway that the NRK's reporting on Israel was biased. The council launched an external investigation into the reporting but found no proof of bias. In May, several media outlets brought a joint suit against the government in order to gain access to newly surfaced documents and recordings related to a famous 1985 espionage case against Arne Treholt. The Norwegian Police Security Service cited national security concerns for refusing to release the documents. In June, major Norwegian media boycotted a Janet Jackson concert when Jackson's managers and lawyers demanded that journalists sign strict contracts on the use of any photos taken of the singer.

Threats against journalists and media outlets are rare. In July 2010, three Muslim immigrants were arrested in Norway for planning to attack the Danish paper *Jyllands-Posten*, which in 2005 had published the original prophet Muhammad cartoons that sparked a controversy across Europe and the Muslim world; they also planned to attack the cartoonist who drew the Muhammad cartoons. Their trial began in November 2011. A fourth man, Arfan Bhatti, who had earlier been acquitted of terrorist charges, was thrown out of the courtroom as a spectator. He allegedly threatened a TV2 photographer and his family after his expulsion from the courtroom.

The public broadcaster NRK is dominant in both radio and television, and is financed by a license fee, but there is considerable competition from private broadcasters. News is also provided by the private television channel TV2. Norway has one of the highest newspaper readerships in the world, and distributes more than 200 newspapers that express a diversity of opinions. Media concentration is a concern, with three main companies dominating the print sector. One of these companies, Schibsted, owns a majority of Media Norge, a media consortium of several of the country's largest papers, including *Bergens Tidende*, *Aftenposten*, *Stavanger Aftenblad*, and *Fædrelandsvennen*. Media Norge was formed in 2009 after a protracted struggle with the Norwegian Media Authority due to concerns over its size. Competition is still strong, even though the financial downturn has hurt the advertising market.

The internet is widely used in Norway, and it is accessed by about 94 percent of the population. The government does not restrict use of the internet.

Oman

Status: Not Free

Legal Environment: 25

Political Environment: 27

Economic Environment: 19

Total Score: 71

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	71,NF	71,NF	71,NF	71,NF	71,NF

Oman’s 1984 Press and Publications Law is one of the most restrictive statutes of its kind in the Arab world, and serves to create a highly censored and subdued media environment. Articles 29, 30, and 31 of the 1996 Basic Law guarantee freedom of expression and freedom of the press. However, these rights are abridged in practice. Libel is treated as a criminal offense, and journalists can be fined or imprisoned for voicing criticism of the sultan or printing material that leads to “public discord, violates the security of the state, or abuses a person’s dignity or rights.” The Telecommunications Act allows the authorities to prosecute individuals for any message, sent through any means of communication, that violates public order and morals. The already repressive press environment was further threatened in October 2011, when Sultan Qaboos bin Said issued a broadly worded decree that banned the publication of anything that might jeopardize the security of the state, especially as it relates to the security forces. The ban includes all forms of media, including the internet.

Journalists are required to obtain licenses to practice, and since 2005 they have been obliged to reapply each year as an employee of a specific media outlet, effectively excluding the practice of freelance journalism. Journalists may have their licenses revoked at any time for violating press laws. The government also retains the right to close down any media outlet at any time. In September 2011, journalist Yousef al-Haj and editor in chief Ibrahim al-Ma’ mari were sentenced to five months in jail for publishing an article in the newspaper *Azzamn* that was critical of the Ministry of Justice and accused Justice Minister Mohamed al-Hanai of corruption. *Azzamn* was ordered to shut down for a month. Haroun al-Mukbeeli, a Justice Ministry employee who allegedly provided information for the article, was also sentenced to five months in jail.

The Ministry of Information may legally censor any material regarded as politically, culturally, or sexually offensive in both domestic and foreign media, and it has blacklisted several authors and specific books that were deemed controversial. Information and news are widely available, and foreign broadcasts are accessible via satellite in urban areas. However, there is a basic lack of coverage of local topics, such as the economy, unemployment, and minority and migrant issues. Reporters have been jailed in the past for coverage of colleagues’ arrests, and self-censorship is widespread. As a result, physical attacks and intimidation directed at journalists are rare.

In addition to the two major state-owned newspapers, the government owns four radio stations and two television stations. There are eight privately run newspapers currently operating

in Oman. Private newspapers are able to sustain themselves largely on local and international advertising revenues rather than sales, and many no longer need state subsidies. There is one privately owned satellite network that refrains from broadcasting politically controversial content.

About 68 percent of the population used the internet in 2011. Oman’s internet and telecommunications sector was monopolized by the state-run Oman Telecommunications Company until 2008, when the government allowed a privately owned competitor, Nawras, to begin providing internet service. Despite the limited opening of the telecommunications sector, the government still exercises considerable control over the internet. The Internet Service Manual stipulates a lengthy list of prohibited content, including defamation of the ruling family and false data or rumors. The government routinely blocks websites deemed sexually offensive or politically controversial. Some bloggers have been able to use virtual private networks (VPNs) to bypass the censorship of local internet service providers, but in August 2010 the Telecommunications Regulatory Authority (TRA) proposed a new law that would ban the use of VPNs and subject violators to fines of 500 Omani rials (\$1,290). The proposed law has yet to be enacted, but VPN access has been widely blocked. Popular web forums for voicing dissent, such as Farrq, Al-Harah, and Al-Sabla, have also been subject to temporary shutdowns. Private communications including mobile telephone calls, e-mail, and exchanges in internet chat rooms are monitored.

Pakistan

Status: Not Free

Legal Environment: 18

Political Environment: 29

Economic Environment: 16

Total Score: 63

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	63,NF	66,NF	62,NF	61,NF	61,NF

Media freedoms worsened in 2011 as journalists faced an unprecedented level of violence and threats from a range of sources, including the military, intelligence services, and militant groups. The constitution and other legislation, such as the Official Secrets Act, authorize the government to curb freedom of speech on subjects including the constitution itself, the armed forces, the judiciary, and religion. Harsh blasphemy laws have occasionally been used to suppress the media. There were some calls to reform the blasphemy laws in early 2011, but several prominent politicians who spoke out in favor of reform were threatened or killed by extremists, leading to a major chilling effect on discussion of the issue. Under the 2004 Defamation Act, offenders can face minimum fines of 100,000 rupees (\$1,200) and prison sentences of up to five years, but the legislation has not yet been used to convict journalists. Since 2010, broadly defined contempt laws have increasingly been used by the judiciary to curb reporting on particular cases or judges, and a number of print and television outlets were threatened with contempt charges during 2011. Accessing official information remains difficult. In July 2011, the government directed public employees to refrain from giving “embarrassing” information to the media. In October, National

Assembly member Sherry Rehman, a former journalist, introduced the Right to Information Bill. If passed, it would replace the 2002 Ordinance on Freedom of Information with the aim of disclosing more information to the public. The bill had not been approved at year's end.

After almost a decade, the Press Council of Pakistan, officially established through a 2002 ordinance and comprising a mix of industry representatives and nominated members from various societal groups, started functioning in late 2011, with the mission of hearing complaints against the media and promoting journalistic ethics. Broadcast media are regulated by the Pakistan Electronic Media Regulatory Authority (PEMRA). Officials continued to engage in sporadic efforts to temporarily suspend certain broadcasts or programs under other media regulations, including an official code of conduct, or through the ad hoc banning of broadcast rights or blockage of transmissions around sensitive events, such as the killing of terrorist leader Osama bin Laden in May 2011. Recent legislative proposals emanating from both the National Assembly and the Senate would restrict live coverage of violence or terrorist attacks. The proposals also contained broadly worded clauses that would ban the broadcast of any content considered “defamatory against the organs of the state.” The bills were not approved by year's end.

Political actors, government officials, and military and intelligence officers regularly complain about critical coverage, and some have attempted to exert control over media content through unofficial “guidance” to newspaper editors on placement of front-page stories and permissible topics of coverage. Fear of reprisals has caused some journalists to refrain from being overly critical or overstepping unspoken boundaries, particularly concerning military or intelligence operations. Self-censorship also occurs with regard to coverage of sensitive social or religious issues—in 2011, for example, the topic of reforming the blasphemy laws became much more sensitive—as well as certain militant groups and political parties.

The physical safety of journalists remains a key concern. Intimidation by intelligence agencies and the security forces—including physical attacks and arbitrary, incommunicado detention—continues to take place. In late May 2011, Syed Saleem Shahzad, an investigative reporter and author whose work focused on Islamist militancy, was abducted, tortured, and killed, allegedly by the Directorate for Inter-Services Intelligence (ISI); Shahzad had previously received threats from the agency. Amid an outcry following his death, an official commission was established to investigate the murder. Islamist fundamentalists, mercenaries hired by feudal landlords or local politicians, party activists, security forces, and police have been known to harass journalists and attack media offices. According to the Committee to Protect Journalists (CPJ), at least seven journalists were murdered because of their work in 2011, making Pakistan the world's deadliest country for members of the press. While some of these reporters were deliberately targeted, others were killed as they attempted to cover unfolding political events or military operations, or were among the victims of large-scale suicide bombings. Impunity is the norm for such crimes, with many murder cases from previous years remaining unsolved. Reporters regularly receive verbal threats, and in 2011 several high-profile journalists—including the husband-and-wife team Najam Sethi and Jugnu Mohsin, editor and publisher, respectively, of the *Friday Times*—made such threats public in an attempt to draw more attention to the problem. Some, such as Hamid Mir, a senior television anchor, then received protection from the Interior Ministry, according to CPJ, but others were forced into either temporary or permanent exile.

Conditions for reporters covering the ongoing conflict in the Federally Administered Tribal Areas (FATA) and parts of Khyber Pakhtunkhwa Province remained difficult in 2011, as

a number of correspondents were detained, threatened, expelled, kidnapped, or otherwise prevented from working, either by Taliban militants and local tribal groups or by the army and intelligence services. Journalists' ability to cover military operations in these areas is hampered, as they can gain access only if they agree to become "embedded" with military units, which means that any reporting is subject to potential censorship. Reporters in the restive Balochistan Province face pressure and harassment from Balochi nationalists, Islamist groups, and the government. In 2011, conditions for journalists in Balochistan deteriorated sharply; several were killed, including Javid Naseer Rind, deputy editor of the *Daily Tawar*, while others fled into exile after receiving repeated threats. Media remain much more tightly restricted in the FATA than elsewhere in Pakistan. Independent radio is allowed only with permission from the FATA secretariat, and no newspapers are published there. In Pakistani-administered Kashmir, publications need special permission from the regional government to operate, and proindependence publications are generally prohibited. Increasing civil conflict in the city of Karachi during 2011 also made reporting more difficult. In all of these regions, threats to journalists limited the news and information that was available to the general public.

A wide range of privately owned daily and weekly newspapers and magazines provide diverse and critical coverage of national affairs. The government continues to control Pakistan Television and Radio Pakistan, the only free-to-air broadcast outlets with a national reach; their staff receive directives from the Information Ministry, and their coverage supports official viewpoints. Private radio stations operate in some major cities but are prohibited from broadcasting news programming. However, in a dramatic opening of the media landscape in recent years, several dozen private all-news cable and satellite television channels—such as Geo, ARY, Aaj, and Dawn, some of which broadcast from outside the country—have arisen to provide live domestic news coverage, commentary, and call-in talk shows, informing viewers and shaping public opinion on current events. International television and radio broadcasts are usually available, with the exception of news channels based in India. However, in November 2011, cable operators blocked access to the British Broadcasting Corporation (BBC) in response to the airing of a documentary; the BBC's World News channel remained blocked through year's end.

Provincial and national authorities have used advertising or other types of boycotts to put economic pressure on media outlets that do not heed unofficial directives. A ban on official advertisements with the Jang Group, owner of the Geo television station and a number of newspapers and known for its increasingly antigovernment editorial line, remained in effect in 2011, even following protests from trade organizations and members of civil society and media advocacy groups. Both state and private interests—including the powerful intelligence agencies—reportedly pay for favorable press coverage, a practice exacerbated by the low salary levels of many journalists.

The internet is not widely used, with just under 9 percent of the population accessing the medium in 2011. However, blogs are growing in popularity, and many traditional news outlets provide content over the internet. The 2008 Prevention of Electronic Crimes Ordinance criminalized cyberterrorism—broadly defined as using or accessing a computer, network, or electronic device for the purposes of frightening, harming, or carrying out an act of violence against any segment of the population or the government—and provided for harsh penalties in cases resulting in a death. The e-mail accounts of some journalists are reportedly monitored. While websites and blogs addressing sensitive subjects, particularly Balochi separatism, are routinely blocked, starting in 2010 the government moved to block "blasphemous" material as

well. This trend continued in 2011, with attempts to censor websites and mobile phone content. For example, a September decision by the Lahore High Court ordered officials to block access to a number of websites, including the social-networking site Facebook.

Palau

Status: Free

Legal Environment: 1

Political Environment: 6

Economic Environment: 9

Total Score: 16

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	14,F	14,F	14,F	14,F	14,F

Panama

Status: Partly Free

Legal Environment: 17

Political Environment: 19

Economic Environment: 10

Total Score: 46

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	43,PF	44,PF	44,PF	44,PF	44,PF

Freedom of the press is protected by law. However, the law allows for the prosecution of journalists for vaguely defined offenses related to the exposure of private information, and sets serious penalties for leaking government information to the press. Although there has been discussion about repeal, journalists are still subject to *desacato* (disrespect) laws that are meant to protect government officials from public criticism. Press freedoms continued to be severely threatened by the judicial branch and institutions under the direct supervision of President Ricardo Martinelli in 2011, and the risk of legal repercussions and judicial intimidation encouraged self-censorship among Panamanian journalists.

Since 2008, libel and slander against high-ranking public officials have not been subject to penal sanctions, but they remain criminal offenses. Cases occur regularly and often take years to move through the legal system. A draft bill introduced in the National Assembly in early January 2011 would have imposed a prison sentence of two to four years on any individual found guilty of “insulting” the president or any other government official. However, the bill was withdrawn in less than a week due to widespread complaints that it represented an assault on free expression. Press freedom advocates continued to push for the full decriminalization of libel and slander throughout the year. Another bill, introduced and withdrawn in September, would have regulated the salaries of journalists and required them to hold Panamanian citizenship and a university degree in order to practice their profession. In a positive step, a court dismissed a

criminal defamation case in July against Grisel Bethancourt, the president of Panama's National Association of Journalists (CONAPE). The lawsuit had been brought against Bethancourt in 2009 for an article about the murder of a young girl that was based on public court documents. Despite the existence of transparency legislation, access to public information remains limited. Government officials sometimes refuse to release information, especially in cases involving corruption.

Journalists in Panama remain fairly safe compared with colleagues in neighboring countries. However, in a very unusual incident, the owner and program director of Radio Mi Favorita, Darío Fernández Jaén, was shot and killed in November 2011 while walking home in Penononé, in the central province of Coclé. In addition to being a politician with the opposition Revolutionary Democratic Party (PRD) and a former governor of Coclé, Fernández hosted a radio program in which he was critical of President Martinelli and his administration. There were reports that Fernández had received threats in relation to his recent reporting on the allegedly corrupt allocation of local land titles. One perpetrator was arrested later the same month and reportedly confessed to having been hired to carry out the killing.

Harassment of journalists who are critical of the government continued in 2011, and the Martinelli administration persisted in vilifying independent media organizations. Martinelli announced in May that a national dialogue on freedom of expression would be held to address the increasing number of press reports on governmental abuse and threats. However, days later the president accused the media of having a hidden agenda. A smear campaign was launched in May against journalists who reported on U.S. diplomatic cables released by the antisecrecy organization WikiLeaks that were considered damaging to the administration. Videos were broadcast anonymously on YouTube and by the ruling Democratic Change Party on television, mainly targeting *La Prensa* newspaper journalists Lina Vega Abad and Santiago Cumbreira. The videos questioned the reporters' credibility and personal integrity, and were seen as retaliation for their reporting on government corruption. Cumbreira was also verbally abused and threatened in June by Labor Minister Alma Cortés and her staff after he published damaging information on one of the government's social programs. In addition, he received threatening telephone calls in August following his reporting on irregularities in the government titling of public lands.

Foreign reporters also faced official harassment in 2011. In February, two Spanish journalists and human rights activists, Paco Gómez Nadal and Pilar Chato, were pressed by the Panamanian government to accept voluntary repatriation to Spain after they were arrested in Panama City and accused of "disrupting public order" while covering a protest by indigenous and environmental groups against mining law reforms. This was not the first time that Gómez Nadal had been threatened with deportation for his defense and coverage of the rights of Panama's indigenous peoples and his criticism of the government. In July 2010, he was threatened and detained at the Panama City airport for hours and had his passport and residence permit temporarily confiscated without explanation.

All Panamanian media outlets are privately owned, with the exception of one state-owned television network and one radio station. There are about five daily papers, 100 radio stations, and several national television networks. Cross-ownership between print and broadcast media is prohibited. There have been allegations that the government distributes official advertising according to political criteria.

There are no government restrictions on the internet, which was accessed by nearly 43 percent of the population in 2011.

Papua New Guinea

Status: Free

Legal Environment: 6

Political Environment: 11

Economic Environment: 10

Total Score: 27

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	30,F	28,F	26,F	24,F	25,F

While news media in Papua New Guinea (PNG) remain among the most vibrant in the South Pacific, they faced setbacks in 2011, with allegations of corruption tainting the independent Media Council of Papua New Guinea (MCPNG) and a “constitutional coup” in December that effectively left the country with two prime ministers and two administrations.

Under Section 46 of the constitution, freedoms of speech, press, and information are guaranteed. Journalists can be sued for defamation in civil cases, but defamation is not a criminal offense. In November 2011, the Malaysian timber company Rimbunan Hijau, which operates the single largest logging operator in PNG and owns the country’s top-selling daily newspaper, filed a major defamation suit against its press rival, the *Post-Courier*, over its coverage of an official investigation into the company’s logging interests in the Pomio District of East New Britain Province. The *Post-Courier* had reported several stories of police, allegedly sent by Rimbunan Hijau, assaulting landowners who were unhappy with logging operations in the area. Threats of defamation suits were also leveled at reporters covering the sale of the former prime minister’s official jet by the chief executive officer of the state-owned Air Niugini airline, Wasantha Kumarasiri.

PNG does not yet have an access to information law. The MCPNG serves as a buffer against government pressure by lobbying for media freedom, managing a complaints process, and undertaking media research. The council also has a well-developed code of ethics, which member journalists follow. However, the council’s executive director, Nimo Kama, was suspended in June 2011 after an independent audit of Australian government funding to the organization found evidence of fraud.

Threats and harassment against journalists and attempts to interfere with their work occur occasionally, particularly in reprisal for investigative reporting on corruption issues. In June 2011, the government banned a reporter with the popular radio station FM 100 from seeking information on the controversial District Services Improvements Grants and told her that her e-mail messages would be ignored. However, FM 100 said in a statement that it would not back down from investigative reporting. A Nau FM reporter was also reportedly threatened and intimidated in an e-mail message from a staff member at the MCPNG while investigating the council’s administrative problems.

In August 2011, the majority of Parliament members rescinded their confidence in Prime Minister Michael Somare while he was out of the country receiving medical treatment, and voted in former cabinet minister Peter O’Neill to replace him. O’Neill remained in office until December, when the Supreme Court ruled that his election had been unconstitutional and that Somare should be reinstated. However, O’Neill arranged to be reelected by Parliament in a one-

sided vote and declared himself the legitimate prime minister. Both administrations refused to back down and conducted media relations as well as the business of government. Although there were no direct threats or reports of harassment against the media in connection with the crisis, relations between politicians and the press became increasingly strained toward the end of the year.

Both daily newspapers are foreign owned. The *Post-Courier* is owned by an Australian subsidiary of the U.S.-based News Corporation, while the *National*, which has a larger circulation than its older rival, is owned by Rimbunan Hijau. Broadcast media consist of the main public broadcaster, the National Broadcasting Corporation (NBC), as well as several major commercial radio networks, such as Nau FM and FM 100, and the main television station, EMTV. A number of the private outlets are owned by Fijian companies. Radio is an important source of news due to the country's isolated settlements and low literacy rates. According to a media monitoring website, radio news services in PNG are seen as leading the fight against endemic corruption, whereas newspapers are alleged to have been compromised by corporate interests.

The government does not restrict access to the internet, but lack of infrastructure limited internet penetration in the country to 2 percent of the population in 2011.

Paraguay

Status: Partly Free

Legal Environment: 18

Political Environment: 24

Economic Environment: 18

Total Score: 60

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	60,PF	60,PF	59,PF	59,PF	60,PF

The constitution and other laws guarantee freedom of the press, and the government generally respects this right. However, in 2011, the legal environment in Paraguay was dominated by controversial changes to the Telecommunications Law, the continued use of defamation laws against the press, and renewed demand for an information access law. Congress overrode President Fernando Lugo's November 2010 veto of the Telecommunications Law, ratifying it in March 2011. The measure limits community radio stations' broadcasting power to 50 watts and prohibits them from carrying advertising. Freedom of expression organizations like the Association of Community Broadcasters and the Organization of American States' Office of the Special Rapporteur for Freedom of Expression have argued that the law violates international standards of freedom of expression and is a major step backward for human rights.

Paraguay is one of the few remaining countries in the Americas that lack legislation guaranteeing access to public information. A right to information bill failed to pass the Senate in 2006, but two courts of appeal have recognized the right, and an ongoing Supreme Court case, *Vargas Telles v. City of San Lorenzo*, provides the first opportunity for the highest court to set a binding precedent on the matter. In the absence of an access to information law, the Senate approved Resolution 519 in December 2011, which requires prior authorization from the Senate

president before any Senate documents can be turned over to the press. Organizations such as the Access to Information Advocacy Group (GIAI) have criticized the resolution, calling it arbitrary and an attack on fundamental human rights. The newspaper *ABC Color* reported that when it tried to obtain a copy of a bill, authorities said the resolution prevented them from handing it over. In defense of the resolution, Senate president Jorge Oviedo Matto contended that the Senate is not a “neighborhood grocery store” where just anyone can request information.

Relations between the president and the media continued to deteriorate during 2011. The president had refused to hold press conferences since April 2010. In October the minister of communications announced that Lugo would resume the conferences, but the president continued to reject the idea, claiming that the media twist his words.

Paraguayan journalists faced ongoing legal harassment by public officials and others during the year. In August, journalist César Ferreira of Radio Yuty was ordered to go to trial after previously being absolved of defamation and slander against politician Benjamín Adaro Monzón. In October, an appeals court upheld a sentence against *ABC Color* publisher Aldo Zuccolillo, ordering him to pay roughly \$43,000 for a 2006 article that allegedly damaged the honor and reputation of a judge, Carmelo Castiglioni. Although some cases are ultimately dismissed, a consistent pattern of judicial harassment and abuse of the court system aimed at silencing the country’s most influential media outlet continues to take a heavy toll on the resources, finances, and morale of the *ABC Color* staff. Two *ABC Color* journalists, Omar Acosta and Jorge Torres, were facing lawsuits for offending officials in 2011. However, in a sign of progress, journalist Sandra López, also of *ABC Color*, was acquitted in July 2011 of criminal defamation charges brought by politician and businesswoman Zunilda Verónica Castiñeira, who claimed she was harmed by the newspaper’s reports linking her with corruption and drug trafficking. Castiñeira vowed to appeal and also verbally threatened López. In August, Channel 9 journalists Silvio Cuevas, Yolanda Park, and Andrés Caballero, along with former director Ismael Hadid, were acquitted of defamation, libel, and slander charges that had been brought by a lawyer accused of falsifying adoption documents.

In addition to legal harassment, Paraguayan journalists continued to confront threats and physical attacks, and several have been under constant police protection for years. Most notably, in March 2011, journalist Merardo Alejandro Romero of the community radio station La Voz de Ytakyry, in the city of the same name in the state of Alto Paraná, was shot to death in his house. Five days later, his colleague at the station, Rumilio Piris, quit after receiving death threats. Authorities believe Romero’s killing was linked to his criticism of high-ranking officials in the Colorado Party. While three suspects in the killing were arrested, by the end of the year they still had not been charged, and one was freed on December 31. An arrest warrant was issued in April for José Valenzuela, an official in the Colorado Party believed to be connected to the crime. However, he remained at large. In another instance of intimidation, Javier Núñez, correspondent for the newspaper *Ultima Hora*, has been under police protection since receiving two death threats in July for reporting about a transportation company. As of the end of the year, the case remained unsolved. Also in July, an arson attack forced community station Radio Yuty FM off the air. No one was injured, and that case also remained unsolved. Such violence is exacerbated by the activities of the guerrilla Paraguayan People’s Army (EPP), which has repeatedly threatened the press. The EPP was blamed for the January explosion of a homemade bomb at the headquarters of Channel 9 in the capital, Asunción. A letter from the EPP was given to the station, declaring that the press had become a military target by serving as the government’s “accomplice and accessory.”

The unstable “tri-border” area where Paraguay meets Brazil and Argentina remains a region of particular concern regarding journalists’ safety and ability to report without violence and pressure from organized crime or politicians. The region’s drug trafficking, organized crime, official corruption, and judicial impunity mean that journalists often practice self-censorship in order to avoid being targeted. Nevertheless, journalists in Ciudad del Este are occasionally censored, threatened, or fired as a result of pressure from government officials.

In Paraguay, most major newspapers, television stations, and radio stations are privately owned. The government owns and operates a public radio broadcaster, Radio Nacional del Paraguay, and a public television station, TV Pública Paraguay, launched in August 2011. The vast majority of the radio spectrum is controlled by either private or state stations, despite attempts by community stations to gain a bigger presence. The community radio organization Voces Paraguay alleges that seven business conglomerates dominate the country’s media sector. Still, progress was made in 2011, as Paraguay’s annual human rights report noted the creation of numerous indigenous community radio stations in the Western Chaco region. The report also praised the creation of the public television station as an education space for the citizenry and a medium for pluralistic content, though it faced structural and budgetary weaknesses.

Approximately 24 percent of the population used the internet in 2011, and there were no reports of government restrictions on access. Ease of access has dramatically increased over the past several years.

Peru

Status: Partly Free

Legal Environment: 14

Political Environment: 19

Economic Environment: 11

Total Score: 44

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	42,PF	44,PF	44,PF	44,PF	43,PF

Freedom of the press is guaranteed by the 1993 constitution, but local and international media organizations continued to express concern about the harassment of reporters by both state and nonstate actors in 2011.

Politicians frequently react to criticism, particularly corruption allegations, by suing journalists, press outlets, and activists. Defamation remains a criminal offense that can result in imprisonment. In response to pressure from national and international media freedom organizations, Peru’s Congress passed a bill in July 2011 that would eliminate jail terms for defamation and impose only fines and community service. While President Ollanta Humala expressed support for the decriminalization of libel before he was elected in June, he had yet to sign the bill into law at year’s end.

According to the National Association of Peruvian Journalists (ANP), there were 25 defamation cases against journalists in 2011. Journalist Paul Garay Ramírez received a three-year sentence in April—reduced to 18 months in July—and a fine of nearly \$7,500 for allegedly accusing prosecutor Agustín López of corruption on his radio program. However, in October,

after Garay had served over six months in prison, the Supreme Court overturned the conviction due to faulty evidence, which included a tape recording of the radio broadcast in question that Garay had denied was his voice or his program. In July, a criminal court sentenced journalist Hans Francisco Andrade Chávez to a two-year prison term and monetary compensation for defaming a deputy mayor of Chepen; an appeals court overturned the verdict in October. In September, Gaston Medina, the owner of a television and radio station, received a suspended prison sentence and was required to pay fines for the defamation of a local congressman. In November, Teobaldo Meléndez Fachín, director of the news program *Ribereña Noticias*, received a three-year suspended sentence and an \$11,000 fine for reports alleging that the mayor of Yurimaguas had misused a \$2 million government loan. In December, journalist Luis Torres Montero received a sentence of two years in prison and a fine of about \$55,000 for a political satire published in *La Primera* in 2010.

Despite the existence of access to information laws, adherence to transparency norms is inconsistent, particularly at the regional and local levels. There is no independent media regulatory body; under the 2004 Radio and Television Law, broadcast licensing is the responsibility of the Ministry of Transport and Communications.

The hostile climate for the press was evidenced in 2011 by numerous physical attacks and verbal threats against media workers. They were perpetrated by local officials, private actors, and the police, particularly in the run-up to the June 2011 presidential election. Topics like corruption, misuse of state resources, and drug trafficking are considered particularly dangerous to cover. Three journalists were murdered in Peru during the year. Julio Castillo Narváez, a host on the radio station Ollantay, was shot and killed in May at a restaurant in the northern city of Virú. Castillo was a strong critic of the conduct of municipal, provincial, and regional officials, and had reportedly received death threats for months. Pedro Alfonso Flores Silva, host of the Casma-based television news program *Visión Agraria*, was shot on September 6 on his way home and died two days later. He had allegedly been receiving death threats for two months before his murder. Flores had previously been sued for defamation by the mayor of the Comandante Noel district, Marco Rivero Huerta, but Rivero denied any involvement in Flores's death. Three suspects in the killing were arrested later in September. José Oquendo Reyes, host of the television news program *Sin Fronteras*, was shot and killed outside his home in the province of Chincha on September 14. Oquendo had been critical of the local government in his reporting and had accused the mayor of corruption; a suspect was arrested within days of the murder.

The National Association of Peruvian Journalists registered 189 cases of attacks on journalists in 2011, including physical and verbal attacks, threats and harassment, administrative and judicial pressures, and impediments to practicing journalism. In addition to tensions between the government and press outlets, there were numerous cases in which nonstate actors were accused of abusing journalists, including an incident in November in which the offices of the daily newspaper *El Sol de los Andes* in the city of Huancayo were vandalized by a mob of about 30 people who were upset over an article that linked local police with criminal gangs. Impunity for perpetrators of attacks on journalists has been a problem, and in November 2010 a special jurisdiction within the court system was created to hear cases involving serious crimes against journalists.

The government owns two television networks and one radio station, and operates the print news agency Andina. However, private outlets dominate the media industry, and the audience for state-run media is relatively small. Radio is an important news medium, especially

in the countryside, and many incidents of harassment, intimidation, and censorship by media owners are related to coverage of local issues on the radio. The media corruption that was endemic during Alberto Fujimori’s presidency in the 1990s continues to some extent, with journalists occasionally accepting bribes in exchange for slanted coverage, and owners using media outlets to promote their broader business interests.

The internet is not restricted by the government, and about 37 percent of the population has access.

Philippines

Status: Partly Free

Legal Environment: 12

Political Environment: 20

Economic Environment: 10

Total Score: 42

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	46,PF	45,PF	45,PF	48,PF	46,PF

The constitution guarantees freedom of speech and expression. There are no restrictive licensing requirements for newspapers or journalists, and few legal limitations such as privacy or obscenity laws. However, national security legislation introduced in 2007 can be used to limit journalists’ traditional rights and access to sources. Also that year, then president Gloria Macapagal Arroyo issued Executive Order 608, creating the National Security Clearance System, which was designed to “protect and ensure the integrity and sanctity” of classified information against “enemies of the state.” The order came shortly before legislative elections, and called on the heads of government agencies to implement a vaguely defined security-clearance procedure approved by the national security adviser.

The country’s penal code makes libel a criminal offense punishable by a prison term and, in some cases, large fines. Defamation suits continue against those who criticize authorities. In March 2011, Edgardo Maliza was arrested on libel charges for criticizing Ernesto Adobo, then the regional executive director of the Department of Environment and Natural Resources (DENR) in Northern Mindanao, in two 2009 articles, when Maliza was editor and publisher of the *Azilam Review*. The articles criticized Adobo for alleged misuse of government certificates. In April, Albert Loyola, a broadcaster from radio station dxRJ, was arrested on charges of libel against local city councilor Chonilo Ruiz in southern Lanao del Norte province. The journalist was released later that month after posting bail. Because of the frequency of libel suits, the mere threat of such charges is often enough to stifle criticism of officials and public figures.

In his first year in office, President Benigno Aquino, elected in May 2010, failed to prioritize the passage of a Freedom on Information (FOI) law, despite his vaunted platform to end corruption and promote greater transparency in government. By the end of 2011, Aquino’s lieutenants had drafted a FOI bill that is set to be prioritized in 2012. Legislators and politicians had reportedly lobbied to include provisions that would limit any FOI law’s retroactivity, while Aquino was reportedly favored a national security exemption. Nevertheless, civil society advocates see the bill as a genuine step forward. While the formal law was being discussed, in

June, the Supreme Court allowed media and private companies to cover the trials of suspects in the 2009 Ampatuan massacre, in a positive effort to promote freedom of information. In the massacre, 32 journalists and media workers, out of 57 people in total, were killed in southern Maguindanao province, in one of the worst incidents of political violence in the Philippines' recent history.

Although a censorship board has the power to edit or ban content for both television and film, government censorship does not typically affect political material. Both the private media and the country's many publicly owned television and radio stations address numerous controversial topics, including alleged election fraud, ongoing counterinsurgency campaigns, and high-level corruption cases.

The year 2011 saw continued improvement from 2009, when the Philippines was the world's most deadly environment. That year, 29 journalists and three media workers were killed in the Ampatuan massacre. However, violence and threats against journalists remain. Two journalists were killed in 2011, according to the Committee to Protect Journalists (CPJ). In January, broadcaster Gerardo "Gerry" Ortega was assassinated in Puerto Princesa, likely as a result of his criticism of former Palawan governor, Joel Reyes. International organizations urged the country to solve this case, and suspects were in custody, but they were released in June due to insufficient evidence. In June, Romeo Olea, a radio commentator, was shot on his way to work. He had received death threats in the past because of his harsh commentary about governance issues in Irgia City, where he lived. Journalists are also frequently subject to violence and harassment. In February, the publisher-editor of the Iloilo-based *Western Visayas Daily Guardian*, Lemuel Fernandez, was hit on the head while entering his car outside his office and sustained minor injuries; the attack was likely a result of the newspaper's discussion of sensitive issues. Also in February, four journalists received death threats for their coverage of controversial issues. In May, a government-owned radio station was attacked with homemade bombs which set the building on fire. No one was injured.

In 2011, CPJ ranked the Philippines third, after Iraq and Somalia, in its impunity index, which tracks the worst records for solving murders of journalists. The Arroyo administration had made some efforts to address the issue, such as establishing in 2006 Task Force USIG, a special police unit, as well as the Melo Commission to Investigate Media and Activist Killings. In 2008, the Supreme Court granted the first writ of amparo, which ordered the protection of a journalist who was targeted in a murder plot. The law on the writ of amparo, which was instituted in October 2007, protects the right to "life, liberty and security" in cases pertaining to extralegal killings, enforced disappearances, or threats of such acts. The government and judiciary hoped the new tool would help stem the rise in journalist killings; while a positive measure, it has proven limited in effect. In May 2010, Aquino pledged to end the killings and impunity, asserting that justice would be achieved and that half of the cases of extrajudicial killings were on their way to being resolved. Muhammad Maulana, who in 2005 killed Edgar Amoro, was sentenced to life in prison in January 2010, bringing the country's total number of convictions to six since 2001, according to the Philippines' Center for Media Freedom and Responsibility (CMFR). Amoro was a witness in the 2002 slaying of journalist Edgar Damalerio. Additionally, in April 2011, murder charges were filed against the killers of Marlina Flores-Sumera. The Ampatuan trials continued during 2011, but were bogged down by judicial technicalities and a slow-moving court process, as well as attempts to subvert the process altogether by some defendants. According to CPJ, by late 2011, only 70 of the case's 195 suspects had been charged, and 100 of them were evading police custody by hiding out in remote regions of the country.

Most print and internet-based media outlets are privately owned, and while the government owns some television and radio stations, they present a wide variety of views. While the private press has approximately 500 newspaper titles, television ownership is somewhat concentrated, with two broadcast networks controlled by wealthy families dominating audience share and advertising. Often criticized for lacking journalistic ethics, media outlets tend to reflect the political or economic orientations of their owners and patrons, and special interests reportedly employ bribes to elicit favorable coverage. News reports are often rooted in sensationalism and innuendo in order to boost circulation. The nature of advertising and the prevalence of “block timing”—buying airtime for political or partisan purposes—in radio broadcasting contribute to sensational reporting.

About 29 percent of the population accessed the internet in 2011, and the government did not restrict access. Social-media sites such as YouTube, Facebook, and Twitter, as well as international blog-hosting services are openly available, and penetration rates of these sites are among the highest in the region. Mobile phones remain the most widely used technology in the country, with 87 million subscribers.

Poland

Status: Free

Legal Environment: 8

Political Environment: 10

Economic Environment: 7

Total Score: 25

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	22,F	24,F	24,F	24,F	25,F

Although the constitution protects freedom of speech and of the press, libel and some forms of insult—including defamation of public officials or the state, and statements that offend religious beliefs—are criminal offenses punishable by fines and prison sentences. In July 2011, an appeals court ruled in favor of Adam Michnik, editor of the best-selling daily newspaper *Gazeta Wyborcza*, who in 2007 had sued conservative Law and Justice (PiS) party leader Jarosław Kaczyński for likening *Wyborcza* to a communist-era newspaper and accusing its parent company of supporting “former communist oligarchs.” The court ruled that Kaczyński must publish an apology, but he has refused and indicated that he would appeal the case to the Supreme Court or the European Court of Human Rights. Michnik, an outspoken critic of censorship under communism, has initiated a significant number of defamation proceedings in the last decade, as have Kaczyński and several members of PiS. There were no new cases brought in connection with Poland’s controversial “blasphemy law” in 2011, though a case against pop star Dorota “Doda” Rabczewska—accused of offending religious sensibilities in a 2009 interview—was still pending at year’s end.

In May, officers of the Agency of Internal Security (ABW) searched the residence and confiscated the laptop of Robert Frycz, editor of a website dedicated to criticizing President Bronisław Komorowski. ABW obtained its search warrant under Article 125.2 of the penal code, which criminalizes defamation of the president. In addition to parody and criticism, the site

features a game in which players can shoot the president. Public outrage over the ABW raid prompted renewed calls for the abolition of Article 135.2. The investigation of Frycz had not been completed at year's end.

The National Broadcasting Council (KRRiTV), whose members are selected by the president, the Sejm (lower house of parliament), and the Senate, has the power to regulate programming, allocate subscription revenues to public media, distribute broadcasting frequencies and licenses, and impose financial penalties on broadcasters. Although KRRiTV members are required to suspend their membership in political parties, the council has always been a highly politicized body. In June 2010, then president-elect Komorowski, the Sejm, and the Senate all rejected KRRiTV's annual report, effectively ending the tenure of the existing council, which favored the opposition PiS. The new council, inaugurated that August, consisted of five members, all of whom were selected by the ruling center-right Civic Platform (PO) party or Poland's strongest left-wing party, the Democratic Left Alliance (SLD). Disputes between PO and SLD council members over the appointment of public media board members became so severe that KRRiTV was nearly dissolved again in 2011.

In April, Komorowski signed a legal amendment designed to make Polish media law compatible with European Union (EU) broadcasting regulations. The original draft included an ambiguously worded stipulation that broadcasters of video-on-demand (VOD) services should register with the KRRiTV. In response to widespread criticism from broadcasters and the general public, all mention of VOD was later removed. In September, in another attempt to harmonize Polish legislation with EU rules, the parliament revised the law regulating public access to information. A bill drafted by the Sejm was passed to the Senate, which amended it to give state bodies the right to limit or deny information requests that would harm "important state interests." The Sejm accepted the Senate's changes, and Komorowski signed the bill into law despite civil society groups' calls for him to veto it or refer it to the Constitutional Tribunal for review.

At present, standards accepted by professional associations emphasize objectivity in reporting, but the culture of journalism in Poland remains highly partisan. Public media coverage preceding October 2011 parliamentary elections was reasonably balanced, especially when compared with the 2010 presidential election period. In February, the government had amended its freshly adopted electoral code to level the playing field for all candidates by banning paid campaign advertisements on radio and television, as well as posters or billboards exceeding two square meters in size. After the amendment was contested by deputies from PiS, the Constitutional Tribunal agreed that the ban would violate principles of free speech, and it was withdrawn.

Polish print media and radio outlets are predominantly private and highly diversified, and a number of national dailies have been launched in recent years. According to the European Journalism Centre, German and other foreign owners control approximately 80 percent of the Polish media market. The only major domestic competitor is Agora SA, with an 18.3 percent share. The public television broadcaster TVP and its four channels remain a major source of information for most citizens. It has been reported that only one in three households actually pays the mandatory subscription fee collected from radio and television owners to support public broadcasting. Draft changes to the fee system under consideration at the end of 2011 would assume that any household with electricity has a television, radio, or computer and must pay the subscription fee. Since 2009, many media companies have been forced to cut spending and lay off employees due to financial constraints. Poland's television advertising market remained weak in 2011, but digital advertising continued to grow and bring income to media companies.

Roughly 65 percent of the population had regular internet access in 2011, and the medium is not restricted by the government. However, a 2011 case against blogger-journalist Łukasz Kasprowicz raised new questions about freedom of expression in the Polish blogosphere. In January, a court found Kasprowicz guilty of defaming the mayor of Mosina, a town near Poznań in western Poland. He was ordered to perform 300 hours of community service, apologize to the mayor in writing, and pay a fine of 500 złoty (\$170) to the Polish Red Cross. The court also banned Kasprowicz from working as a journalist for one year. In June, a higher court reversed the January decision and acquitted Kasprowicz. The judge in that ruling noted that public figures must tolerate even harsh criticism from citizen journalists, provided the opinions involve the public activities of a public official and are expressed to serve a public interest. In July 2011 Foreign Minister Radosław Sikorski initiated a defamation case against the online versions of the tabloid *Fakt* and the business daily *Puls Biznesu*. Articles about Sikorski in December 2010 had elicited offensive and anti-Semitic remarks from some readers, which remained visible in the comments sections of both sites for several months. In May, the publications apologized to Sikorski and removed the comments that directly pertained to him and his wife, but Sikorski continued to press his case for 20,000 złoty (\$6,750), arguing that editors should have removed the comments much earlier. Sikorski also wanted such websites to require users to provide identifying information to administrators before commenting.

Portugal

Status: Free

Legal Environment: 5

Political Environment: 6

Economic Environment: 6

Total Score: 17

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	14,F	16,F	16,F	16,F	17,F

Freedom of the press is guaranteed by the constitution, and laws against insulting the government or the armed forces are rarely used against journalists. A 2007 revision of the Journalist Statute allows courts investigating criminal cases to order journalists to divulge their confidential sources. Lawmakers argued that the identity of sources would, in many instances, be too difficult to procure through other means, but journalists contested that the revision would effectively allow judges to make them carry out police work. The rule has not been used to date.

Portugal passed an access to information law in 2003, adding to the 1993 Law of Access to Administrative Documents. Much government information is freely accessible in practice, although laws prohibit news coverage or commentary on ongoing judicial investigations and trials.

Cases of physical harassment or intimidation of journalists are rare. In July 2011, a Lisbon court ruled in favor of the magazine *Sábado*, which had accused Ricardo Rodrigues, vice president of the Socialist Party, of violating freedom of the press. Rodrigues had grabbed the digital recorders of two journalists who were interviewing him in the parliamentary library in April 2010. The weekly *Espresso* revealed in August 2011 that senior members of the country's

Strategic Defense Intelligence Service (SIED) had illegally obtained a journalist’s telephone and text records. The journalist had written a story about alleged tension between SIED and the Security Intelligence Service (SIS), the country’s domestic intelligence agency.

Portugal has six main national newspapers: four dailies and two weeklies. State-run and state-financed media outlets are considered to be editorially independent. There are around 300 local and regional private radio stations; Rádio Renascença, which is run by the Roman Catholic Church, commands a wide audience. Commercial television has been making gains in recent years, providing serious competition for the underfunded public broadcasting channels. As in many countries, the Portuguese media have felt the impact of the ongoing financial crisis, suffering from advertising losses and shrinking print circulation. The lack of job security for many younger journalists makes them more vulnerable to self-censorship and pressure regarding content.

The internet is unrestricted, and about 55 percent of the population accessed it in 2011. Many prominent journalists and politicians contribute to social media and blogs, but the blogosphere remains relatively undeveloped.

Qatar

Status: Not Free

Legal Environment: 20

Political Environment: 25

Economic Environment: 22

Total Score: 67

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	63,NF	64,NF	65,NF	66,NF	66,NF

While Qatar’s flagship satellite television channel, Al-Jazeera, is permitted to air critical reports on foreign countries and leaders, journalists are subject to prosecution for criticizing the Qatari government, the ruling family, or Islam. Article 47 of the constitution “assures” freedom of expression “according to circumstances and conditions” prescribed by law. The 1979 Press and Publications Law is administered by the criminal courts and assigns jail sentences for libel. Broadly framed antiterrorism legislation can also be used to restrict freedom of expression. The Advisory Council, Qatar’s appointed legislative body, drafted a new press law in 2011 that would eliminate the jailing of journalists for defamation, prohibit officials from questioning journalists without a court order, and permit journalists to keep their sources confidential unless instructed otherwise by a court. Multiple provisions would regulate online media. Although the cabinet endorsed the bill in June, it had not yet been enacted at the end of the year.

All publications are subject to licensing by the government. The government, the Qatar Radio and Television Corporation, and customs officers are authorized to censor domestic and foreign publications as well as broadcast media for religious, political, and sexual content prior to distribution. Self-censorship is reportedly widespread. Sultan al-Khalaifi, a democracy and human rights activist and blogger, was detained by security forces in March 2011, presumably for posting criticism of the Qatari government online. He was released in April without charge. Foreigners make up a majority of the media workers in the country, and there is a disparity in the

authorities' treatment of Qatari and non-Qatari journalists. While local reporters often receive warnings and threats when they push the limits of permissible coverage, noncitizens employed by Qatari media outlets risk harsher repercussions, including termination, deportation, and imprisonment.

All foreign journalists working in the country must be accredited by the Qatar Foreign Information Agency and sponsored by a local institution or the Information Ministry. However, journalists in compliance with these rules can still be barred from entering the country. In April 2011, two Swiss television journalists filming a report on preparations for soccer's 2022 World Cup were arrested, interrogated, and prevented from leaving Qatar for 13 days. The crew's employer, Radio Télévision Suisse, said the two journalists had received prior authorization to develop the report on the World Cup preparations. They never received an explanation for their arrest and were released only after the intervention of the Swiss ambassador.

The Doha Center for Media Freedom (DCMF) opened in 2008 under the patronage of the emir's wife and with the support of Reporters Without Borders (RSF), an international press freedom watchdog group. Its mission was to provide physical protection to journalists, including safe houses and bulletproof vests. Former RSF director Robert Ménard was appointed to lead the DCMF. However, he wrote a public letter in February 2009 decrying Qatar's oppressive media law and taking issue with the government's refusal to extend visas to foreign journalists who were threatened in their own countries. In March of that year, a reporter working for the DCMF was barred from leaving the country to attend a meeting abroad. In May 2009, Ménard invited a controversial Danish editor—who in 2005 had published a series of cartoons of the prophet Muhammad in the Danish newspaper *Jyllands-Posten*—to a conference in Doha marking World Press Freedom Day. This drew public condemnation from government officials and domestic media outlets, and the Advisory Council called for Ménard's dismissal. He and several staff members resigned in June 2010, and RSF ended its relationship with the DCMF. Since April 2011, the DCMF has been led by Jan Keulen, a veteran Dutch journalist, media educator, and press freedom advocate, who began advocating a new legal framework for media in Qatar shortly after his arrival. Keulen said he had a free hand to develop the DCMF.

Qatar has seven newspapers that publish in either Arabic or English, all of which are owned by members of the ruling family or their business associates. The state owns and operates all broadcast media, and there are only two television networks in the country, Qatar TV and Al-Jazeera. While Qatar TV broadcasts mostly official news and progovernment perspectives, Al-Jazeera focuses its coverage on regional and global news, providing only sparse and uncritical reports on local issues. Programming on local radio stations is more accommodating to criticism of government services and operations. The concentration of media ownership within the ruling family and the high financial costs and citizenship requirements for obtaining media licenses continue to hinder the expansion and freedom of the press.

Approximately 86 percent of the population used the internet in 2011. The government censors political, religious, and pornographic content through the sole, state-owned internet service provider. Internet users are directed to a proxy server that maintains a list of banned websites and blocks material deemed inconsistent with the religious, cultural, political, and moral values of the country.

Romania

Status: Partly Free
Legal Environment: 12
Political Environment: 15
Economic Environment: 14
Total Score: 41

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	42,PF	44,PF	44,PF	43,PF	42,PF

Press freedom is protected by the constitution and generally respected by the government. After a lengthy period of legal ambiguity, libel was effectively decriminalized by a Supreme Court ruling in 2010. No major civil cases were reported in 2011. Journalists regularly use Romania’s freedom of information law to obtain public records, but bureaucratic obstacles and uneven enforcement have been reported. Appointments to the National Council of Broadcasting are politicized, resulting in ineffective regulation and biased decision-making.

A new general director took office at the public television broadcaster, TVR, in the second half of 2010, replacing a former official of the Social Democratic Party (PSD) who drew complaints for politicized control over editorial matters. Many observers praised the change, noting the new director’s experience as a media professional. However, opposition parties accused TVR of favoring the government in 2011, and the broadcaster continued to face financial difficulties. The private media sector is dominated by conglomerates owned either by foreign companies or powerful Romanian businessmen, some of whom have openly used their outlets to attack President Traian Băsescu. One such owner, Sorin Ovidiu Vântu, was arrested in April on racketeering charges after a business associate accused him of extortion. His Realitatea media group was sold a few days later to Romanian real-estate investor Elan Schwartzberg. Vântu claimed that his legal troubles were politically motivated; he had been arrested in September 2010 on separate charges—later dropped—that he had aided a man at the center of a Ponzi scheme.

While no cases of serious violence against journalists were reported in 2011, politicians have displayed hostility toward critical outlets, and reporters sometimes face physical altercations in the course of their work.

TVR competes with several popular private television stations, including Pro TV and Acasa TV, both owned by the Bermuda-based Central European Media Enterprises (CME); Antena, owned by opposition politician Dan Voiculescu; and Realitatea. The public broadcaster similarly operates alongside private networks in the radio sector, and the major Romanian and foreign conglomerates have considerable holdings in the print sector as well. A number of print outlets have closed since the economic downturn in late 2008, and many others survive on infusions of cash from their owners, who use them to advance political and business interests. The broadcast sector has also suffered. After changing ownership in April 2011, Realitatea filed for insolvency reorganization in September, and some foreign-owned stations were reportedly up for sale during the year. Individual journalists in Romania are susceptible to various forms of financial and editorial pressure, particularly given the poor economic environment.

Access to the internet is widely available, with no reports of government interference. Close to 44 percent of the population used the internet in 2011. However, online news outlets and blogs are still poorly developed, with most users obtaining news from the web versions of established newspapers and television stations.

Russia

Status: Not Free

Legal Environment: 24

Political Environment: 32

Economic Environment: 24

Total Score: 80

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	75,NF	78,NF	80,NF	81,NF	81,NF

Russian media freedom remained extremely poor in 2011, with the Kremlin relying on both crude and sophisticated forms of media management to distract the public from widespread government corruption, terrorist attacks, and the country's economic troubles. These problems were made worse by a rapid decline in the popularity of the ruling United Russia party and widespread frustration over Prime Minister Vladimir Putin's decision to run for a third presidential term in March 2012. Most state and privately owned mass media engaged in blatant propaganda that glorified the country's national leaders and fostered an image of political pluralism, as the government maintained control over key television outlets while allowing some coverage of opposition protest rallies that occurred in December in the wake of fraudulent parliamentary elections.

Although the constitution provides for freedom of speech and of the press, officials used the country's politicized and corrupt court system to harass the few remaining independent journalists who dared to criticize widespread abuses by the authorities. Dozens of civil and criminal cases were launched against journalists during 2011, often for defamation. In March, the independent newspaper *Novaya Gazeta* lost an appeal in the Moscow City Court and was required to pay 100,000 rubles (\$3,320) in damages to the Kremlin's presidential property management office, having published a July 2010 article that alleged corruption in some of the construction projects overseen by the office. In August, the Presnensky District Court in Moscow ordered daily newspaper *Moskovsky Komsomolets* to pay 150,000 rubles (\$4,920) in damages to the Putin-linked Federatsiya Foundation after publishing a report in which it was claimed that the organization had mismanaged its funds. The authorities also used legal technicalities to harass foreign correspondents whose reporting embarrassed the Kremlin. In February, border guards at Moscow's Domodedovo International Airport annulled the visa of Luke Harding, the Moscow correspondent for Britain's *Guardian* newspaper, and deported him back to London; Harding had covered aspects of the WikiLeaks scandal that portrayed Putin unfavorably.

The authorities charged a number of government critics, including journalists and media outlets, with extremism and other trumped-up charges designed to limit their activities. The independent newspaper *Moi Gorod Kostroma* faced a campaign of legal harassment before the December parliamentary elections. Police began an investigation of the paper, and prosecutors twice questioned editor Ruslan Tsarev in an effort to identify the authors of several articles that criticized local officials. The growing role of the internet as an alternative source of news led the authorities to expand their legal jurisdiction over the web. An amendment to the Media Law that

came into force in November encouraged online news websites to register voluntarily as “internet publications” with the government communications regulator, Roskomnadzor.

Journalists continued to find it extremely difficult to cover the news freely, particularly with regard to human rights abuses in the North Caucasus, government corruption, organized crime, police torture, the activities of opposition parties, widespread violations committed during the December parliamentary elections, and the anti-Putin nature of the subsequent demonstrations. In July, several soldiers assaulted a television crew from Volga TV as they were filming a large fire that broke out at a military warehouse in the central Russian city of Nizhny Novgorod. Police officers blamed the journalists for the assault because they had not “coordinated” their work with the military and emergency responders. When Moscow police were dispersing protesters after the parliamentary elections, at least six journalists were detained, even though they identified themselves as media workers. A billionaire tycoon with close links to the Kremlin fired two media executives—editor Maksim Kovalsky and general director Andrey Galiyev of the weekly *Kommersant Vlast*—after they published an article accusing Putin and the United Russia party of orchestrating the extensive ballot stuffing that occurred during the elections.

Russia remains one of the most dangerous countries in the world for the media due to widespread lawlessness that allows politicians, security agents, and criminals to silence journalists with impunity. According to the Glasnost Defense Foundation, six journalists were killed in 2011, although only one was murdered in retaliation for his reporting. Gadzhimurad Kamalov, founder of the independent weekly *Chernovik*, was gunned down as he left work in Makhachkala, capital of the southern republic of Dagestan. The newspaper had endured years of threats and legal harassment for its bold reporting on government corruption, police abuse, and Islamic radicalism. The authorities have failed to investigate or solve the vast majority of crimes against journalists in previous years, and suspects who are identified rarely receive serious punishments. Over the course of 2011, at least three former or current government officials received suspended prison sentences when they were prosecuted in local courts for participating in or organizing attacks against journalists: Viktor Begun, the mayor of a small town in the Perm region; Artur Idelbayev, the former deputy chief of the Bashkortostan government’s directorate for the press; and Aleksey Klimov, a former police officer from a village outside of Moscow.

After three years of intense advocacy by the Committee to Protect Journalists (CPJ), the authorities announced in February that they would reopen five unsolved cases, but by the end of the year there had been progress in only one. In April, the Moscow City Court convicted two neo-Nazi activists for the 2009 murders of freelance journalist Anastasiya Baburova and human rights lawyer Stanislav Markelov, and in May sentenced one of the defendants to life in prison and the other to 18 years. Regional prosecutors in the southern city of Samara who reopened the case of the murdered editors of the independent newspaper *Tolyattinskoye Obozreniye*—Valery Ivanov, killed in 2002, and Aleksey Sidorov, killed in 2003—failed to pursue an important lead related to their reporting on police corruption. The colleagues of Natalya Estemirova—a famous journalist and human rights activist based in Chechnya who was murdered in 2009—criticized prosecutors for relying on flawed evidence and focusing their inquiry on a dead Chechen rebel commander. In the spring and summer of 2011, the authorities charged two people for the 2006 murder of Moscow-based *Novaya Gazeta* reporter Anna Politkovskaya, but failed to make any substantive progress in identifying who ordered the slaying.

The authorities exert significant influence on media outlets and news content through a vast state-owned media empire. The state owns, either directly or through proxies, all six

national television networks, two national radio networks, two of the 14 national newspapers, more than 60 percent of the roughly 45,000 registered local newspapers and periodicals, and two national news agencies. In 2011, this allowed the government to fill the media with apolitical entertainment and pro-Kremlin propaganda while avoiding coverage of rising unemployment, bank failures, declining industrial production, election abuses, and the falling value of the ruble. International radio and television broadcasting is restricted. Most private FM radio stations have been pressured to stop rebroadcasting news programs from the British Broadcasting Corporation, Radio Free Europe/Radio Liberty, and Voice of America, relegating those services to less accessible short- and medium-wave frequencies.

Media diversity continued to decline in 2011 as private companies loyal to the Kremlin and regional authorities purchased additional outlets, and most other media outlets remained dependent on state subsidies as well as government printing, distribution, and transmission facilities. The economic crisis led to a decline in advertising revenue for the country's few remaining independent media outlets, forcing some of them to tone down their news coverage in order to obtain advertising contracts from government agencies. Government-controlled television was the primary source of news for most Russians. Lively if cautious political debate was mostly limited to glossy weekly magazines, news websites, and the news radio station Ekho Moskvy, all of whose audiences were composed largely of urban, educated, and affluent Russians.

Online media have developed rapidly, and an estimated 49 percent of the population accessed the internet in 2011. A new internet television site, Dozhd TV, rose to prominence in the period surrounding the December 2011 protests. Claiming that it has no specific political agenda, the station is run mostly by individuals under the age of 30 and prides itself on “producing quality programming” that challenges the state-controlled media outlets. Although the internet remains freer than other news media and provides a wider diversity of news and opinion, the authorities frequently engage in content removal and manipulation of online expression. In February, the news website Ulyanovsk Online was blocked and started receiving threats after it posted a story stating that police had found narcotics in the car of a senior United Russia official in the city of Ulyanovsk. In October, a web moderator censored the blogs of two environmental activists—Suren Gazaryan and Dmitry Shevchenko—after they reported that a senior official in the southern Krasnodar region had seized the land around the governor's mansion. Kremlin allies have purchased several independent online newspapers or created their own progovernment news websites, and they are reportedly cultivating a network of bloggers and computer hackers who are paid to produce pro-Kremlin propaganda and hack independent news and blogging sites. The website of *Novaya Gazeta* and the popular blogging site LiveJournal endured repeated denial-of-service attacks in 2011, especially after they posted stories or blog items that exposed government corruption and electoral abuses.

The Federal Security Service (FSB) and the Interior Ministry engage in widespread monitoring of e-mail, blogs, online bulletin boards, and websites. In April, FSB press officer Aleksandr Andreyechkin suggested that Skype, Gmail, and Hotmail—all U.S.-based online communications platforms—should be banned because they pose a threat to Russian national security. The government's communications regulator, Roskomnadzor, developed an automated monitoring system that was activated in time for the December elections to improve its detection of “extremist” content on the web.

Government officials continued to harass some news websites and bloggers in 2011, especially in the politically volatile North Caucasus area. In January, Ilya Labunsky was fired

from the state newspaper *Nash Krasnodarsky Krai* for writing in his blog about a local deputy governor who allegedly purchased a \$3 million apartment in New York City. There is also a growing trend of individual citizens and whistleblowing civil servants using the internet to publicize government abuses and appeal to higher officials for intervention, though in many cases they face aggressive state retribution for doing so. Aleksey Navalny, one of Russia’s most prominent bloggers, was harassed throughout the year in retaliation for his anticorruption activism. At the end of 2011, he was briefly jailed for participating in the postelection protests.

Rwanda

Status: Not Free

Legal Environment: 26

Political Environment: 32

Economic Environment: 24

Total Score: 82

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	84,NF	84,NF	85,NF	83,NF	84,NF

Article 34 of Rwanda’s constitution stipulates that “freedom of the press and freedom of information are recognized and guaranteed by the state,” but other clauses broadly define circumstances under which these rights can be restricted, and in practice the media remain under the tight control of the government. The country’s 2009 media law sets out strict regulations, accreditation requirements, and licensing procedures as well as requirements for journalists to reveal their sources to the government for purposes of criminal investigations and proceedings. The law prohibits the propagation of ideas based on “ethnic, regional, racial, religious, language, or other divisive characteristics.” Public incitement to “divisionism,” which includes discrimination and sectarianism, is punishable by up to five years in prison and fines of up to 5 million Rwandan francs (\$8,500). Statutes in the penal code forbid defamation of the head of state or other public officials, and these charges can carry up to five years in prison and fines of up to 10,000 Rwandan francs (\$17). These laws are generally seen as being vague and sweeping in breadth.

Journalists were frequently charged and convicted of defamation and “genocide ideology” in 2011, making self-censorship pervasive. Agnès Uwimana Nkusi, editor of the now-defunct weekly *Umurabyo*, and Saidath Mukakibibi, a journalist with the same newspaper, were sentenced to 17 and 7 years imprisonment, respectively, in February 2011. The pair faced trial for opinion pieces published in 2010 that criticized government officials and challenged the official interpretation of the 1994 genocide. They had been arrested in July 2010, charged with insulting the head of state, promoting discrimination, sectarianism, and genocide denial, and remained detained for six months before the trial. Prosecutors had called for significantly longer jail terms. In June, Jean Bosco Gasasira, the exiled editor of *Umuvugizi*, was sentenced to two and half years in jail for civil disobedience and insulting President Paul Kagame in the online version of his newspaper. This was Gasasira’s second conviction by the high court. In 2009, he had been convicted and fined for defamation and invasion of privacy. Gasasira fled the country in 2010 following the suspension of his newspaper. In August 2011, the bimonthly *Ishema*

suspended publication for a month following threats against its managing director, Fidèle Gakire. Gakire said the threats related to an article published in its mid-July edition in which Kagame was referred to as a “sociopath.” When the Media High Council (MHC) ruled that its reference to the head of state was libelous, the newspaper apologized by publishing an edition headlined “Sorry” that contained only articles praising the president. In the wake of the article, the paper’s editor resigned, and Gakire was suspended for six months from the Forum of Private Newspapers, an organization of newspaper owners.

Following the January 2011 Universal Public Review (UPR) of Rwanda by the UN Human Rights Council, which highlighted violations of the right to freedom of expression and the suppression of independent media, Rwanda promised to review its genocide ideology and media laws. However, in a revised draft of the media law adopted by the cabinet in July, the state retained control over the establishment and functioning of the media. Furthermore, the law still contained broad definitions and vague provisions for exemptions. If this law were to be passed and enforced as written, there are several potentially positive provisions, including the removal of the requirement that journalists hold particular academic qualifications and the repeal of sanctions such as the suspension and closure of publications. The draft law was still under debate in parliament by year’s end.

A revised Access to Information bill was adopted by the cabinet in June 2011. However, by year’s end, the law was yet to be enacted. The proposed bill, drafted by the MHC in 2009, would set new standards for public access to information and aim to protect whistleblowers. The government also proposed a self-regulating media ombudsman to replace the current progovernment MHC. However, no further steps were taken. The MHC, set up under the 2009 media law to license journalists and media outlets, has often been criticized for focusing more on policing the media than protecting press freedom.

Harassment and attacks on journalists severely hampered the state of freedom of expression in 2011. In November, Charles Ingabire, exiled editor of *Inyereri*, was shot dead by unknown assailants at a bar in Kampala, Uganda. *Inyereri*, an online publication, was highly critical of Kagame’s regime. By year-end, investigations by Ugandan police into the murder were still underway. Also in November, three journalists were detained under unclear circumstances in the space of one week. Joseph Bideri, editor of the *New Times*, a pro-government, privately owned daily, was arrested and detained for two days by police after the publication of a series of articles alleging embezzlement in the construction of the Rukarara hydroelectric dam. Also arrested was Jean Gualbert Burasa, editor of the independent bimonthly *Rushyashya*. Burasa was allegedly arrested for driving under the influence of alcohol, but it is believed his arrest was in connection with an article about the desecration of a former minister’s grave. Burasa was freed after four days. The third journalist, René Anthère Rwanyange, was arrested for alleged theft of a laptop computer. September saw the conclusion of the trial of two individuals accused of murdering Jean-Léonard Rugambage, a journalist with *Umuwugizi* who was shot dead outside of his home in 2010 following his article implicating Rwandan authorities in the attempted murder of an exiled Rwandan general. One of the accused was acquitted, while the second was sentenced to 10 years imprisonment.

The Rwandan media, which disseminates information in English, French, and Kinyarwanda, is dominated by progovernment newspapers and radio stations. There were 31 print publications registered with the government, though only about 10 of them published regularly. There were several reports that private printing houses declined to print newspapers or charged more for sensitive issues. There were 23 radio stations, six of them government-owned,

and one government-run television station. The state-owned media has the largest reach throughout the country, and no attempts have been made to transform the state radio and television outlets into editorially and financially independent public broadcasters. Low pay for journalists, especially in the private media, can lead to corruption, and journalists often withhold damaging stories from publication in exchange for money and gifts. There were no reports that government officials attempted to discourage advertisers from working with newspapers critical of the government.

About 7 percent of the Rwandan population had access to the internet in 2011. Most online news content that originated from within Rwanda was produced by state media, while critical bloggers and publishers were generally based abroad. The government blocked at least three websites critical of the ruling party in 2011, with indications that the filtering of internet content was timed to coincide with contentious events. For instance, access to *Umuwugizi's* website in Rwanda was blocked twice during 2011, first on the day marking the one-year anniversary of Rugambage's death and again days prior to Gasasira's sentencing. There were also reports of the government monitoring e-mail and internet chat rooms.

St. Kitts and Nevis

Status: Free

Legal Environment: 4

Political Environment: 9

Economic Environment: 7

Total Score: 20

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	20,F	19,F	19,F	20,F	20,F

St. Lucia

Status: Free

Legal Environment: 2

Political Environment: 9

Economic Environment: 4

Total Score: 15

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	16,F	16,F	15,F	15,F	15,F

St. Vincent and the Grenadines

Status: Free

Legal Environment: 4

Political Environment: 7
Economic Environment: 6
Total Score: 17

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	17,F	17,F	17,F	17,F	17,F

Samoa

Status: Free
Legal Environment: 7
Political Environment: 13
Economic Environment: 9
Total Score: 29

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	30,F	29,F	29,F	29,F	30,F

San Marino

Status: Free
Legal Environment: 4
Political Environment: 6
Economic Environment: 7
Total Score: 17

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	17,F	17,F	17,F	17,F	17,F

Sao Tome and Principe

Status: Free
Legal Environment: 4
Political Environment: 11
Economic Environment: 14
Total Score: 29

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	29,F	28,F	28,F	28,F	29,F

Saudi Arabia

Status: Not Free

Legal Environment: 29

Political Environment: 30

Economic Environment: 25

Total Score: 84

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	82,NF	81,NF	82,NF	83,NF	83,NF

The media environment in Saudi Arabia remained among the most repressive in the Arab world, and in 2011, the government moved to tighten the reins on the already heavily censored and state-dominated press. Article 39 of Saudi Arabia's Basic Law of 1992 does not guarantee freedom of the press, and certain provisions of the law allow authorities to exercise broad powers to prevent any act that may lead to disunity or sedition. It also prohibits publishing materials that harm national security or that "detract from a man's dignity." The 2000 Press and Publications Act governs the establishment of media outlets and stipulates penalties for press violations, such as fines and imprisonment. In April, as uprisings in across the Middle East and North Africa gained momentum, the Saudi monarchy issued a decree banning the reporting of news that contradicted Sharia (Islamic law), undermined national security, promotes foreign interests, or slandered religious leaders. The decree also amended several articles of the 2000 press law, allowing authorities to impose lifetime bans on journalists and to levy fines of up to \$133,000 for violations of the law. Other amendments barred publishing anything harmful to the state or investigating trials without first obtaining permission from legal authorities. Saudi journalists and global press freedom groups criticized the amendments for being too vague, claiming that they were likely to impinge on journalistic freedoms. In July, an antiterrorism law was proposed that included a minimum 10-year sentence for "questioning the integrity" of the king or crown prince. The law was still pending at year's end.

Defamation is a criminal offense. Under March 2005's Royal Decree 1700/Mim Ba, jurisdiction over the media was transferred from the Sharia-based court system to the Ministry of Culture and Information, which is authorized to rule on violations of the Press And Publications Law. However, according to Human Rights Watch, Fahd al-Juhani, an editor at *Al-Watan* newspaper, faces criminal defamation charges before a Sharia court related to a 2009 article he published under a pseudonym on the news website *Al-Weeam*, in which he alleged that a local health inspector had attempted to extort money from shopkeepers in the town of Huta. Since December 2010, he has appeared before a Sharia court five different times, and the judge has refused to transfer jurisdiction, or to reduce the charge to a civil suit. The case remained unresolved at year's end.

According to the official media policy, the press should be a tool to educate the masses, propagate government views, and promote national unity. Avoiding criticism of the royal family, Islam, or religious authorities is an unwritten policy that is followed routinely. Journalists can be fined or imprisoned by the Ministry of Culture and Information for publishing material deemed objectionable under a wide criteria, and self-censorship is common as a result, although journalists have been increasingly testing the boundaries of what is officially allowed. Additionally, the Saudi government has been known to directly censor both local and

international media. In December 2011, Muhammad al-Tunisi, the editor of the Saudi newspaper *Okaz*, was dismissed from his post by Saudi authorities. The dismissal was a result of his decision to publish an investigative report detailing the high consumption of the *khat* drug plant in Jazan, in southern Saudi Arabia. His case remained pending at year's end.

There were relatively few cases of physical harassment of journalists; however, reporters frequently face difficulty covering the news. Throughout 2011, authorities arrested activists to prevent uprisings similar to those taking place elsewhere in the Middle East and North Africa. The local press barely covered the failed "Day of Rage" in March, which had a tiny turnout in the face of a huge police presence. The English-language *Arab News*, for example, called it "a damp squib" and gave equal coverage to a Facebook campaign denouncing the unidentified organizers. Also in March, Saudi authorities withdrew the accreditation of a senior Reuters correspondent, Ulf Laessing. The government alleged that Laessing's coverage of a recent protest in Saudi Arabia was erroneous, but offered no details to substantiate its claim. Laessing was then ordered to exit the country. There were no reports of arrests of journalists in 2011. However, Egyptian internet activist Yousef Ashnawy has been in a Saudi prison since 2001, and he remained in custody at year's end. Authorities refused to release information about his condition.

There are 13 daily newspapers in Saudi Arabia. All are privately owned but controlled by individuals affiliated with the royal family. Members of the royal family also control two popular London-based dailies, *Asharq al-Aswat* and *Al-Hayat*, that serve a wider Arab audience. Broadcast media are controlled by the government, which owns and operates all terrestrial television and radio stations. Satellite television has become widespread and is an important source of foreign news (despite the fact that satellite dishes are technically illegal); nevertheless, much of the satellite industry, including the popular Al-Arabiya 24-hour news channel, is controlled by Saudi investors and is respectful of local sensibilities.

Internet penetration in Saudi Arabia at the end of 2011 was about 48 percent and the country was in the top five in the world for mobile downloads. As a result, many Saudis have turned to the web to express political opinions and expose government corruption. However, during the year, authorities moved to crack down on this phenomenon with increasing regularity. In January, the government adopted new internet restrictions that require websites and bloggers to obtain permits to publish their material. The provisions also mandated that editors of online publications be approved by the Ministry of Culture and Information. In May, a website that praised a woman for flouting the ban on women driving and posting her experience on the internet was shut down by the government. Authorities arrested three documentarians after portions of their film highlighting poverty in Saudi Arabia were posted on YouTube. In July, Saudi authorities blocked a website that highlighted mistreatment of foreign workers. Authorities blocked the online version of the Lebanese newspaper *Al-Akhbar* after it published a story about protests in Bahrain. They also blocked Amnesty International's website following its posting of an article criticizing the draft antiterrorism law. Several Shiite bloggers were arrested in April 2011 and accused of joining protests in the oil-rich Eastern Province.

Senegal

Status: Partly Free

Legal Environment: 21

Political Environment: 20
Economic Environment: 14
Total Score: 55

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	46,PF	49,PF	53,PF	57,PF	54,PF

Political tensions rose in Senegal in 2011, as President Abdoulaye Wade’s maneuvers to remain in power beyond a two-term limit gave rise to a rejuvenated opposition movement led by civil society groups, journalists, and musicians. Protests and riots broke out in the capital Dakar on June 23 as parliament considered constitutional amendments that would have virtually assured Wade victory in the first round of the February 2012 presidential election. The amendments were withdrawn later that day in response to the protests; however, more than 100 people were injured when police used rubber bullets, tear gas, and water cannons to subdue demonstrators. The government responded to the more vocal opposition with increased attempts to silence criticism, ranging from clampdowns on protests to arrests of activists and journalists.

Senegal’s laws provide for press freedom, but Wade’s government continued to limit this in practice. The government has occasionally employed provisions of the 1977 penal code—including Article 80, which criminalizes vaguely defined threats to national security—to harass, prosecute, fine, and incarcerate critical journalists. Article 8 of the 2001 constitution ostensibly protects freedom of expression and of the press, and Article 10 guarantees the “right to express opinions freely, in words, in writing, in images, [and] by peaceful marching.” However, defamation, libel, and insult are criminal offenses, and such charges are frequently brought against journalists in order to block or punish critical reporting or commentary. In April 2011, Abdou Latif Coulibaly, one of Senegal’s most prominent and critical journalists, was found guilty of criminal defamation for stories published in 2010 that accused a businessman, who was a close friend of Wade, of engaging in fraudulent deals with the government. Coulibaly was sentenced to a three-month suspended jail sentence and fined 10 million CFA francs (\$20,000). In December, Coulibaly accepted the nomination of an opposition coalition to be its candidate in the 2012 presidential election. The threat of legal action, accompanied by aggressive official rhetoric against the press, has reportedly led to a rising level of self-censorship among some journalists. Still, many media outlets continue to publish and broadcast strident antigovernment views and reports.

Following a seminar with civil society leaders and journalists in June, legislators and the minister of communication made a commitment to adopt access to information legislation; however, no legislation was passed by the end of 2011.

Journalists faced harassment, detention, and assault, mainly from the authorities, for covering the news, and this increased in the wake of the June 23 protests. In July, four journalists with *Walfadjri l’Aurore*, a privately owned daily newspaper, were interrogated by the authorities for more than 10 hours over an article that criticized the president’s aides. In September, the police detained three journalists from the private daily *La Tribune* overnight in response to a story in which they allegedly discredited the police. The story, and the photographs published with it, accused police of using heavy-handed tactics against demonstrators during the protests.

Many private, independent print publications and three government-affiliated newspapers continue to publish regularly in the capital, though their distribution in rural areas is irregular at best. Radio is the most important source of news due to high illiteracy rates, and a number of

community, private, and public radio stations operate across the country, with more than 80 radio frequencies allocated to date. Critics allege that Wade’s associates in politics, business, and the religious community receive preferential treatment in the allocation of frequencies and enforcement of broadcasting fees. The five private television channels that now operate carry mostly entertainment programming. The only national television station, state-owned Radio Télévision Sénégalaise (RTS), generally favors the government in its news coverage. The executive staff members of RTS are all directly or indirectly selected by the president. In July, members of a local media trade union held a sit-in at the studios of RTS to protest the alleged bias of its programming toward Wade and the ruling party. The government has also been accused of selectively granting or withholding state subsidies to influence media outlets. Foreign satellite television and radio stations, including Radio France Internationale and the British Broadcasting Corporation, are available and unrestricted.

Internet access is also unrestricted, and approximately 17.5 percent of the population accessed the medium in 2011.

Serbia

Status: Partly Free

Legal Environment: 9

Political Environment: 15

Economic Environment: 11

Total Score: 35

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	39,PF	39,PF	39,PF	35,PF	33,PF

Freedom of the press is protected under Serbia’s constitution and legal system. In 2011, the government continued its push toward European integration, which included the high-profile arrests and extradition of two indicted war criminals, as well as the alignment of legislation and regulations with European Union (EU) norms. Although the legal framework for the protection of media freedom is broadly in line with EU standards, the media environment remains constrained by political pressures, pervasive corruption, a climate of impunity, regulatory setbacks, and economic difficulties.

Libel is a criminal offense, but since 2006 it has been punishable only by fines, not jail time. In July, the government announced that libel and defamation would soon be decriminalized, though the legislation had not been adopted by the end of the year. Journalists are also subject to prosecution under the Data Secrecy Act, which protects information of interest to national security, public safety, and foreign affairs, among other categories. A journalist and an editor from the daily *Nacionalni Gradanski* in Novi Sad were charged with disclosing a state secret in a June article that revealed serious problems in Serbia’s defense system.

In September 2011, the government adopted a long-awaited media strategy, which aims to increase the independence of media outlets and protect them from improper influences. The strategy is the first step toward the passage of legislative changes to that effect. However, despite ongoing legislative reforms, mostly under EU guidance, implementation is not always consistent. The Association of Independent Electronic Media, a watchdog organization, argued that the Law

on Cinematography, adopted at the end of the year, contradicts the spirit of the new media strategy. It allows for the reallocation of funds collected by the Republic Broadcasting Agency (RBA) and the Republic Agency for Electronic Communications (RATEL) from broadcasters and telecommunications operators to the film industry, all but ensuring that broadcasting fees remain high for the financially strained media industry. Moreover, despite recent reforms, the procedure by which members of the RBA's governing council are appointed remains a concern.

Media outlets continue to face partisan and government pressure over editorial policies. Information of public importance is often withheld, and public officials have been known to grant interviews or give statements only to select journalists. The independent broadcaster B92 continues to bear the brunt of harassment directed at independent media. For example, in February 2011, after reporting about alleged abuses at a state-owned coal mine, the station and its journalists received very public death threats. Some investigative journalists residing in Belgrade and outside the capital live under 24-hour police protection. In October, a local politician allegedly threatened an editor of the web portal Vranjepres over a story linking the politician's party to a corruption scandal involving the Kolubara coal-mining complex. Local press organizations argue that when police and the courts identify the perpetrators of crimes against the media, they often fail to investigate the motives. Judicial and political treatment of attacks on journalists worsened in 2011, with culprits generally receiving mild punishments when their cases were brought to court.

The broadcast market is dominated by the public broadcaster RTS1, but print media are numerous and highly diverse. There are more than 500 print outlets, including 20 dailies. In total, Serbia has more than 1,000 media organizations for just 7.1 million people, meaning most outlets are not financially sustainable. Ownership of the print media remains problematic and in some cases unclear, particularly for daily tabloids. The television market is also oversaturated, and high broadcasting fees pose a challenge to the viability of many stations. The government still has major stakes in the dailies *Politika* and *Večernje Novosti*, and in Belgrade's municipal broadcaster, RTV Studio B. Under the recently adopted media strategy, the government committed itself to selling its stakes in media organizations by March 2015 at the latest, but no such steps had been taken by the end of 2011.

The economic environment remains a significant constraint in Serbia. The media are now more heavily dependent on advertising contracts and government subsidies to survive financially, and a number of outlets have faced closure over the past several years. With the legal environment undergoing reform and the political situation an issue that the media have learned to deal with, most local media report that economic pressures are the factor that most negatively affects media freedom. Such pressures include payment defaults, termination of cooperation and contracts, changes to business contracts, and financial inspections. The economic crisis has exacerbated self-censorship, with media organizations reporting a significant decrease in investigative journalism.

In 2011, 42 percent of Serbians accessed the internet. Although the internet is unrestricted, the 2010 Law on Electronic Communications requires telecommunications providers to keep records of the source and destination of all electronic communications for one year for potential government use.

Seychelles

Status: Partly Free
Legal Environment: 17
Political Environment: 20
Economic Environment: 19
Total Score: 56

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	60,PF	59,PF	59,PF	58,PF	56,PF

The media environment in Seychelles over the past decade has been characterized by government monopolization of radio and television, draconian libel laws that have been used liberally against opposition newspapers, occasional attacks against and harassment of media workers, and extensive self-censorship. The constitution provides for freedom of speech, but also restricts this right by protecting the reputation, rights, and privacy of citizens as well as the “interest of defense, public safety, public order, public morality, or public health.” It grants the minister of information the power to prohibit the broadcast of any material deemed contradictory to “national interest.” Since the court of appeals in 2007 overturned a libel conviction against the opposition weekly *Regar*, which had forced it to close, the filing of libel charges and libel convictions has diminished. Nevertheless, civil libel suits can still be used against journalists. In July 2010, a cabinet minister filed a libel lawsuit against *Regar* for its publication of allegations of a conflict of interest in a land sale.

The state has a *de facto* monopoly over the widely consumed broadcast media (both radio and television), and private broadcasters have been slow to develop because of restrictive licensing fees of more than 800,000 rupees (\$60,000) per year. Following one opposition party’s efforts to raise enough money for a radio license, the National Assembly in 2006 passed an amendment to the Broadcasting and Telecommunications Act prohibiting politically affiliated groups from obtaining a license. In August 2009, a report by two independent consultants recommended the formation of a media council, media association, and joint consultation committee, as well as the amendment of the libel laws. In late 2009, the Seychelles Media Association, a grouping of media professionals, was reconstituted after a 10-year absence. In December 2010, the National Assembly approved the Seychelles Media Commission Act 2010, setting up an independent media arbitration body; however, questions have been raised about its neutrality.

A new Seychelles Broadcasting Corporation Act was passed in March 2011, replacing legislation from 1992. The act was intended to make the Seychelles Broadcasting Corporation (SBC), which runs the nation’s only television station and two radio stations, more independent. However, the period surrounding the campaign for the May 2011 presidential election highlighted the continued bias of the SBC in favor of the ruling Parti Lepep and its candidate, President James Michel, who won reelection. SBC media coverage is still overwhelmingly dominated by the government, giving opposition parties only limited access. No cases of attacks or harassment against journalists were reported in 2011.

There are two daily newspapers, the privately owned *Rising Sun* and the state-owned *Seychelles Nation*, which rarely publish stories critical of the government. Three weekly newspapers—*Regar*, the *People*, and *Le Nouveau Seychelles Weekly*—are affiliated with political parties. Along with operating the government-owned television and radio stations, the SBC also relays foreign stations.

Although the internet is available and unrestricted, there have been reports of the government monitoring the e-mail, chat rooms, and blogs of the 43 percent of the population with access in 2011. During the year, several individuals were detained, arrested, and eventually released for critical comments about government officials posted on social networking websites. Telecommunications companies must submit subscriber information to the government, though the law was not enforced in 2011.

Sierra Leone

Status: Partly Free

Legal Environment: 14

Political Environment: 19

Economic Environment: 16

Total Score: 49

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	56,PF	59,PF	56,PF	55,PF	53,PF

Sierra Leone’s constitution guarantees freedom of speech and of the press, and in a sign of increasing political maturity by President Ernest Bai Koroma, respect for press freedom and tolerance of opposition criticism appear to be gaining a foothold. However, despite improvements in the general climate for press freedom, the Public Order Act of 1965 still allows for prison terms of three to seven years for criminal libel and up to one year for the separate crime of publishing false news. Criminal libel charges apply in some cases even when the defendant can prove the published information was true, and defendants charged with publication of false news must prove that they took reasonable measures to verify the information’s accuracy. The constitutionality of the act was challenged in 2009 by the Sierra Leone Association of Journalists (SLAJ), but the Supreme Court upheld it; nevertheless, SLAJ continued to lobby against criminal libel during the year.

Discussions on a Right to Access Information Bill to guarantee freedom of information in Sierra Leone have been ongoing for several years. In 2009, Koroma and other government figures pledged their support for a draft bill. In June 2010, after slightly weakening the draft, Sierra Leone’s cabinet passed the bill, and in November the parliament gave it a first reading and referred it to a committee. However, the passage of the bill appeared to have stalled in 2011.

The media in Sierra Leone are regulated by the Independent Media Commission (IMC), whose members are appointed by the president “acting on the advice of SLAJ and subject to the approval of parliament,” according to the Independent Media Commission (Amendment) Act of 2006. The IMC provides an alternative to pressing charges under the Public Order Act; aggrieved parties can register complaints with the IMC, which affords them a hearing. If the IMC agrees that a complaint of libel, defamation, or falsehood is valid, it can request that the offending media outlet publish a retraction and an apology, or can levy a fine on the outlet. The IMC can also summon editors at its own discretion. The IMC generally demonstrated independence from government interference in 2011. However, in April, the IMC fined the newspaper *Awareness Times* one million leones (\$222) for publishing articles describing the president’s underwear, an incident that the IMC determined violated the media code of practice.

The fine came after government officials threatened to prosecute the newspaper under the libel law. Two politically affiliated radio stations were shut down in 2009 and remained closed through 2011; a petition to reopen one of the stations was denied by the High Court. In October 2011, authorities blocked the sale and distribution of an issue of the *Global Times* that included an article critical of a ruling party politician, allegedly because of concerns that the article would be a threat to the peace in the politician's district.

A positive development in 2011 has been Koroma's refusal to let ruling party supporters crack down on the press and stifle opposition criticism. Instead, many journalists have joined the ranks of the government as public affairs officers, a trend that is designed to improve press-government relations. Journalists are generally not subject to attacks or intimidation, and media outlets are usually safe from overt government interference or attempts to influence content. Although there were cases of both in 2011, there were not as many as in previous years. In February, the SLJA initiated legal action against an opposition presidential aspirant who allegedly organized attacks on two journalists in December 2010 for critical articles published in the *Awareness Times*. Investigative journalist Ibrahim Kalokoh with the private daily *For Di People* was reportedly threatened with death by two Port Authority staff after the publication of his reports about alleged corruption by the general manager of the Port Authority in July. In the most dramatic case of the year, reporter Ibrahim Foday of the *Exclusive* was stabbed to death in June while covering a land dispute between two communities. Prior to the attack—the first journalist fatality since 2005—Foday had written a series of articles that one party to the dispute felt were biased against them. Three suspects were arrested in connection with his death.

In 2011, there were 74 newspapers, 64 radio stations, and five television stations registered with the IMC, and it registered eight additional newspapers during the year; however, not all outlets operate regularly. Most newspapers are independent, though some are associated with political parties, and the print press routinely criticized both the government and opposition parties. All Sierra Leonean newspapers are written in English, a language only about a third of Sierra Leoneans speak. Many radio and television programs are also in English, although some are in local languages. A low literacy rate coupled with the high cost of newspapers and televisions make radio the most important and widely available medium for obtaining information. In June, the Sierra Leone Broadcasting Service and UN Radio were merged to create a public-service broadcaster, the Sierra Leone Broadcasting Corporation. The number of community radio stations has proliferated in recent years. Many community radio stations are not sustainable due to their dependence on foreign grants for operations and the difficulty of overcoming high operational costs such as providing electricity, especially in rural areas. Due to Sierra Leone's poverty, advertising rates are among the lowest in the world and the business management and operational structures of media outlets are not always efficient. Few news sources can afford to station reporters outside the capital, Freetown, and printing presses and other materials are scarce and unreliable. Journalists' pay, in general, is very low, and many work without pay, leading them to take second jobs that can cause conflicts of interest. Reporting is often politicized and inaccurate because of poor training, a lack of resources, and poor ethical standards among journalists. Business interests often attempt to influence the editorial content of newspapers. International media operate freely; though foreign media outlets are required to register with the government, the government did not deny permission in 2011.

The government does not restrict internet access, though less than 1 percent of the population used the medium during the year, according to Internet World Stats.

Singapore

Status: Not Free

Legal Environment: 24

Political Environment: 22

Economic Environment: 21

Total Score: 67

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	69,NF	69,NF	68,NF	68,NF	68,NF

Media freedom in Singapore made a small but significant advancement in 2011, as social media sites and other internet-based sources gave many voters in the May parliamentary elections their first real look at opposition candidates.

Freedoms of speech and expression are guaranteed by Article 14 of the constitution, but there are restrictions on these rights. The Newspapers and Printing Presses Act, the Defamation Act, and the Internal Security Act (ISA) allow the authorities to block the circulation of news deemed to incite violence; arouse racial or religious tensions; interfere in domestic politics; or threaten public order, the national interest, or national security. The Sedition Act, in effect since the colonial period, outlaws seditious speech, the distribution of seditious materials, and acts with “seditious tendency.” Singapore’s Parliament has been dominated by the People’s Action Party (PAP) since 1959, and ruling party members are quick to use harsh civil and criminal defamation laws to silence and bankrupt political opponents and critical media outlets. The vast majority of print and broadcast journalists practice self-censorship to avoid defamation charges.

The judiciary lacks independence and systematically returns verdicts in the government’s favor. The 2010 publication of the book *Once a Jolly Hangman: Singapore Justice in the Dock*, which questioned the impartiality and independence of Singapore’s courts in applying the death penalty, earned British author Alan Shadrake a sentence of six weeks in prison and a S\$20,000 (US\$15,400) fine for “scandalizing the court” in November 2010. The sentence was upheld on appeal in May 2011.

Annual licensing requirements for all media outlets, including political and religious websites, have been used to inhibit criticism of the government. Foreign media are also subject to such pressures and restrictive laws, and are required by the Ministry of Information, Communications, and the Arts to post bond and appoint a local legal representative if they wish to publish in Singapore. Films, television programs, music, books, and magazines are sometimes censored; all films with a political purpose are banned unless sponsored by the government. In October 2011, police investigated the Singapore Democratic Party for organizing a public video conference with two people who were detained under the ISA. Journalists, in general, can gather news freely and without harassment. Cases of physical attacks against members of the press are extremely rare, and none were reported in 2011.

Nearly all print and broadcast media outlets, internet service providers, and cable television services are owned or controlled by the state or by companies with close ties to the PAP. The British Broadcasting Corporation (BBC) World Service is the only completely independent radio station available in the country. Satellite television is forbidden. A substantial

variety of foreign newspapers and magazines are distributed uncensored, but the government is authorized to limit the circulation of print editions.

The internet was accessed by 75 percent of the population in 2011. Internet use is widespread in Singapore, but the government attempts to restrict and control it by licensing internet service providers. Websites offering political or religious content are required to register with the Media Development Authority, and a website’s owners and editors are criminally liable for any content that the government finds objectionable. However, bloggers and discussion groups increasingly offer alternative views and a virtual channel for expressing dissent. During 2011, the online sphere for the first time provided the political opposition with an unfiltered medium to reach voters. In January, in what was widely interpreted to be a move against political commentary in advance of the upcoming elections, the government ordered the Online Citizen, a journalistic website, to register as a political association and reveal the identities of its staff. The government claimed that political registration was necessary to limit foreign involvement in politics, and that the Online Citizen was a political participant and not an observer. Despite these attempts at intimidation, the internet was widely seen to have played a significant role in informing voters ahead of the May parliamentary elections.

Slovakia

Status: Free

Legal Environment: 5

Political Environment: 9

Economic Environment: 7

Total Score: 21

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	20,F	22,F	23,F	23,F	22,F

Press freedom in Slovakia is constitutionally guaranteed and generally respected, and independent media outlets freely disseminate diverse views. Defamation is not a criminal offense, though some other types of expression—such as Holocaust denial—are subject to criminal prosecution. After four years of leftist, populist rule under Prime Minister Robert Fico and his Smer–Social Democracy (Smer-SD) party, elections in June 2010 ushered in a center-right governing coalition led by Iveta Radičová, who pledged to prioritize economic, social-welfare, and media concerns. Though her government collapsed in October 2011, it did succeed in amending an extremely controversial 2008 media law. The Radičová administration’s commitment to increased transparency in political institutions, especially the judiciary, also reopened the space for investigative journalism and began to improve the relationship between elected officials and the press.

The most significant aspect of the September 2011 amendment to the 2008 Press Act was the elimination of the so-called “right of reply” for officials in cases where the disputed facts pertain to their public lives. In its original form, the Press Act required publishers to print responses to any “statement of fact that impinges on the honor, dignity, or privacy of a natural person, or the name or good reputation of a legal entity,” regardless of whether the statement in question was accurate. Under the amendment, officials only have a right to reply to articles

written about them as private individuals or as participants in a criminal case. The revision also abolished fines against media outlets and editors for refusal to publish responses from public officials, thus removing a key instrument of government intimidation against critical or investigative journalists.

Under the Smer-SD government, Slovakia's court system was flooded with civil defamation suits, primarily against media outlets. Financial damages awarded in such cases were often exorbitant. After Radičová took office, the number of defamation suits dropped off sharply, though certain politicians and officials remained as litigious as ever. In March 2011, the cofounder of the extremist Slovak National Party (SNS), Ján Slota, initiated a case against the daily newspaper *SME* and its lead cartoonist, Martin Sutovec (known as Shooty), for parodying the SNS logo. In July, Slota finally won a different lawsuit he had brought against *SME*'s publisher in 2008, after the daily ran a series of stories about petty crimes he had allegedly committed in his youth. A court ordered *SME* to print a public apology, remove the articles from its website, and pay Slota €10,000 (\$12,560) in damages. In November, *SME* won a lawsuit initiated in 2009 by Fico over a Shooty caricature depicting him as spineless.

In August, the European Court of Human Rights (ECHR) overruled a 2003 libel judgment against the Slovakia unit of Swiss-based publishing company Ringier Axel Springer. The case originated in 1999, when a newspaper owned by the firm ran a series of stories detailing public drunkenness by then deputy police chief Jozef Petras and Slota, who at the time was a parliamentary deputy and the mayor of the city of Žilina. The case was appealed once in 2004, resulting in the same verdict but a reduced fine. The second appeal was sent to Strasbourg after being rejected by Slovakia's Constitutional Court, which said the parties had not yet exhausted their options within the lower court system. The ECHR ruled that Petras and Slota were owed neither a printed correction nor financial compensation.

The proliferation of defamation suits in recent years was exacerbated by a lack of transparency in the judicial system. A number of major defamation cases have been initiated by members of the judiciary, most notably the controversial judge Štefan Harabin, head of Slovakia's Supreme Court. In February 2011, the Constitutional Court ruled that the Supreme Court had violated the constitutional rights of publishing house Spoločnosť 7 Plus by failing to rule impartially in a 2008 defamation case brought by Harabin himself. This was the second time in one year that the Constitutional Court had spoken out against a defamation ruling benefiting a fellow judge. Harabin has personally won an estimated €181,000 (\$227,000) in damages from various defamation cases. In 2011, the Radičová government pushed through legislation intended to increase the transparency of court proceedings and the judicial selection process. In December, the parliament elected a former judge and vocal critic of Harabin, Jana Dubovcová, to become Slovakia's new public guardian of rights, effective March 2012.

The 2000 Act on Free Access to Information allows anyone to request information from state agencies and receive an answer within 10 days, with noncompliant officials subject to potential fines. A series of studies by the Citizen and Democracy Association in 2002 found that basic information was usually provided, but more sensitive data were sometimes withheld.

In November 2011, reports surfaced that the military intelligence service had been tapping the telephone lines of at least four journalists for several months, apparently under the instructions from Defense Minister L'ubomír Galko, who resigned not long after the scandal broke. The intelligence service reportedly obtained a court's permission to begin monitoring the head of the television news channel TA3, Michal Gučík, in February, in connection with suspicions of criminal activity. Both Radičová's caretaker government and the Smer-led

opposition expressed outrage over the incident, condemning it as undemocratic. Opposition parties blamed the Radičová administration, which in turn argued that the practice of wiretapping was also widespread under previous governments.

Most Slovak media outlets, including all major print outlets, are privately owned. Lack of transparency in media ownership remains a concern, as does inadequate enforcement of regulations on cross-ownership of media outlets. At present, print media ownership is concentrated in three major houses: Ringier Axel Springer, Spoločnosť 7 Plus, and Petit Press. In 2010, Slovakia’s leading financial group, J&T, purchased the country’s second-most-popular daily newspaper, *Pravda*. Three years ago, the same company assumed control of TV Joj, the country’s second-largest television network. In December 2011, the national transmission company Towercom was awarded an 18-year license to operate Slovakia’s fourth digital terrestrial television multiplex—the only such broadcasting system it did not already control.

At the end of 2010, the dire financial position and dwindling audience of public service broadcasting prompted the government to merge Slovakia’s public television and radio networks into a single entity, Radio and Television Slovakia (RTS). The merger, which will take two years to complete, was designed to rescue both broadcasters from financial collapse, but did not relieve them of their massive debts. Beginning in 2013, RTS will be funded entirely from Slovakia’s national budget, rather than a combination of state funding and viewers’ licensing fees.

Private media outlets have also faced increasing financial pressures. In April 2011, a group of online newspapers began following the example of cable television, charging subscription fees and bundling access to sites or programs in order to attract a larger audience. The stated goal of the project—which was orchestrated by Piano Media, a company led by *SME*’s editor in chief—is to convert 5 to 15 percent of internet users into paying subscribers within four years. Users will also be expected to pay to make comments.

Slovaks enjoy growing access to the internet, which the government does not restrict; approximately 74 percent of the population had access in 2011. In October, the Ministry of Finance published a draft law that, if passed, would result in the blocking of web servers that offer online gambling without a license. Critics warned that the broadly worded measure could result in the blocking of social-networking websites such as Facebook.

Slovenia

Status: Free

Legal Environment: 8

Political Environment: 10

Economic Environment: 7

Total Score: 25

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	21,F	23,F	24,F	25,F	25,F

Slovenia’s constitution and legal system guarantee freedom of the press, and the media are for the most part free of political interference. At times, however, press outlets are punished or threatened for reporting on controversies and corruption involving powerful political figures and parties.

Articles 170 and 171 of the criminal code, on defamation and injurious accusation, have often been invoked against journalists who published damaging claims about political figures. Three weeks before the 2008 elections, Finnish public broadcaster YLE aired a documentary accusing Prime Minister Janez Janša of receiving kickbacks from arms deals between Slovenia and the Finnish defense contractor Patria. In response, Slovenia's Foreign Ministry sent two communiqués to the Finnish government, protesting the documentary and demanding a clarification. In July 2009, Slovenian prosecutors charged Magnus Berglund, the Finnish journalist responsible for the documentary, with defamation under Article 171, requesting the maximum six-month jail sentence. In January 2010, Janša—no longer prime minister but still head of the Slovenian Democratic Party (SDS)—filed a €1.5 million (\$2.15 million) damages claim in a Slovenian district court against YLE, Berglund, and several other individuals for offensive allegations. In December 2011, the court awarded Janša €1,500 (\$27,000), of which €15,000 (\$18,800) was to be paid by YLE and Berglund, stating that YLE failed to prove its case in court and never afforded Janša an opportunity to tell his side of the story. However, in September 2011, Janša was brought to trial on charges of bribery in the Patria case.

The 2003 Access to Information of Public Character Act ensures free access to information. In July 2011, members of the National Assembly rejected a proposed media law that defined “the rights, obligations and responsibilities of both individuals and legal bodies with regard to public interest” in the sphere of mass media. Even before the measure was officially submitted to the parliament, many press associations had criticized it for its imposition of government restrictions on journalistic work and its potential use as a means of intimidating journalists.

The Mass Media Act of 2006 established the “right of correction,” according to which anyone offended or insulted by information published in the media, even truthful information, can demand a “correction” published in the same space as the offending article. The government and large companies have utilized the law to demand that newspapers print such corrections, which may be longer than the original article. These texts hinder editorial independence and journalists' freedom to publish critical articles. The Ministry for Culture is the main regulatory body of the print media and supervises the implementation of the Mass Media Act. It also handles complaints against the media from the public. Electronic communications, as well as radio and television programs, are regulated by the Post and Electronic Communications Agency. The agency's responsibilities include monitoring the content of broadcasting programs and stimulating competition within the broadcasting industry.

There are very few cases of threats and physical harassment against journalists, and reporters are generally able to cover the news freely. However, in November 2011, Matej Šurc and Blaž Zgaga, two journalists who authored three books about the alleged involvement of former Slovenian politicians in illegal arms trafficking during the Balkan wars of the 1990s, were the targets of an aggressive online smear campaign that included insults and explicit death threats. Zgaga had also received a death threat in 2008 after assisting Berglund with YLE's piece on the Patria deal.

The print media, including six daily and three weekly newspapers, reach 89 percent of the population, and the radio and television markets are saturated. There is only one local press agency, the Slovenian Press Agency (STA), which was independent when established in 1991 but is now owned by the prime minister's office. Media concentration is high, and ownership of media outlets changes often, making the market unstable and difficult to monitor. Newspapers that are critical of the government sometimes face difficulty securing advertisers, and there have

been reports that self-censorship is common among journalists who want to avoid problems with their employers. In December 2010, more than 72 percent of voters in a government-sponsored referendum on the state broadcaster, RTV Slovenia, rejected planned changes that the government said would reduce political interference with the broadcaster. Opposition parties had argued that the proposal would have the opposite effect, and that it would make it easier to ultimately privatize RTV Slovenia.

Approximately 72 percent of Slovenians had access to the internet in 2011, and there were no reports of government attempts to restrict access during the year.

Solomon Islands

Status: Free

Legal Environment: 6

Political Environment: 11

Economic Environment: 11

Total Score: 28

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	30,F	30,F	30,F	29,F	29,F

Article 12 of the Solomon Islands' constitution guarantees freedom of expression and freedom of information, and the government generally respects these rights. However, defamation is a criminal offense, and authorities have filed charges or civil suits against the press. In September 2011, the *Island Sun* newspaper was threatened with a SI\$75,000 (US\$10,000) compensation demand by supporters of Parliament member Namson Tram, following a front-page report about Tram's alleged purchase and private registration of his government vehicle. The Media Association of the Solomon Islands (MASI), one of the Pacific's most active media advocacy groups, denounced the demand. The *Island Sun* had been shaken in 2010 by a court order to pay SI\$116,000 in damages and legal costs for defamation of a former prime minister and state secretary.

While the political and news media environment was fairly stable and diverse in 2011, pressure from politicians trying to limit public debate is still a problem, especially for some fledgling news outlets that are attempting to contribute to a plurality of voices. Journalists generally are able to cover the news freely without harassment. Attacks against journalists are rare, though in March 2011 the vehicle of a senior journalist and founding owner of One Television News was torched.

The *Solomon Star* daily dominates the print sector, but there are a number of weekly papers. The Solomon Islands Broadcasting Corporation operates the national public station Radio Happy Isles as well as WanTok FM and the provincial stations Radio Happy Lagoon and Radio Temotu. Paoa FM radio leads the commercial radio sector. One Television, a relatively recent addition to the media landscape, has proven to be an innovative broadcaster, adding a competitive and challenging edge to the industry. Due to low literacy levels, broadcast media reach a much broader swathe of the population than print outlets.

There are no restrictions on internet access, but high costs and a lack of infrastructure limited internet penetration to 6 percent of the population in 2011.

Somalia

Status: Not Free

Legal Environment: 27

Political Environment: 35

Economic Environment: 22

Total Score: 84

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	85,NF	84,NF	84,NF	84,NF	84,NF

The media environment in Somalia varies significantly depending on the region, with different conditions in chaotic southern and central Somalia, the semiautonomous Puntland region in the northeast, and the breakaway region of Somaliland in the northwest. In the southern region, the Transitional Federal Government (TFG) and its president, Sheikh Sharif Sheikh Ahmed, tenuously held on to power. Throughout much of 2011, the TFG, which was backed by African Union (AU) peacekeepers, controlled only a small portion of the country, while the Islamist militant group Al-Shabaab continued to dominate large swathes of territory and most of the capital, Mogadishu. The situation for the TFG gradually started to improve toward the end of the year after Al-Shabaab withdrew from Mogadishu in August.

Somalia's Transitional Federal Charter (TFC) provides for freedom of speech and of the press, but owing to pervasive violence across much of the country, journalists continue to face restrictions on their reporting in practice. There is no freedom of information law to guarantee access to public information, and defamation is a criminal offense, although many cases are resolved outside the formal court system according to *xeer*, or customary law. A media bill approved by the Transitional Federal Assembly (TFA) in late 2007 was criticized by press freedom groups for imposing vague and severe restrictions, including limits on images and speech; calls for media law reform by advocacy groups continued in 2011. However, given the TFG's inability to impose its authority over much of Somalia, the practical implications of the law remain unclear.

The struggle between the TFG and Al-Shabaab has dramatically affected the media environment in southern Somalia. Media outlets have aligned themselves with political factions as a means of survival, making neutral or objective reporting a rarity. Frequent incidents of harassment, arbitrary arrest, and violence against journalists continue to encourage high levels of self-censorship. Meanwhile, concerns about safety also make journalists who did gain access to rebel leaders reluctant to edit or interrupt interviews. Complaints from other regions, including Somaliland, suggested that Al-Shabaab was getting too much airtime and was not being adequately challenged by journalists on-air. Direct censorship also remained a problem, as Al-Shabaab took over some stations and forced others to close, while demanding that those that were still on the air cease broadcasting music.

In recent years, numerous journalists have been killed in Somalia, either for supporting the wrong political faction or as accidental casualties in armed clashes. Somalia remained one of the deadliest countries for journalists in 2011; according to the Committee to Protect Journalists (CPJ), at least two journalists and one media worker were killed, and many more were injured. In

August, Farah Hassan Sahal of the popular Radio Simba was killed outside the radio station in Mogadishu; the perpetrators remain unknown. A Malaysian journalist, Noramfaizul Mohd of Bernama TV—who was in Mogadishu to cover the humanitarian situation—was accidentally shot and killed by AU peacekeeping troops in September. In December, Abdisalan Sheik Hassan, a freelance journalist working for HornCable, was assassinated after allegedly receiving numerous death threats that were apparently related to his coverage of disputes in the TFA.

Despite the violence, dozens of radio stations aligned with particular factions continued to broadcast in Mogadishu and in other parts of the country. The TFG continued to support Radio Mogadishu, a new outlet with the objective of carrying government-sponsored news and information, as well as providing space for a variety of groups and individual Somalis to voice their opinions. This includes journalists from popular stations such as Horn Afrik and Radio Shabelle, which have found it challenging to operate under Al-Shabaab or the more moderate Ahlu Sunna Waljama militia. In early 2010, a joint UN-AU radio station, Radio Bar Kulan, began broadcasting from Nairobi, Kenya's capital. Similar to Radio Mogadishu, the new station has sought to offer a platform for voices that may be critical of the extremists and more sympathetic to the TFG and AU forces. Many Somalis also accessed news via foreign radio transmissions, including the Somali services of the British Broadcasting Corporation (BBC) and Voice of America.

The advertising sector is weak and advertising is often not enough to sustain media houses, leaving some to depend on financial support from politicians, compromising editorial independence. Some proprietors are able to fund their media houses with their own money. Journalists in all regions of Somalia receive low or even no pay and rely on trainings, corruption, or blackmail for additional income. Many media outlets also prefer to hire cheaper, less-skilled workers or even relatives over more experienced journalists. Because there is an abundance of journalists, those who complain about low wages usually face threats of being replaced.

The status of press freedom is somewhat better in Puntland, a self-declared semiautonomous region. Puntland's interim constitution provides for press freedom as long as journalists demonstrate "respect" for the law, but the region also recognizes the TFG. In July 2010, the government of Puntland approved a counterterrorism law that specifically targeted terrorism suspects and their allies, and also prohibited media outlets from reporting on Al-Shabaab. This new law was part of an effort to combat Al-Shabaab and other insurgent groups that were responsible for political assassinations and bombings in the region. In 2011, journalists also faced threats, attacks, and harassment from security forces, who usually enjoyed impunity for their actions. Despite Puntland president Abdirahman Mohamud Farole's stated commitment to greater openness, restrictions remained harsh, and coverage of political and security issues continued to be particularly dangerous for journalists. In October 2011, Farole and his minister of information accused Universal TV and Somali Channel TV of threatening Puntland's security and suspended the networks from reporting in Puntland. Universal was allowed to reopen in early December, but Somali Channel remained closed as of the end of 2011. Journalists also came under pressure from other political actors; in March 2011, for example, Liban Abdi Farah, a reporter for the Somali Broadcasting Corporation (SBC), was arrested by Puntland police for reporting on a bomb blast in the town of Galkayo. However, his case did not go to court and he was not formally charged.

In 2011, Somaliland—a region whose claims of independence have not been internationally recognized—retained its position of tolerating a relatively free media compared with the rest of Somalia, although at year's end the relationship between the government and the

press appeared to be growing increasingly tense. The Somaliland constitution guarantees freedoms of speech and of the press. Defamation is not a criminal offense, and libel cases are sometimes settled through the clan system of arbitration, although in 2011 judges appeared more eager to use criminal law in media cases. There is no access to information law in Somaliland, and public officials often do not divulge information unless it is favorable to the government.

In general, 2011 saw a continuation of a trend that had begun in the run-up to the 2010 elections, whereby privately owned newspapers were aligned with political parties, and many journalists and papers were financially supported by the parties. The new Somaliland government under President Ahmed Silanyo has been critical of some media, and suspended broadcasts by Universal TV, a satellite television station. The government accused the station of being biased and presenting a pro-Puntland perspective; this is particularly sensitive, as disputes along the border with Puntland have continued to simmer. In March 2011, Somaliland forces arrested Mohamed Shaqale, a journalist from Universal TV, and Abdinur Hashi from Somali Channel while they were reporting from Las Anod near the Puntland border. Both, however, were soon released. As in years past, several Somaliland journalists continued to face threatening text messages and harassment from Al-Shabaab. Fearing retaliation, some outlets refrained from openly reporting and condemning the activities of the group.

There are about 10 newspapers in Somaliland, although this number fluctuates as some publish intermittently. Most of these outlets are not economically sustainable and are heavily subsidized by the diaspora as well as by political parties and their interests. Media outlets tend to be aligned with particular political or individual interests but they largely share a pro-independence agenda. Newspaper reporting is often critical of the government but has limited reach due to low levels of literacy. In contrast, the Somaliland government has been reluctant to liberalize the airwaves, citing the potential of instigating clan violence, an argument that some Somalilanders support.

Due to the low literacy rate and the relatively high cost of newspapers, radio remains the most accessible and widespread medium for news in Somaliland. The establishment of independent radio stations is banned, and government-owned Radio Hargeisa remains the only FM station, although the BBC is available in Hargeisa, the capital. There has been a small but notable growth in internet-based radio stations operating both within Somaliland and broadcasting from the diaspora. There is one government-owned television station, Somaliland National Television. A number of Somali-language satellite stations, such as HornCable and Universal TV, broadcast from the Middle East and London, and are accessible and highly influential. The advertising sector is gradually growing but remains small.

The Somali diaspora in Europe, North America, and the Gulf states has established a rich internet presence. Internet service is available in large cities in Somalia, and users enjoy a relatively fast and inexpensive connection, including through mobile devices. Around 7 percent Somalis owned a mobile phone, and 1.25 percent of Somali citizens were registered as internet users in 2011. Although there were no reports of government restrictions on the internet, some factions reportedly monitored internet activity. In 2011, Al-Shabaab began using Twitter to promote its agenda, often issuing propaganda statements, announcements about its attacks on AU or TFG troops, and virulent criticisms of the Kenyan and other African troops backing the TFG in Somalia.

South Africa

Status: Partly Free
Legal Environment: 10
Political Environment: 14
Economic Environment: 10
Total Score: 34

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	28,F	28,F	30,F	32,F	33,PF

Freedoms of expression and of the press are protected in the constitution and generally respected in practice, and South Africa has vibrant journalists’ and press freedom advocacy organizations. However, several apartheid-era laws and a 2004 Law on Antiterrorism permit authorities to restrict reporting on the security forces, prisons, and mental institutions. Moreover, recent legislation could further restrict the scope of permissible reporting in South Africa. In 2009, the controversial Film and Publications Amendment Act was signed into law to protect against child pornography and hate speech. The legislation—which requires any publisher not recognized by the press ombudsman to submit a wide range of potentially “pornographic” or “violence-inciting” materials to a government board for approval—was widely criticized by press freedom advocates as a means of prepublication censorship. In November 2011, the Constitutional Court accepted a multiparty legal challenge to the law.

Also in November, the National Assembly, the lower house of Parliament, passed the controversial Protection of Information Bill, despite vociferous opposition from private media outlets, most opposition parties, and a raft of civil society and freedom of expression organizations. Just two months earlier, the ruling African National Congress (ANC) party had withdrawn the bill for possible amendment, though no significant changes were made. The bill allows state agencies and government officials to classify a wide range of information—including “all matters relating to the advancement of the public good” and “the survival and security of the state”—as in the “national interest” and thus subject to significant restrictions on publication and disclosure. It mandates prison terms of 3 to 25 years for violations and does not allow a “public interest” defense. To become law, the bill must also be approved by the National Council of Provinces, the upper house, before being signed into law by the president.

Journalists and media houses are occasionally threatened with legal actions or charged as a result of their work. In November 2011, lawyers for presidential spokesman and ANC stalwart Mac Maharaj threatened the independent weekly and online daily *Mail & Guardian* with criminal prosecution for running a story about Maharaj’s alleged involvement in the so-called arms deal corruption scandal from the late 1990s, leading the newspaper to censor most of the article (a 1998 law prohibits the unauthorized disclosure of a suspect’s testimony in a prosecutorial investigation). Maharaj later filed criminal complaints against the two reporters responsible for the story, alleging that they stole records from the government’s investigation. Libel is not criminalized in South Africa, but civil cases, sometimes involving large fines, continue to be brought against members of the press. In December 2010, President Jacob Zuma announced a R5 million (\$700,000) lawsuit against *Sunday Times* cartoonist Jonathan Shapiro—also known as “Zapiro”—for defamation over a controversial 2008 political cartoon.

The constitution protects the right of access to information, and the Promotion of Access to Information Act 2002 puts this practice into effect. However, recent years have seen a stark

increase in the use of court interdictions and gag orders by both governmental and nonstate actors. Since 2005, the *Mail & Guardian* has received at least three gag orders to stop reporting on corruption scandals. In addition, the ANC is considering legislation to establish a statutory media tribunal, replacing the self-regulating Press Council and Press Ombudsman with a state-run body empowered to hear complaints against the press, hand out stiff punishments for violating privacy and for defamation, and force the media to issue retractions and apologies. In July 2011, determined to respond to the ANC's proposal, the South African National Editors' Forum (SANEF) and Print Media South Africa (PMSA) established an independent body of individuals, the Press Freedom Commission (PFC), with a mandate to identify the most efficient and effective regulatory system for the print media in South Africa by spring 2012.

Journalists are occasionally harassed and threatened by both government officials and non-state actors over the content of their reporting. In August 2011, demonstrators protesting an ANC disciplinary hearing for then ANC Youth League president Julius Malema threw stones at journalists covering the event, injuring a number of them and destroying some equipment.

A number of private newspapers and magazines—including the *Mail & Guardian*, the *Cape Times*, and the *Sunday Times*—are sharply critical of the government, political parties, and other societal actors. Post-apartheid South Africa has brought little progress to the country's transformation of print media ownership as the sector continues to be dominated by four groups: Ayusa, Independent Newspapers, Media24 and Caxton/CTP. Access to print media is also concentrated among more urban, wealthier South Africans. As a result, the majority of South Africans receive news via radio and television outlets; the state-run South African Broadcasting Corporation (SABC) dominates both sectors, though there is a greater diversity of radio outlets in urban areas. While officially editorially independent, the SABC has come under fire for displaying a pro-ANC bias, reflecting internal ANC rifts in its management struggles, financial maladministration, and practicing self-censorship. The Independent Communications Authority of South Africa (ICASA) is involved in efforts to expand the number and broadcasting range of community radio stations. However, the process is slowed by lack of bandwidth and bureaucratic delays. The SABC's three stations claim most of the television market, but the country's two commercial television stations, e.tv and M-Net, are reaching growing proportions of the population. In June 2011, the Zuma government announced a R1 million, cabinet-approved advertising budget that will be directed toward newspapers that “assist the government in getting its message across”; the government's media advertising operations were also consolidated within the ministry of communication. *New Age*, a new daily newspaper launched in late 2010, is owned by interests with close ties to Zuma and has been explicitly endorsed by the government as a “supportive” publication. International broadcasts are unrestricted.

Internet access is unrestricted, although state monitoring of telecommunications systems is authorized, and by the end of 2011, 21 percent of the South African population had access to the internet. Access is expanding rapidly and more people have the option to access the internet from their mobile phones than from computers. However, the majority of the population is unable to benefit from internet access due to high costs and the fact that most content is in English, an obstacle for those who speak one of the 10 other official languages. However, there is now content in some local languages, especially on social-networking platforms.

South Korea

Status: Partly Free
Legal Environment: 9
Political Environment: 14
Economic Environment: 9
Total Score: 32

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	30,F	30,F	30,F	30,F	32,PF

Media freedom remained somewhat constrained in 2011 due to the government’s ongoing attempts to censor online content and restrict access to news from North Korea under its increasingly strict interpretation of the 1948 National Security Law. Even though freedom of the press is guaranteed under the constitution and is generally respected in practice, the country has experienced a noticeable decline in freedom of expression since the inauguration of President Lee Myung-bak in 2008. Article 7 of the National Security Law remains a source of contention, as it allows imprisonment for praising or expressing sympathy for North Korea. Due to rising political tensions with North Korea, as well as the death of North Korean leader Kim Jong-il in December 2011, the Lee administration appears to have become more concerned about the expression of pro–North Korean sentiment, particularly online.

Defamation is a criminal offense, and charges are occasionally threatened or brought against reporters or commentators who express criticism of the government. Chung Bong-ju, one of South Korea’s most popular political commentators, was imprisoned in late 2011 after being convicted of spreading rumors about Lee’s connection to alleged stock fraud. In an earlier case, four producers and a writer for the television program *PD Notebook* had been indicted on defamation charges in June 2009 for a 2008 report on U.S. beef imports that sparked weeks of protests. The accused had faced five-year prison sentences, but were exonerated in January 2010.

The government has been accused of seeking to extend its influence over several state-controlled broadcast media companies. Since Lee’s inauguration, former presidential aides and advisers have been appointed to key positions at a number of private media companies as well, despite the objections of journalists seeking to maintain the broadcasters’ editorial independence. Under the Lee administration, more than 180 journalists have been penalized for writing critical reports about government policies, as well as for advocating press freedom. At the end of 2011, six journalists were still out of work at the Yonhap Television News station for their participation in such acts.

South Korea has a vibrant and diverse media sector, with numerous cable, terrestrial, and satellite television stations and more than 100 daily newspapers in Korean and English. Many newspapers are controlled by large industrial conglomerates and depend on major corporations for their advertising revenue. There are both public and private radio and television stations, including an American Forces Network for the U.S. military. The public Korea Broadcasting System (KBS) and Munhwa Broadcasting Corporation (MBC) maintain the highest television viewership. Five new cable television channels—four general-programming and one all-news channel—were launched in December 2011, two and a half years after the government revised a set of media laws to allow investment by conglomerates and newspaper companies in the broadcasting sector. These new channels are expected to affect the market dominance of KBS, MBC, and Seoul Broadcasting System (SBS), all of which had previously held exclusive rights to offer general programming, ranging from news and documentaries to sports and entertainment

shows. According to Reporters Without Borders, following the March 2010 sinking of the South Korean warship *Cheonan*, allegedly by North Korean forces, the South Korean government resumed the dissemination of propagandistic messages to North Korea via radio.

Approximately 84 percent of the population accessed the internet in 2011, and a significant number of young people get their news exclusively from online sources. South Korean online media are especially vigorous and innovative. Aside from pro-North Korean content, the internet is generally unrestricted, but the government requires all website operators to indicate whether their sites might be harmful to youth. The number of people prosecuted for pro-North Korean online activities increased from 5 in 2008 to more than 50 in 2011, and the number of South Korean websites shut down for pro-North Korean content rose from 2 in 2008 to more than 170. Over 67,000 web posts were deleted by the police in 2011 for “threatening national security by praising North Korea and denouncing the U.S. and the (South Korean) government.” This represented a sharp increase from 1,793 in 2008. These statistics prompted both the United Nations and Amnesty International to express concern about backsliding on freedom of expression. In addition, the Korea Communications Standards Commission (KCSC)—an official body responsible for censoring content on websites and social-media accounts—has increased its oversight of all social-networking outlets, podcasts, and mobile phone applications. For example, in May 2011, the KCSC ordered the blocking of the Twitter account “@2MB18nomA,” whose name combined the current president’s nickname, “2MB,” with a reference to a commonly used Korean curse word. The case remained pending at year’s end.

South Sudan

Status: Partly Free

Legal Environment: 16

Political Environment: 26

Economic Environment: 17

Total Score: 59

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	NA	NA	NA	NA	NA

After a 22-year civil war, southern Sudan became autonomous in 2005 and achieved independence as the Republic of South Sudan on July 9, 2011. A nascent government familiar with warfare but unaccustomed to democratic rule curtailed press freedom across the country both prior to and after independence.

The new constitution, one of the most progressive in Africa and ratified upon independence, guarantees press freedom and ensures that all levels of government uphold this principle. Three progressive media bills were introduced in 2007 but had not been enacted by the end of 2011, leaving journalists without comprehensive legal protections and the media sector without a regulatory framework. The bills were designed to set up easy access to information, a public broadcaster, and an independent press ombudsman. While Information Minister Barnaba Marial Benjamin claimed that the delay in the bills’ passage was due to a glut of legislation in the parliament, local journalists voiced suspicions that individuals within the government

opposed their adoption. Nevertheless, legal measures were rarely used against the press, except in a February case in which a bank filed criminal defamation charges against the independent weekly *Juba Post* after it reported claims that the institution was facing bankruptcy. The editor and a reporter for the paper were detained, but the case had not gone to court by the end of the year.

Unlike in the North, it is relatively easy to acquire accreditation and licenses to work as a journalist in South Sudan, although some obstruction was reported for those seeking accreditation to cover the July 2011 independence day proceedings. Access to interviews and official information largely depends on the personal connections of journalists. Although there is no official censorship, journalists have no effective legal protection from harassment by state officials, and many self-censor to avoid repercussions from their reporting.

Security officials and individuals within the government rely on extrajudicial means to silence the private media, and journalists and media houses were regularly subjected to intimidation and physical attacks by security agents both before and after independence. Nhial Bol, editor in chief of the *Citizen* daily, was arrested in January 2011 and detained without charge following an article on the dispute between a government minister and a Chinese oil company. In March, freelance journalist Isaac Vuni was arbitrarily arrested by Juba police and released more than a month later. In May, security agents detained reporter Mohamed Arkou Ali for over three weeks for taking photographs without a permit, accusing him of espionage. He was reportedly subjected to torture while in custody. In November, Ngor Aguot Garang, editor in chief of the daily *Destiny*, was arrested following an October column that criticized the marriage of President Salva Kiir's daughter. Several days later, Dengdit Ayok, the author of the article, was arrested and suspended from working as a journalist, and publication of *Destiny* was also suspended. Both men were released several weeks later without charge, but reported mistreatment while in custody, and Ayok received a death threat via e-mail following his release. Reporters regularly encountered difficulties while covering news stories, including confiscations of equipment and restrictions on their movements by police and security forces.

As disputes between northern and southern Sudan intensified around independence, journalists were often caught in the middle. In May, soldiers from northern Sudan detained *Juba Post* and online *Sudan Tribune* correspondent Ngor Arol Garang during a military offensive over the disputed Abyei area in Unity State. Separately, the newly formed government of South Sudan was quick to warn editors of private media houses to stop reporting on internal security problems involving dissident rebel groups.

Print media in South Sudan are burdened with small staffs and budgets, little advertising revenue, and a national illiteracy rate of 80 percent. Newspapers are largely concentrated in urban areas because of the high cost of transportation and a lack of reliable infrastructure. Newsprint is very expensive, and because the country has only one printing press, a majority of the printing is done in Uganda or Sudan. A number of private dailies and weeklies publish regularly, though the majority are owned by individuals within the ruling SPLM. There is a general lack of diversity of viewpoints, as reporters are either employed by progovernment media owners or fear reprisals from state authorities. Papers are favored for their allegiance to the ruling party in terms of advertising revenue. Confiscation of press runs is rare in South Sudan. However, security agents seized 2,500 copies of an April edition of the *Juba Post* after the paper quoted a spokesman for dissident forces as saying that they would launch an attack on the capital, Juba. Government-owned Southern Sudan Television is the sole television station operating in the country. Journalists working at the station complain of self-censorship and lack

of professional integrity among their superiors. Radio remains the main source of news for most citizens, with 11 private radio stations and a state-owned station whose range reaches all 10 states.

There are no reliable statistics regarding internet use in South Sudan in 2011. Penetration is low, but access is not restricted by the government. The lack of official restrictions on online news has allowed several professional, critical websites to emerge, including *Sudan Tribune*, *Sudan Votes*, and *Gurtong*.

Spain

Status: Free

Legal Environment: 4

Political Environment: 14

Economic Environment: 6

Total Score: 24

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	22,F	23,F	24,F	24,F	23,F

Freedom of expression is guaranteed in Section 20 of the constitution, and press freedom is generally respected in practice. The media face threats including defamation suits and economic difficulties, but Spain generally provides a free and robust media environment. The country launched a first-of-its-kind “Right To Be Forgotten” campaign against the search-engine giant Google in 2011. The effort began as a libel suit in January, when Spain’s Data Protection Agency (AEPD) ordered Google to remove articles on about 90 Spanish citizens who wanted old defamatory material about themselves to be deleted. Spain was considering referring the case to the European Court of Justice at year’s end. In March 2011, the government was forced to pay €23,000 (\$32,000) to Basque separatist leader Arnaldo Otegi for wrongly sentencing him to prison for insinuating that the king had tortured members of the newspaper *Egunkaria* in 2003. However, in a separate case in September, Otegi was sentenced to 10 years in prison for trying to rebuild the banned Batasuna party, which is linked to the terrorist group Basque Homeland and Freedom (ETA). In September, a Spanish court rejected a defamation suit against deceased *Leer* magazine writer Pablo Lizcano by Juan Cotarelo García, who had tried to invoke a 1966 press law that would have allowed him to seek monetary compensation from Lizcano’s widow.

Spain does not have any freedom of information legislation. The country’s two main political parties drafted separate access to information laws in 2011, promising to adopt them if elected in November, but no law had been passed by year’s end. The European Federation of Journalists and its local Spanish affiliates complained of restrictions imposed on the media by political parties in the run-up to the November elections, citing an inability to ask questions during press conferences or film the parties’ election meetings.

A disturbing trend of violence and threats against journalists emerged in 2011. In January, journalist Fernando Santiago was physically assaulted in Cadiz by an employee of the struggling company Delphi who had previously threatened him over his reporting on the firm’s public funding. In March, journalist Gorka Zamarreño reported a series of death threats that had been escalating since 2010, when he began covering the so-called Malaya affair in Marbella. The

case involved a vast network of corruption in real estate, in which several politicians and businessmen were implicated. Separately, a number of journalists were beaten, arrested, and threatened by police in August during several days of protests in Madrid. On August 4, journalist Gorka Ramos was covering anticorruption protests in front of the Interior Ministry when he was beaten, arrested, and charged with disobeying authorities. At least five other journalists were beaten and arrested while covering protests against the visit of Pope Benedict XVI to Madrid that month, despite their display of press credentials.

Spain has a free and diverse press, including both public and private print and broadcast media outlets. Radio Televisión Española runs public radio and television broadcasts, and several regional and local stations operate throughout Spain. The government relaxed media ownership rules in 2009, allowing a single entity to own a stake in more than one major broadcaster. However, safeguards include a mandate for at least three distinct broadcasting companies in the country, and a ban on mergers between the two leading companies. A number of newspapers have reduced staff and content as a result of the lagging economy. Many papers receive large government subsidies, which encourages self-censorship.

There are no government restrictions on the internet in Spain, and 67 percent of the population had access to the medium in 2011. Authorities monitor websites that publish hate speech and advocate anti-Semitism.

Sri Lanka

Status: Not Free

Legal Environment: 23

Political Environment: 31

Economic Environment: 18

Total Score: 72

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	63,NF	67,NF	70,NF	72,NF	71,NF

Media freedom remained restricted in Sri Lanka in 2011, with journalists subject to myriad forms of legal harassment and physical intimidation. Although the constitution provides for freedom of expression, it and other laws and regulations place significant limits on the exercise of this right. The 1979 Prevention of Terrorism Act (PTA) contains extremely broad restrictions on freedom of expression, such as a prohibition on bringing the government into contempt. The decades-old Official Secrets Act bans reporting on classified information, and those convicted of gathering secret information can be sentenced to up to 14 years in prison. Although no journalists have ever been charged under the law, it is used to threaten them. Journalists are also occasionally threatened with contempt-of-court charges or questioned regarding their sources. Legal harassment of the *Sunday Leader* continued during the year, as the newspaper faced several defamation and contempt-of-court charges in cases filed by the defense secretary that could cost it millions of dollars. A series of lawyers representing the paper have withdrawn after being intimidated, and another was vilified on the Defense Ministry website. The cases had not been resolved by year's end.

The government stated in 2009 that it was reviving the 1973 Press Council Act, which prohibits disclosure of certain fiscal, defense, and security information. The law had not been enforced in more than a decade, in keeping with an unwritten agreement between the government and media groups. It allows for the imposition of prison terms and other punitive measures for offenses including publication of internal government communications or cabinet decisions, information affecting national security, and economic news that could influence prices or food supplies. In 2006, unofficial prepublication censorship on issues of “national security and defense” was imposed by the government’s new Media Center for National Security, which assumed the authority to disseminate all information related to these issues to the media and public. Emergency regulations reintroduced in 2005—which allowed the government to bar the publication, distribution, performance, or airing of any material deemed likely to cause public disorder—had been used a number of times to arrest and detain journalists without charge. When these regulations expired in August 2011, the legal basis for prior censorship was removed.

There is no enforceable right to information in the constitution or separate legislation. In fact, the Establishments Code, the formal administrative code governing civil servants, actively discourages access to information even on public-interest grounds. An attempt by the opposition to introduce a right to information bill in Parliament in June 2011 was defeated by the governing majority, in violation of its previous campaign promises. Broadcast licensing decisions sometimes appear to be arbitrary and politically influenced. In July 2010, the government announced plans to create a Media Development Authority with sweeping powers to regulate the sector under the guise of promoting media ethics and training. Local press freedom advocacy groups, such as the Free Media Movement, have faced smear campaigns in state-controlled media, and their staff operate under considerable threat.

Journalists throughout Sri Lanka, particularly those who cover human rights or military issues, face regular intimidation and pressure from government officials at all levels. Official rhetoric is markedly hostile toward critical or “unpatriotic” journalists and media outlets, with prominent leaders, including Defense Secretary Gotabhaya Rajapaksa, often making statements that equate any form of criticism with treason. State-controlled media and the Defense Ministry website have been used to smear and threaten individual journalists and other activists. As a result, the level of self-censorship has risen considerably, with many journalists avoiding coverage that is critical of the government or President Mahinda Rajapaksa’s family, or that addresses alleged war crimes surrounding the defeat of the Tamil Tiger rebel movement in 2009. Foreign reporters continued to encounter some difficulties in accessing the former war zones and internment camps in 2011. In July, two undercover journalists (who chose to remain anonymous even after reporting their mistreatment) were accosted by unidentified men in a van and ordered to return to the Netherlands. The two had traveled to Sri Lanka to cover the postconflict environment in the northern and eastern regions of the country.

On a number of occasions during the year, reporters attempting to cover sensitive news stories were roughed up by police in the course of their work. In addition to verbal and physical attacks from official sources, journalists and press advocacy groups perceived as supportive of Tamil interests have drawn the ire of Sinhalese nationalist vigilante groups. While Tamil journalists no longer face the tight restrictions imposed by the Tamil Tigers, they generally refrain from strident criticism of the government, the military, or progovernment Tamil political factions. A number of journalists received death threats in 2011, and others were subject to attempted or actual kidnapping and assaults. Staff at the independent *Uthayan* newspaper, based in Jaffna, faced intimidation and attacks during the year in response to critical coverage of the

government and paramilitary groups operating in the north, including the brutal beating of news editor Gnanasundaram Kuhanathan by unidentified men armed with iron rods in July. According to the Free Media Movement, the chairman and manager of the TNL network received death threats from businessmen with close ties to the government following the airing of a program on the network's Isira radio station in October.

Past attacks on journalists and media outlets, such as the murder of Lasantha Wickrematunga in January 2009, have not been adequately investigated, leading to a climate of complete impunity. In July 2011, Wickrematunga's brother, who heads the *Sunday Leader* newspaper, received a threatening telephone call from President Rajapaksa in response to an article. The paper's editor, Frederica Jansz, also received threats in October. Dozens of journalists and media freedom activists have fled into exile in the past several years, leaving the sector without many of its most experienced professionals.

A shrinking number of privately owned newspapers and broadcasters continue to scrutinize government policies and provide diverse views, but most do not engage in overt criticism or investigative reporting. Media outlets have also become extremely polarized, shrinking the space for balanced coverage. In recent years, ownership has grown more consolidated, with many private outlets now owned by government officials or their close associates. The Free Media Movement has noted that state-run media—including Sri Lanka's largest newspaper chain, two major television stations, and a radio station—are heavily influenced by the government, citing cases of pressure on editors, several unwarranted dismissals of high-level staff, and biased coverage. Business and political interests exercise some control over content through selective advertising and bribery. The gradual reopening of the key A9 highway to the north of the island during 2009 helped to ease production difficulties for northern newspapers, which had been hampered by shortages of newsprint and other key supplies during the war's final phases. However, those publishing opposition print media, such as Chandana Sirimalwatte, editor of the weekly *Lanka*, have faced difficulties in printing and distribution. While the government has built a new transmission tower in the north of the country, it has restricted the construction of towers by private companies.

Access to the internet and to foreign media has occasionally been restricted. British Broadcasting Corporation (BBC) radio programs were intermittently jammed by the state-owned Sri Lanka Broadcasting Corporation (SLBC) in 2008 and 2009, but relayed broadcasts resumed in both Sinhala and Tamil in April 2010, following an agreement between the two entities.

Approximately 12 percent of the population accessed the internet in 2011, with many residents deterred by the high costs involved, although mobile-phone usage continued to increase rapidly. Web-based media and blogs have taken on a growing role in the overall media environment, with outlets such as Groundviews and Vikalpa providing news and a range of commentary, even on sensitive stories and events that are barely covered by the mainstream media. In response, the government has stepped up efforts to censor the internet, temporarily blocking access to a number of independent news websites, including Groundviews and Lanka eNews, as well as international organizations like Transparency International. In January 2011, the offices of Lanka eNews were destroyed in an arson attack by unknown assailants, and staff at the website have faced a range of threats over the past two years, including arrests and judicial harassment, surveillance, and the unexplained disappearance of Prageeth Eknaligoda, who was abducted in January 2010 and remained missing at year's end. In November 2011, the government announced new registration rules for any websites hosting content related to the

country, leading to the blocking of a number of websites, some based overseas, for users in Sri Lanka. Many journalists assume that their phone calls and online communications are monitored.

Sudan

Status: Not Free

Legal Environment: 26

Political Environment: 31

Economic Environment: 21

Total Score: 78

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	81,NF	78,NF	78,NF	76,NF	78,NF

The formal secession of South Sudan in July 2011, following a referendum on the issue in January, brought with it an outbreak of insecurity in the border regions and continued attempts to stifle press freedom. High rates of censorship, journalist intimidation, and repressive government oversight severely limited the media throughout the year.

Though the constitution guarantees press freedom, the legal environment for media is largely unfavorable. Article 29 of the 2005 Interim National Constitution—adopted in connection with that year’s Comprehensive Peace Agreement (CPA) between the Khartoum government and the Southern rebel group, the Sudan People’s Liberation Movement (SPLM)—nominally protected freedom of the press and citizens’ expression. The CPA created somewhat greater space for journalists to report freely and reduced the common practice of censoring newspapers prior to publication. Another step toward expanded press freedom was taken in June 2009, when the government replaced the highly restrictive Press and Printed Press Materials Law. However, media freedom organizations criticized the new law for falling short of international standards. It allows for restrictions on the press in the interests of national security and public order, and contains loosely defined provisions related to the encouragement of ethnic and religious disturbances and incitement of violence. The law also gives the National Council for Press and Publications (NCPP) the authority to shut down newspapers for three days without a court order. Several other laws were used against the press in 2011, including elements of the 1991 penal code, the 2010 National Security Forces Act, and the emergency law applied in the western region of Darfur.

Defamation is a criminal offense, and there is no freedom of information law, making access to public information difficult. The Ministry of Information manages broadcast licensing in a highly politicized manner, allowing progovernment stations to acquire licenses more easily than independent outlets. The NCPP regulates the journalism profession and entry into the field. Journalists are required to pass a test prior to receiving accreditation and a license.

Throughout 2011, authorities in Khartoum maintained their tight grip on the media sector, and repression intensified in the period surrounding the secession of South Sudan in July. Direct prepublication censorship was officially lifted in 2009, but it occurred on a nightly basis between May and August 2011. Editors of newspapers sometimes received orders from the National Intelligence and Security Services (NISS) on what they are allowed to report. Publications were instructed not to carry any information about rebel groups or activities, and a

media blackout on stories from the restive states of Blue Nile and South Kordofan was instituted. One day before the official independence of South Sudan, Sudanese authorities revoked the licenses of six newspapers, including the pro-SPLM daily *Ajrass al-Hurriyah*, on the pretext that their shareholders included Southerners. The government closed the independent newspaper *Al-Jarida* in September after it reported on a Sudanese military presence in the contested border area of Abyei. The paper was allowed to resume publication in December, but the NCPP denied its request for new hires.

Journalists were regularly harassed, attacked, arrested, detained, and reportedly tortured throughout the year, despite President Omar al-Bashir's announcement in August that he intended to free all imprisoned journalists in the country. The announcement was followed by the release of a journalist with the daily *Al-Sahafa* who had been detained without charges since November 2010. Separately, two senior staff members of the opposition daily *Rai al-Shaab* were released in February after being detained for a year. In January, two journalists from the weekly *Bar'ut* were detained and accused of attacking the constitution in an article discussing partition for the east of the country; they were released without charge after three weeks in detention. Six journalists with the opposition newspaper *Al-Midan* were arrested for their coverage of street protests in January. Three of them were released after three days, and another in late February. Journalists who covered the arrest, torture, and gang rape of human rights activist Safiya Ishag by members of the NISS in February were especially targeted. Three were jailed or fined for their coverage of the attack, and another seven faced investigations. A repressive environment for press freedom leads many journalists to actively self-censor.

The government selectively restricted the activities of international media in 2011. Some foreign journalists were denied visas, while others were allowed unfettered access to the country and the opposition, though international media were not granted access to opposition leaders during the referendum. A team from the British Broadcasting Corporation (BBC) was detained and interrogated about their coverage of the referendum in January, after which the BBC withdrew its staff from Khartoum. In June, a team from Qatar's Al-Jazeera television network was attacked and beaten by security forces in South Kordofan and then temporarily detained for an investigation into their activities.

Despite these constraints, there has been a proliferation of media outlets in recent years. There are nearly 20 political dailies operating in the country, plus dozens of sports and social affairs publications. However, experts have argued that there is little difference between private and state-run media, as all are subject to serious government intrusion, ranging from interference in management decisions to censorship of content. Newspapers are generally too expensive for most citizens. The state dominates the broadcast media, which are the main source of information for much of the population. Television programming continues to be formally censored, and radio content must reflect the government's views. There are approximately 60 private radio stations broadcasting on FM frequencies, in addition to the state radio network. As the licensing of radio stations remains firmly under government control, private stations avoid reporting on political affairs and focus instead on entertainment and music. Some foreign shortwave radio services were available in 2011, though the government restricted UN-sponsored radio broadcasts. A cable network directly rebroadcasts uncensored foreign news and other programs.

Ownership of media houses is generally not transparent. There are no laws requiring the release of ownership information. Moreover, many owners refrain from acknowledging their status in order to evade taxes and avoid possible attacks. Journalists work for low pay, and many

freelancers do not earn enough to cover the cost of living. Some analysts believe this has encouraged corruption within the media, with journalists and editors selling coverage to politicians. Independent media do not receive public subsidies, but do benefit from secret financial support if their coverage is deemed friendly to the government. Khartoum authorities also withhold the flow of state advertisements from newspapers that are deemed critical of the government.

The confiscation of entire press runs of newspapers appears to have become a favorite tactic of the authorities for intimidating and financially crippling publications. In many cases, no official reason for the confiscation is given. During 2011, eight newspapers, mostly independent or oppositionist, had entire editions seized by NISS agents. In August, security forces confiscated two editions of the independent newspaper *Al-Ahdath*, which had planned to run an interview with a senior SPLM official and had a history of reporting on corruption and terrorism in Sudan. In September, NISS agents confiscated copies of the progovernment daily *Akhbar al-Yawm* after it published a statement by a rebel leader.

Internet penetration in Sudan is relatively high for sub-Saharan Africa, with 19 percent of the population accessing the medium in 2011. The government monitors the internet, including e-mail correspondence, through the National Telecommunications Corporation. Websites and proxy servers deemed offensive to public morality were blocked during the year, and access to the video-sharing site YouTube was regularly obstructed.

Suriname

Status: Free

Legal Environment: 4

Political Environment: 12

Economic Environment: 7

Total Score: 23

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	22,F	23,F	23,F	23,F	23,F

The government of Suriname generally respects freedom of expression and of the press, as provided for in the country's constitution. Libel is a criminal offense and can be punished with either fines or prison time; however, no cases against journalists were noted in 2011.

While there have been instances of threats and physical harassment directed at journalists in the past, no major incidents were reported in 2011. However, little investigative journalism takes place, and some journalists practice self-censorship due to pressure and intimidation from government officials. Coverage of certain issues, such as drug trafficking and the human rights abuses that took place under the Desi Bouterse dictatorship in the 1980s, are also discouraged. In 2010, Bouterse won Suriname's democratic presidential elections. Although he continues to face charges for the murders of five journalists in 1982, legal proceedings are suspended for the duration of his presidency. According to the Association of Surinamese Journalists (SVJ), communication between the Bouterse government and independent media worsened in 2011, and the government occasionally restricted the work of journalists.

Suriname has a robust media, with numerous newspaper publications. The two daily newspapers, *De Ware Tijd* and *De West*, are both privately owned, published in either Dutch or English, and maintain independent websites. Suriname has about 30 radio stations, including the government-owned Stichting Radio Omroep Suriname (SRS), two state-owned television stations, and one privately owned television station. The SVJ has reported that low salaries and poor training are leading to unprofessional conduct and hurting the profession. Chinese investment has recently surged in Suriname, resulting in an upgrade of a state television network. Additionally, the growing Chinese community has created two daily newspapers and a new television station that operates in Mandarin.

Approximately 32 percent of the population accessed the internet in 2011. The country has two internet service providers, and there are no restrictions on access.

Swaziland

Status: Not Free

Legal Environment: 24

Political Environment: 27

Economic Environment: 25

Total Score: 76

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	76,NF	76,NF	76,NF	76,NF	76,NF

Swaziland's absolute monarchy continued to exert strict control over the media in 2011. King Mswati III has the power to suspend the constitutional rights to freedom of expression and freedom of the press at his discretion, and these rights are severely restricted in practice, especially with respect to speech on political issues or the royal family. Of six media bills proposed along with a new constitution in 2007—including a Public Broadcasting Corporation Bill, a general Broadcasting Bill, and an Information and Privacy Bill—none had been enacted by the end of 2011, while only the press-regulating Media Commission Bill has been opened to parliamentary debate. According to the African Media Barometer, there are approximately 30 laws that restrict media freedom in Swaziland, including harsh defamation laws and a Suppression of Terrorism Act that the government has threatened to apply to critical journalists. On a positive note, the Swaziland Media Complaints Commission, a self-regulatory body of journalists and other media workers, was officially registered in June 2011 following a 14-year effort by local media organizations. In recent years the courts have dismissed a number of defamation cases and overturned attempts to limit media coverage of political or culturally sensitive issues. Swaziland does not have a freedom of information law, and accessing government information is difficult. Nevertheless, in February the Media Institute of Southern Africa (MISA) reported that Health Minister Benedict Xaba had ordered ministry staff to cooperate with journalists and give them access to requested information.

Swazi media content is marked by a high level of both official censorship and self-censorship on political and royal matters. In 2010, Prime Minister Barnabas Sibusiso Dlamini announced his intention to require columnists to seek state permission before criticizing the government. The prime minister also accused critical journalists of being paid by foreigners to

tarnish the country’s image. In March 2011, the state-run Swaziland Broadcast and Information Services (SBIS) radio station was banned from covering a wide-ranging teachers’ strike. Also that month, the government banned state radio from airing the British Broadcasting Corporation (BBC) program *Focus on Africa* after it carried criticism of the government. In July, police delivered a court order to the *Times of Swaziland* to stop reporting on Chief Justice Michael Ramodibedi, who had suspended Justice Thomas Masuku for insulting the king. The suspension was condemned by the Swaziland Law Society as unjustified and political. The *Times* ignored the court order, noting that it had no case number.

The government routinely warns against negative news coverage, and journalists are subject to harassment and assault by both state and nonstate actors, though there were fewer such incidents in 2011 than in previous years. In April, security forces confiscated the equipment of several journalists covering antigovernment protests, while in May gospel singer Mzwakhe Myeni assaulted a *Times of Swaziland* journalist over critical stories written about him in the paper.

The country’s two newspapers—the independent *Times of Swaziland* and the state-run *Swazi Observer*—are consumed almost exclusively in urban areas. Despite restrictions on political reporting, both newspapers do criticize government corruption and inefficiency. The Swaziland Television Authority dominates the airwaves and generally favors the government in its coverage. There is one government-owned radio station and one independent radio station, Voice of the Church, which focuses on religious programming. Advertisers, including the government, regularly dissuade negative coverage by employing financial pressure, and their influence is significant in Swaziland’s relatively small economy. Low pay and insufficient journalist training at times affect the quality of reporting. Many journalists have left the industry to work for the government or elsewhere in the private sector. However, journalists and media houses are not considered prone to corruption. Swazis with sufficient funds can freely purchase and use satellite dishes to receive signals from independent South African and international news media.

The government does not restrict internet-based media, but few Swazis can afford access; only 18 percent of the population accessed the internet in 2011.

Sweden

Status: Free

Legal Environment: 2

Political Environment: 4

Economic Environment: 4

Total Score: 10

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	11,F	11,F	11,F	10,F	11,F

Sweden has strong legal protections for press freedom under the Freedom of the Press Law dating back to 1766, as well as the 1991 Fundamental Law of Freedom of Expression. However, these laws criminalize expression considered to be hate speech and prohibit threats or expressions of contempt directed against a group or member of a group. In July, charges were

filed against the web version of the publication *National Resistance*, a neo-Nazi magazine, for comments a reader left portraying Jews as parasites. The charges came as many media outlets are changing their comments policies to allow for greater transparency and to discourage users from leaving racially negative comments.

Journalists' sources are protected by law, as is access to information for all citizens. However, there is considerable self-censorship among journalists, especially on issues relating to immigration. In 2011, Sweden did not see the same alarming physical attacks on journalists as in 2010; however, journalists faced some legal harassment. In December, Thomas Mattsson, editor of *Expressen*, was charged for instigating a weapons offense because he allowed an undercover journalist for his publication to purchase a firearm in order to investigate a story on how easy it is to purchase illegal firearms in Malmö. Mattsson and the offending journalist were both charged in the case, which was ongoing at the end of 2011.

Public broadcasting has a strong presence in Sweden, consisting of SVT and Sveriges Radio. Public television and radio are funded through a license fee, but television has considerable competition from private stations, and the main competitor is TV4. Private broadcasting ownership is highly concentrated under the media companies Bonnier and the Modern Times Group. The government offers subsidies to newspapers in order to encourage competition, and media content in immigrant languages is supported by the state. Sweden is among the top consumers of newspapers in the world, with about 75 percent of the population reading a newspaper every day. Even though it is threatened by dwindling advertising, the newspaper market is very diverse, with many local and regional papers.

Access to the internet is unrestricted by the government, and the medium was used by about 91 percent of the population in 2011. In March, two police officers were cleared of assault charges after forcing blogger Jesper Nilsson to delete a video. Nilsson had used his mobile phone to film the officers assaulting two youths in a metro station, before they confiscated his device. Nilsson later recovered the images and uploaded the video, which was used to prosecute the officers for harassment and unlawful misconduct. The officers reported Nilsson for aggravated defamation, harassment, and assaulting a police officer, though no formal charges had been brought against the blogger by the end of 2011. In October, the stolen login information of up to 180,000 internet users, including prominent journalists, was posted via the hacked Twitter account of legislator William Petzäll.

Switzerland

Status: Free

Legal Environment: 4

Political Environment: 3

Economic Environment: 5

Total Score: 12

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	12,F	13,F	13,F	13,F	13,F

Freedom of expression is guaranteed under Article 16 of the constitution, while Article 93 explicitly guarantees the independence of broadcast media. The penal code prohibits public

incitement to racial hatred or discrimination, spreading racist ideology, and denying crimes against humanity. The law does not specifically prohibit anti-Semitic speech or Holocaust denial, though there have been convictions for such expression in the recent past. In addition, it is a crime to publish information based on leaked “secret official discussions,” particularly regarding banking information. In January 2011, Swiss authorities arrested a former banker after he gave information on wealthy tax evaders to the antisecrecy organization WikiLeaks. A number of alleged violations of secrecy by the press were being investigated during the year, including disclosures by Agence France-Presse (AFP) on the purchase of new fighter jets by the Swiss military. No sentences were imposed for such offenses in 2011. A 2006 transparency law has not been used extensively due to a lack of awareness of its existence and provisions. Members of the press rarely suffer attacks or physical harassment in the course of their work.

Large publishing houses control most of the print sector, and such concentration of ownership has forced many stand-alone newspapers to merge or shut down. Broadcast media are dominated by the Swiss Broadcasting Corporation (SRG SSR), which is obliged to carry content in each of Switzerland’s four official languages—French, German, Italian, and Romansh. Because of the country’s linguistic divisions, most private stations are local or regional. Swiss viewers also have extensive access to cable television and foreign channels.

The internet, which is generally unrestricted, was accessed by approximately 85 percent of the population in 2011.

Syria

Status: Not Free

Legal Environment: 29

Political Environment: 38

Economic Environment: 22

Total Score: 89

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	83,NF	83,NF	83,NF	83,NF	84,NF

The unrest that swept the Middle East and North Africa took hold in Syria in 2011, with antigovernment protests erupting in the southern city of Daraa in March. The regime of President Bashar al-Assad clamped down brutally on the popular uprising, which soon spread to other cities such as Homs and Hama. In December, the United Nations estimated that more than 5,000 people had died since the start of the protests. Journalists were also targeted and subjected to violent attacks, leading to a steep decline in an already highly repressive media environment.

Although Article 38 of Syria’s constitution provides for freedoms of speech and of the press, these rights are severely restricted in practice. The 1963 State of Emergency law remains in place, and allows the authorities to arrest journalists under ambiguous charges of threatening “national security,” which in effect renders the constitution null. The 2001 Press Law allows for broad state control over all print media and forbids reporting on topics that are deemed sensitive by the government, such as issues of national security or national unity; it also forbids the publication of inaccurate information. Individuals found guilty of violating the Press Law face one to three years in prison and fines ranging from 500,000 to 1 million Syrian pounds (\$10,000

to \$20,000). The law also stipulates that the prime minister grants licenses to journalists, which can be rejected for reasons concerning the public interest. Under Articles 9 and 10, the Ministry of Information must approve all foreign publications. The ministry also has the power to ban these publications if they are found to challenge national sovereignty and security or offend public morality.

In August 2011, al-Assad approved a new media law that purportedly upheld freedom of expression and banned the arrest of journalists. The law outlined “positive” press freedom clauses, such as the lack of a “monopoly on the media” and the “right to access information about public affairs,” and banned “the arrest, questioning, or searching of journalists.” However, it also contained several anti-press clauses, including barring the media from publishing content that affects “national unity and national security,” inciting sectarian strife or “hate crimes.” The law also forbids the publication of any information about the armed forces. It holds editors in chief, journalists, and spokespeople accountable for actions that constitute a violation of the law and imposes fines of up to 1 million Syrian pounds (\$21,000). Article 3 states that the law “upholds freedom of expression guaranteed in the Syrian constitution” and in the Universal Declaration of Human Rights, but Article 4 says the media must “respect this freedom of expression” by “practicing it with awareness and responsibility.” There is no clear definition of this phrase, leaving room to use the law to crack down on journalists and reporters.

The Syrian Centre for Media and Freedom of Expression (SCMFE), a Damascus-based nongovernmental organization, reported that the Syrian government called for a “formal declaration of war on the media” during the 2011 protests. Evidence of such was documented by the Syrian authorities’ continuous attempts to crush the fourth estate by forcibly restricting coverage of the unrest, and misreporting the events of the uprising on the country’s state-run television stations. Acts of lying and spreading propaganda are common on state-run outlets. In September, the Doha Centre for Media Freedom described widespread reports in the state media calling protest organizers “infiltrators” and “radicals.” These outlets also went to great lengths to denounce the alleged false reporting in the foreign press about the situation in Syria. Meanwhile, due to the near-complete absence of media that was not linked to the government in some way—even prior to the protests—the only independent source of information has been citizen journalists, who managed to provide foreign outlets with video recordings of protests and atrocities. However, the authenticity of these recordings is difficult to verify, and they have been labeled “fake” by the regime.

International media were subjected to reporting restrictions, and most foreign journalists were banned and expelled from Syria in 2011. In March, the Syrian government revoked the press credentials of Khaled Yacoub Oweis, a Jordanian national and the head of the Reuters bureau in Damascus, because of “false and unprofessional coverage” of events in the country. Officials also expelled four of his colleagues. Al-Jazeera English reporter Dorothy Parfaz disappeared upon her arrival at the Damascus airport in April; after three days in a Syrian detention center, she was deported to Iran, and was returned to Qatar in mid-May. She later described her terrifying experience in detention, as well as the beatings she overheard there.

According to the Committee to Protect Journalists (CPJ), two journalists were killed in Syria in 2011. Ferzat Jaban, a cameraman, was last seen being placed under arrest while he was filming an antigovernment demonstration in the town of Al-Qasir on November 19. He was found dead the next day, with his body mutilated. Jarban was the first journalist killed in Syria in connection to his work since CPJ started keeping detailed records in 1992. Basel al-Sayed, a freelance videographer who was documenting clashes in Homs, was killed in

December. He had been shot in the head by security forces, according to local activists and relatives.

The SCMFE monitored 114 other violations against media workers in Syria between March and October 2011. This number included a number of arrests following the implementation of the new media law in August. Reported arrests included freelance journalist Wael Yousef Abaza, who was held incommunicado in October. Amer Matar, a freelance journalist and contributor to the pan-Arab daily *Al-Hayat*, was arrested in Damascus in September after covering protests. Freelance journalist Jihad Jamal was arrested at a Damascus café in October along with Sean McAllister, a British reporter working for Channel 4. McAllister, who was released after six days, said he last saw Jamal blindfolded and on his knees in an interrogation room in an unmarked building in central Damascus. Alaa al-Khodr, director of the official Syrian Arab News Agency in the eastern city of Deir al-Zour, was arrested in November. On the day of his arrest, al-Khodr had resigned from his post to protest “the regime’s human rights violations against civilians.”

The government and the ruling Ba’ath Party own most newspaper publishing houses and heavily control the media. The Ministry of Information and the Ministry of Culture and National Guidance censor domestic and foreign news, and have banned all Kurdish-language publications. Though the government opened up space to allow privately owned print media in 2001, owners of most private outlets have close ties to the regime, including outlets such as *Al-Watan*, *Al-Iqtisad*, and *Al-Khabar*; as a result, truly independent media was virtually nonexistent. While these private outlets may be allowed to push boundaries on entertainment and culture, only the government controls and disseminates domestic and foreign political news and analysis, especially through TV networks and FM radio. Television and radio broadcasting is, in general, controlled by the state, and the few private outlets that exist do not cover news or political issues. Although the government does not preapprove content that publications and television produce, these outlets practice self-censorship for fear of being shut down or having their employees arrested. Satellite television is widely available.

Approximately 23 percent of Syrians accessed the internet in 2011. In late 2010, the Syrian government approved a new internet law that would allow authorities to enter offices of online journalists and bloggers, seize materials, and prosecute bloggers in a criminal court. In addition, the proposed law would require journalists to submit their writing for review. The law, which significantly curtails freedom of expression on the internet, is expected to pass parliament in early 2012. Although the authorities unblocked access to social-media sites Facebook and Twitter in February 2011, they continued their crackdown on protesters’ use of social media and the internet to promote their movement. The year 2011 also saw the emergence of the Syrian Electronic Army, which systematically hacked regime opponents’ websites, blocked them, or flooded them with progovernment messages with the tacit approval of the Assad regime. Proregime cyberactivists also carried out the so-called Lovely Syria campaign on Twitter, which flooded the site with pictures showing scenes of beautiful Syrian landscapes, in an apparent effort to divert attention away from the daily massacres taking place and to overshadow efforts by activists to raise awareness via Twitter about the regime’s brutality. The campaign was finally taken down after pressure from regime opponents and online activists on Twitter.

The regime also stepped up its harassment of bloggers in 2011. In February, blogger Taj al-Mallohi was sentenced to five years in prison for giving information to foreign states, though the sentence is likely because of her blogging about social and political issues unrelated to the protests. Several other bloggers have been arrested and detained for supporting political upheaval

and social issues. The *New York Times* reported that security officials were moving on multiple fronts—demanding that dissidents turn over their Facebook passwords and switching off the 3G mobile network to limit the uploading videos to YouTube. There are about 580,000 Facebook users in Syria, a 105 percent increase since the government lifted its four-year ban. Several Syrian websites have also been preventing internet users from leaving comments on the popular uprising in Tunisia, such as Syria News, a progovernment website, while others have allowed a few very moderate or vague comments, while removing the more explicit ones.

Taiwan

Status: Free

Legal Environment: 8

Political Environment: 9

Economic Environment: 8

Total Score: 25

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	20,F	20,F	23,F	24,F	25,F

Taiwan's media environment is one of the freest in Asia, with a vigorous and diverse press that reports aggressively on government policies and alleged official wrongdoing. During 2011, the use of criminal defamation laws, a media merger that could increase ownership concentration, and incidents of Chinese state media content appearing in Taiwanese papers all raised concerns among journalists and media watchdogs that freedom of expression was under threat. In a positive development, the legislature passed legal amendments that reduced a trend in which government advertising was disguised as news reports.

The constitution provides for freedoms of speech and of the press, and the government and independent courts generally respect these rights in practice. In November 2011, the legislature passed an amended Children and Youth Welfare and Rights Protection Act, banning newspapers from excessive coverage or descriptions of rape, molestation, suicide, or drug abuse, as well as from using words and photographs depicting violent or erotic subject matter. Journalists and press freedom advocates had warned before passage that the legislation could be interpreted to limit a broad range of legitimate reporting.

Print media are free of state control, and following reforms in recent years, broadcast media are no longer subject to licensing and programming reviews by the Government Information Office (GIO). Media coverage is often critical of the government, though politically polarized; most outlets are sympathetic to one of the two major parties, the ruling Kuomintang (KMT) and the Democratic Progressive Party (DPP). In October 2011, KMT whip and legislator Hsieh Kuo-liang filed a criminal defamation lawsuit against Lin Chau-yi, a reporter at the online news outlet *Newtalk*, for a story Lin had written the previous month. The article claimed that Hsieh had intervened in a controversial cable television deal, urging regulators to expedite their decision on a merger between Want Want China Broadband and China Network Systems (CNS). Hsieh won court approval for the provisional seizure of NT\$2.5 million (US\$82,600) from Lin, and although he later retracted the asset seizure under public pressure, media freedom advocates continued to urge the Taiwanese government to repeal the criminal defamation provisions under

which the suit was filed. Publication of defamatory words or pictures can be punished by a maximum of two years in prison. In another case, a blogger in Taichung City was sentenced to two years' probation and ordered to pay NT\$200,000 (US\$7,000) in compensation for defamation after she wrote a negative review of a restaurant.

The National Communications Commission (NCC) is the main regulatory body tasked with awarding licenses. At the center of its attention in 2011 was Want Want China Broadband's proposal to purchase CNS, the country's second-largest cable television provider. The multibillion-dollar deal would allow the Want Want conglomerate to secure 23 percent of Taiwan's cable subscribers and roughly one-third of the overall media market. International media watchdogs and local academics raised concerns that the merger could undermine the diversity of opinion offered to the public. In June, three NCC commissioners announced that they would avoid involvement in the decision; the three had been the target of a denunciation campaign by Want Want–owned media in 2009 after they imposed restrictions related to cross-ownership on the company's purchase of the *China Times*. The NCC held its second public hearing on the CNS deal on October 24, but by year's end no decision on the merger had been finalized. Separately, since August 2009 the NCC had repeatedly denied requests by Next Media, the parent company of leading news publications in Hong Kong and Taiwan, to launch a cable television station. However, in July 2011 the commission approved the company's bid to form a news channel after founder and chairman Jimmy Lai agreed to leave sex and violence out of Next Media's trademark computer animations of news events and celebrity mishaps.

Physical violence against journalists in Taiwan is rare, and both local and foreign reporters are generally able to cover the news freely. Media owners can exercise considerable sway over the editorial content of their outlets. In October 2011, Global Views Survey Research Center (GVSRC)—owned by the Commonwealth Publisher Group, a Taipei-based commercial news outlet known for its in-depth business reporting—announced that it would no longer conduct polls on elections or political issues. The firm said this was due to commercial considerations and a “change of market environment.” However, opposition media suggested that it was a result of political pressure after the GVSRC published poll results that favored opposition presidential candidate Tsai Ing-wen over incumbent Ma Ying-jeou. The center's director, Lian Tai, resigned after the announcement. He defended the polling methodology and said the company management had stated that the polls “caused too much turbulence.”

As commercial ties between Taiwan and China deepen, press freedom advocates have raised concerns that media owners and some journalists are whitewashing news about China to protect their financial interests. In April 2011, Taiwan's partly government-owned satellite company Chunghwa Telecom (CHT), which has joint ventures with China's state-run China Telecom Corporation, announced that it would not renew its contract with New Tang Dynasty Television (NTDTV), a station run by Falun Gong practitioners that broadcasts uncensored news into China. Reporters Without Borders said it believed the decision was made to appease authorities in Beijing. Following a campaign by press freedom groups and Taiwanese politicians from both major parties, CHT backtracked in June and renewed the contract in August.

Taiwan is home to more than 360 privately owned newspapers and numerous radio stations. Satellite television systems carry 281 channels. Legislation approved in 2003 barred the government and political party officials from holding positions in broadcast media companies, and required government entities and political parties to divest themselves of all broadcasting assets. Controversies plagued the Public Television Service (PTS) in 2009 and 2010, including over the premature dismissal of the president and vice president, as well as the composition of

the board of directors. The current PTS board’s term expired in 2011, but KMT and DPP legislators were not able to agree on a proposed new list. Consequently, the existing board’s term was extended until a new board could be formed.

The issue of “embedded marketing”—advertising cloaked as news—came to the fore in December 2010 when veteran *China Times* journalist Dennis Huang resigned, reportedly to protest the proliferation of positive coverage purchased by both businesses and government entities. His resignation led to a public campaign to end the practice, according to press freedom watchdogs. In January 2011, legislators passed an amendment to the Budget Law to prohibit Taiwanese government agencies and government-funded enterprises from using public funds for paid news. The measure also prohibited embedded marketing for political purposes or promotion of a particular high-ranking official. According to local journalists, the new rules were generally implemented during the year. However, embedded marketing by foreign governments was excluded from the legal amendment, and cases of news supplied by China-based entities persisted during the year, though in some instances public pressure forced greater transparency. On April 8, *China Post*, an English-language newspaper in Taiwan, was found to have printed seven articles originally published in Chinese Communist Party–run outlets, without mentioning the sources. After a public outcry, the paper periodically published similar inserts, but indicated that the content was provided by the Asia News Network (ANN), based in Hong Kong, which distributes content from various daily newspapers, including China’s state-run *China Daily*. Under legally binding guidelines from 1993, Chinese news publications require Taiwanese government permission to enter Taiwan’s market, raising concerns that the ANN arrangement was an attempt to circumvent such rules.

The government refrains from restricting the internet, which was accessed by 72 percent of the population in 2011. But with Taiwan’s presidential and legislative elections set for January 2012, the DPP and KMT both reported a series of well-orchestrated cyberattacks. According to a DPP spokesman, the internet protocol (IP) addresses used in one hacking attempt were traced back to China, among other countries.

Taiwan

Status: Free

Legal Environment: 8

Political Environment: 9

Economic Environment: 8

Total Score: 25

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Total Score, Status	20,F	20,F	23,F	24,F	25,F

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Print media are free of state control, and following reforms in recent years, broadcast media are no longer subject to licensing and programming reviews by the Government Information Office (GIO). Media coverage is often critical of the government, though politically polarized; most outlets are sympathetic to one of the two major parties, the ruling Kuomintang (KMT) and the Democratic Progressive Party (DPP). In October 2011, KMT whip and legislator Hsieh Kuo-liang filed a criminal defamation lawsuit against Lin Chau-yi, a reporter at the online news outlet *Newtalk*, for a story Lin had written the previous month. The article claimed that Hsieh had intervened in a controversial cable television deal, urging regulators to expedite their decision on a merger between Want Want China Broadband and China Network Systems (CNS). Hsieh won court approval for the provisional seizure of NT\$2.5 million (US\$82,600) from Lin, and although he later retracted the asset seizure under public pressure, media freedom advocates continued to urge the Taiwanese government to repeal the criminal defamation provisions under which the suit was filed. Publication of defamatory words or pictures can be punished by a maximum of two years in prison. In another case, a blogger in Taichung City was sentenced to two years' probation and ordered to pay NT\$200,000 (US\$7,000) in compensation for defamation after she wrote a negative review of a restaurant.

The National Communications Commission (NCC) is the main regulatory body tasked with awarding licenses. At the center of its attention in 2011 was Want Want China Broadband's proposal to purchase CNS, the country's second-largest cable television provider. The multibillion-dollar deal would allow the Want Want conglomerate to secure 23 percent of Taiwan's cable subscribers and roughly one-third of the overall media market. International media watchdogs and local academics raised concerns that the merger could undermine the diversity of opinion offered to the public. In June, three NCC commissioners announced that they would avoid involvement in the decision; the three had been the target of a denunciation campaign by Want Want–owned media in 2009 after they imposed restrictions related to cross-ownership on the company's purchase of the *China Times*. The NCC held its second public hearing on the CNS deal on October 24, but by year's end no decision on the merger had been finalized. Separately, since August 2009 the NCC had repeatedly denied requests by Next Media, the parent company of leading news publications in Hong Kong and Taiwan, to launch a cable television station. However, in July 2011 the commission approved the company's bid to form a news channel after founder and chairman Jimmy Lai agreed to leave sex and violence out of Next Media's trademark computer animations of news events and celebrity mishaps.

Physical violence against journalists in Taiwan is rare, and both local and foreign reporters are generally able to cover the news freely. Media owners can exercise considerable sway over the editorial content of their outlets. In October 2011, Global Views Survey Research Center (GVSRC)—owned by the Commonwealth Publisher Group, a Taipei-based commercial news outlet known for its in-depth business reporting—announced that it would no longer

conduct polls on elections or political issues. The firm said this was due to commercial considerations and a “change of market environment.” However, opposition media suggested that it was a result of political pressure after the GVSRC published poll results that favored opposition presidential candidate Tsai Ing-wen over incumbent Ma Ying-jeou. The center’s director, Lian Tai, resigned after the announcement. He defended the polling methodology and said the company management had stated that the polls “caused too much turbulence.”

As commercial ties between Taiwan and China deepen, press freedom advocates have raised concerns that media owners and some journalists are whitewashing news about China to protect their financial interests. In April 2011, Taiwan’s partly government-owned satellite company Chunghwa Telecom (CHT), which has joint ventures with China’s state-run China Telecom Corporation, announced that it would not renew its contract with New Tang Dynasty Television (NTDTV), a station run by Falun Gong practitioners that broadcasts uncensored news into China. Reporters Without Borders said it believed the decision was made to appease authorities in Beijing. Following a campaign by press freedom groups and Taiwanese politicians from both major parties, CHT backtracked in June and renewed the contract in August.

Taiwan is home to more than 360 privately owned newspapers and numerous radio stations. Satellite television systems carry 281 channels. Legislation approved in 2003 barred the government and political party officials from holding positions in broadcast media companies, and required government entities and political parties to divest themselves of all broadcasting assets. Controversies plagued the Public Television Service (PTS) in 2009 and 2010, including over the premature dismissal of the president and vice president, as well as the composition of the board of directors. The current PTS board’s term expired in 2011, but KMT and DPP legislators were not able to agree on a proposed new list. Consequently, the existing board’s term was extended until a new board could be formed.

The issue of “embedded marketing”—advertising cloaked as news—came to the fore in December 2010 when veteran *China Times* journalist Dennis Huang resigned, reportedly to protest the proliferation of positive coverage purchased by both businesses and government entities. His resignation led to a public campaign to end the practice, according to press freedom watchdogs. In January 2011, legislators passed an amendment to the Budget Law to prohibit Taiwanese government agencies and government-funded enterprises from using public funds for paid news. The measure also prohibited embedded marketing for political purposes or promotion of a particular high-ranking official. According to local journalists, the new rules were generally implemented during the year. However, embedded marketing by foreign governments was excluded from the legal amendment, and cases of news supplied by China-based entities persisted during the year, though in some instances public pressure forced greater transparency. On April 8, *China Post*, an English-language newspaper in Taiwan, was found to have printed seven articles originally published in Chinese Communist Party–run outlets, without mentioning the sources. After a public outcry, the paper periodically published similar inserts, but indicated that the content was provided by the Asia News Network (ANN), based in Hong Kong, which distributes content from various daily newspapers, including China’s state-run *China Daily*. Under legally binding guidelines from 1993, Chinese news publications require Taiwanese government permission to enter Taiwan’s market, raising concerns that the ANN arrangement was an attempt to circumvent such rules.

The government refrains from restricting the internet, which was accessed by 72 percent of the population in 2011. But with Taiwan’s presidential and legislative elections set for January 2012, the DPP and KMT both reported a series of well-orchestrated cyberattacks. According to a

DPP spokesman, the internet protocol (IP) addresses used in one hacking attempt were traced back to China, among other countries.

Tanzania

Status: Partly Free

Legal Environment: 18

Political Environment: 16

Economic Environment: 15

Total Score: 49

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	51,PF	48,PF	50,PF	50,PF	48,PF

Although the constitution of Tanzania provides for freedom of speech, several other laws induce self-censorship and limit the ability of the media to function effectively. About 40 pieces of legislation have been identified as unfriendly to the press. The National Security Act, for instance, allows the government to punish any investigative journalism that touches on information it considers classified. Perhaps the most infamous of these antipress laws is the 1976 Newspaper Registration Act, which empowers authorities to register or ban publications “in the interest of peace and good order.” In 2009, the editor of *MwanaHalisi*, which had been shuttered in 2008, took the government to court, charging that the closure was unconstitutional. The case was still pending at the end of 2011. Separately, in December, authorities charged the managing editor and a columnist at the private Swahili daily *Tanzania Daima* with incitement over a column that accused the government of misusing the police force for political purposes. A magistrate also summoned the paper’s publisher for questioning. A conviction for incitement can lead to a sentence of up to a year and a half in prison. The case was expected to continue in 2012.

Public officials use both criminal and civil defamation suits to weaken cash-strapped media houses. In November 2011, former minister of good governance Wilson Masilingi filed a defamation case against a local Swahili newspaper, *RAI*, for a column that accused him of soliciting funds from his voters to buy an apartment. The court ordered the paper to pay 15 million Tanzanian shillings (\$9,000) in damages and publish apologies on the first and second pages of the paper. Such hefty fines can cripple media companies, which often operate on a tight budget; the average journalist’s salary is estimated at between \$58 and \$72 per month.

Public officials and prominent businessmen frequently use court injunctions to suppress critical reporting. Business mogul Yusuf Manji, among many others, has employed this tactic liberally, filing for nine court injunctions against the press in 2011. The quantity and extensive reach of these injunctions compelled the Media Owners Association of Tanzania to write to the principal judge of the High Court and accuse the judiciary of granting Manji “blanket ex parte injunctions” that imposed excessive restrictions.

Other laws, such as the Civil Service Act and the Public Leadership Code of Ethics Act, block access to information for journalists. Many public officials face legal restrictions on providing information to the media. Progress on enacting freedom of information legislation has been slow, with continued consultations on draft legislation. In January 2011, Minister of Culture and Information Emmanuel Nchimbi told media stakeholders that the government would do

everything in its power to pass a freedom of information bill. However, no further progress was made on the bill during the year.

The 1993 Broadcasting Services Act provides for state regulation of electronic media and allows the Tanzania Communications Regulatory Authority (TCRA), a nominally independent agency, to close stations at will. There is concern that the TCRA is subject to government influence because its board chairman and director general are both appointed by the president. Media advocacy groups are generally able to operate freely. In 1995, an independent self-regulatory body, the Media Council of Tanzania (MCT), was established to help promote a more free and open media sphere. Since its inception, the MCT has helped to settle defamation lawsuits, worked toward preserving media freedom and journalistic ethics, and encouraged new media policies and legislation.

Although cases of police and ruling party supporters abusing journalists were more prevalent during the 2010 election year, some incidents still occurred in 2011. In January, the police arrested journalists who were attempting to cover antigovernment demonstrations in Arusha. In September, suspected ruling party youth supporters attacked Mussa Mkama, a reporter for the Swahili paper *Dira ya Mtanzania*, after he sought to interview a lawmaker about an incident in which opposition and ruling party supporters clashed.

Conditions in the semiautonomous Zanzibar archipelago remain more restrictive than on the mainland. There are indications that the Zanzibar government is interested in reform, as the Media Council of Tanzania now has a branch on the islands, new press clubs are operating, and an editors' forum was created in 2009. However, Zanzibar officials continue to monitor the content of both public and private radio and television broadcasts. *Zanzibar Wiki Hii* is the region's only private weekly, though it generally avoids critical coverage of the leadership, as implicating Zanzibar lawmakers in criminal activities can result in a minimum fine of approximately \$200 or three years' imprisonment. The government publishes the region's only daily paper, *Zanzibar Leo*. There are four private radio stations, although none are critical of the government; two are owned by ruling party supporters, and the others predominantly focus on religious issues. Residents can receive private broadcasts from the mainland, and opposition politicians have access to the state media outlets. However, state television channels from the mainland are broadcast with delays to allow Zanzibar officials to censor the content. Journalists must be licensed and obtain permits to cover developments related to police work and the prison system. A group of Zanzibar police badly beat Channel Ten TV journalist Munir Zakaria for taking pictures of an evacuation operation by the municipal council in the Darajani area of the island in January 2011. The police accused Zakaria of inciting residents against the exercise.

There are numerous media outlets in Tanzania as a whole, including dozens of daily and weekly newspapers, more than 50 radio stations, and 15 television stations. Media ownership, albeit transparent, is concentrated in the hands of a few proprietors. Only five radio stations have a national reach—state-run Radio Tanzania and privately owned Radio One, Radio Free Africa, Radio Uhuru, and the youth-oriented Cloud FM—but all are viewed as sympathetic to the ruling party. In recent years the public broadcaster has reportedly demonstrated more balanced views, according to the 2010 African Media Barometer. Foreign media content is freely available, but only 5 percent of the population has access to television due to high costs. The government reportedly continues to withhold advertising from critical newspapers and websites, especially those that favor the opposition. Private firms that are keen to remain on good terms with the government allegedly follow suit, making it difficult for critical media outlets to remain

financially viable. The problem is exacerbated by the influence advertising clients have over editorial content and media houses' dependence on advertising revenue.

While Tanzania's internet usage rate was 12 percent of the population in 2011, the rate has increased dramatically since 2005 and is expected to grow in the years to come, according to a report by the TCRA. Although there were no explicit government restrictions on the medium in 2011, there were reports that officials monitored internet content and activity. The ruling party targeted the popular news and public-forum website Jamii Forums in April. Commenting on the role of social media in political activism and prodemocracy movements around the world during a party congress, ruling party vice chairman Pius Msekwa publicly accused the website of undermining the government. Jamii Forums moderators allege that ruling party supporters also conduct cyberattacks on the site, overloading it with traffic to disrupt service.

Thailand

Status: Partly Free

Legal Environment: 20

Political Environment: 24

Economic Environment: 16

Total Score: 60

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	59,PF	56,PF	57,PF	58,PF	62, NF

Status change explanation: Thailand improved from Not Free to Partly Free due to the expansion of media coverage leading up to and following the July 2011 elections. Throughout the year, violence against journalists, censorship, and media restrictions lessened; however, the end of 2011 saw a return to repressive practices through a new online monitoring agency and expanded use of *lèse-majesté* laws.

The Thai press freedom environment improved in 2011 due to the lapse of the state of emergency at the end of 2010, which allowed for more open coverage in the run-up to the July elections. The elections quelled the ongoing conflict between the red-shirted backers of the United Front for Democracy Against Dictatorship (UDD) and the yellow-shirted supporters of the People's Alliance for Democracy (PAD). The eventual victory of the Pheu Thai Party—led by Yingluck Shinawatra and supported by many red shirts—in July was seen as a gain by democracy activists. However, toward the end of the year the government began cracking down on journalists as a result of enhanced monitoring of electronic media, as well as the increased harassment of reporters. The authorities intensified prosecutions under *lèse-majesté* laws and, on December 1, opened the new Cyber Security Operations Centre (CSOC), which extends control over online media, particularly blogs and social media, and aids the large-scale shutdowns of websites.

The 2007 constitution restored and extended freedom of expression guarantees, replacing an interim charter imposed by a military government in 2006. The legislature also replaced the 1941 Printing and Publishing Act, though various pieces of legislation enacted by the military government remain a threat to press freedom. The 2007 Internal Security Act grants the

government sweeping powers in the event of vaguely defined security threats, including the detention of suspects for 30 days without charge. The end of the state of emergency encouraged a more open media environment, with journalists increasingly critical of the government and its policies. While the media environment as a whole has become freer, certain topics, such as the monarchy, remain off limits to Thai society.

The punitive *lèse-majesté* laws assign penalties of up to 15 years in prison for criticism of the king, the royal family, or Buddhism. Complaints can be brought by one citizen against another, and authorities are required to investigate such allegations, which have increased in recent years alongside the government's use of the law to stifle dissent. In 2011, many high profile *lèse-majesté* cases were tried, resulting in harsh punishments. In October, Ampon Tangnoppakul, a 61-year-old man, was sentenced to 20 years in prison for allegedly sending four text messages that were insulting to the monarchy. Shortly after his trial, another *lèse-majesté* case made the headlines. Joe Gordon, an American of dual citizenship, was sentenced to two and a half years in prison for posting online translations of a book on that is banned in Thailand, even though he was in the United States at the time. The authorities said that "liking" or promoting a post on Facebook or other social-networking sites constituted a violation of *lèse-majesté* laws. Alongside these two cases, other high profile *lèse-majesté* trials have prompted a backlash against the laws and their harsh implementation. In October 2011, a government official—in response to UN and international criticism—commented that *lèse-majesté* laws may have been overused and "inadvertently" limited free speech, prompting an unprecedented debate over their reform.

Although self-censorship on topics involving the monarchy remains the rule, newspapers provide a diversity of news and opinion, and even feisty commentary and analysis of domestic politics. In addition to some state limitations on what can or cannot be published, owners of news outlets have become increasingly polarized in recent years, advocating a hard line on both sides of the political divide. At the same time, foreign and local journalists were able to report more freely in 2011 compared with 2010. While the media environment is still not fully open, journalists were largely safe from mob attacks, physical threats, or legal intimidation. The authorities allowed an official investigation into the death of Hiro Muramoto, a Japanese cameraman, who died during public demonstrations in April 2010. It was widely reported that he was shot by the military. However, there is still a sense of ongoing impunity surrounding acts of violence against journalists, and lingering distrust between the public and journalists.

The mainstream print media remain robust. Large conglomerates and prominent families, some with political ties, own the majority of outlets. While print media are privately owned, radio and television remain under the direct or indirect control of the state. Many radio stations were closed after the 2006 military coup, though hundreds of officially registered stations continue to broadcast throughout the country. Government control of the broadcast media increased in 2007, when the Public Relations Department took over Thailand's only independent television station, iTV. Officials claimed that the station, previously run by a company that had been owned by former prime minister Thaksin Shinawatra, had illegally changed its operating concession with the prime minister's office and owed crippling fines. A new public broadcaster, the Thai Public Broadcasting Corporation, was established in January 2008. The 2008 Broadcasting Act governs the licensing of radio and television in three categories—public, private, and community media. Thousands of Thailand's community radio stations continue to operate outside the law due to the government's failure to establish a regulatory and licensing

commission. In 2011, 10 local community radio stations were shut down after claims that they had violated lèse-majesté laws.

The internet was accessed by approximately 24 percent of the Thai population in 2011. Government censorship of the internet has been in place since 2003, largely to prevent the circulation of pornography and illegal products. However, since the 2006 coup, internet censorship has increasingly been used against potentially disruptive political messages and sites that are considered a threat to national security, including those of Muslim separatist groups in Pattani. As in past years, Thais took their heated debates to the internet and social-networking sites, where the government and military undertook a much more focused effort to control commentary and information deemed incendiary, divisive, and subversive. This led to some self-censorship.

The Ministry of Information and Communication Technology (MICT) blocked at least 2,200 websites between April and June 2010. In the first half of 2011, Google reported that MICT requested that 225 videos be removed from YouTube for having content that allegedly violated lèse-majesté laws, up from 45 in 2010. Most of the sites were seen as insulting to the monarchy, although they included some independent news sites, such as *Prachatai*. In 2010, the Thai Netizen Network cited sources indicating that the number of blocked websites was as high as 10,000.

The opening of the CSOC in 2011 signaled an even greater decline in Thai internet freedom. It has enabled the MICT to shut down and block online content more quickly, without the need for a court order. The CSOC is also working with internet service providers and website owners to block content not only in Thailand, but globally. Their efforts are particularly focused on social-networking sites such as Twitter and Facebook, both of which have gained significant ground in Thailand recently. The CSOC also intends to amend the Computer Crimes Act (CCA) in order to streamline prosecutions of violators. The controversial CCA assigns prison terms of up to five years for the online publication of forged or false content that endangers individuals, the public, or national security, as well as for the use of proxy servers to access restricted material. The legislation was first invoked against a blogger in 2007, and has increasingly been used to apply lèse-majesté laws to the internet. The editor of *Prachatai*, Chiranuch Premchaiporn, was charged under the CCA in March 2010 for refusing to remove critical comments from the site. Chiranuch, more popularly known as “Jiew,” faces up to 82 years in prison for two separate cases, both based on alleged violations of the CCA and lèse-majesté laws. In September 2011, her trial was postponed until late February 2012. *Prachatai* has been harassed by the police and burdened by the CCA’s requirement that websites monitor and take responsibility for user comments. As a result, the news site has removed its discussion forums.

Togo

Status: Not Free

Legal Environment: 22

Political Environment: 26

Economic Environment: 21

Total Score: 69

Survey Edition	2007	2008	2009	2010	2011
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Total Score, Status	74,NF	74,NF	72,NF	74,NF	73,NF
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Freedom of speech and freedom of the press are legally guaranteed in Togo, but these rights are often ignored by the government. The protection of confidential sources is explicitly provided for by the Press and Communication Code, though in practice the police have been reported to demand that journalists reveal their sources. The print media is not required to obtain permission from state authorities before publishing, and there is no law restricting the practice of journalism to those with a certain academic background. Pervasive impunity for crimes against journalists, however, has created an illiberal media environment marked by self-censorship that persisted during the tense election year of 2010 and only improved marginally in 2011.

While imprisonment for defamation was abolished in August 2004 with an amendment to the Press and Communications Law, journalists can still receive a criminal fine of up to 5 million CFA francs (\$10,000) under Article 104 of the media code or Article 58 of the penal code. Such punishment for libel has typically been infrequent, but 2010 featured a startling increase in the number of libel cases and convictions, particularly those concerning President Faure Gnassingbé and his family. One such case was that of the Benin-based magazine *Tribune d'Afrique*, in which the magazine was ordered to pay 60 million CFA francs (\$200,000) in damages, a fine of 20 million CFA francs (\$4,000), and also received a publication suspension in 2010 for an article accusing the president's brother of drug trafficking. The magazine appealed the decision and in July 2011, after it had been banned from publishing in Togo, a Lomé appeals court agreed to reduce the distribution ban to just three months—a sentence that had been fulfilled by November 2010, as well as the damages. There was only one noteworthy libel case in 2011, signaling an improvement from previous years. The private weekly *L'Indépendant Express* was fined 200 million CFA francs (\$400,000) in damages and 800,000 CFA francs (\$1,600) for libel. While the information in question was proven by an independent arbiter to be false, the fines were widely considered to be disproportionate to the offense.

The High Authority of Broadcasting and Communications (HAAC) is a tool that the government has used to intimidate the press. While originally intended to be an independent body that would protect the media and ensure ethical standards, the HAAC now serves almost exclusively as the government's censorship arm. In October 2009, the parliament passed a law allowing the HAAC to impose sanctions, seize equipment, ban publications, and withdraw press cards. However, there were no reports of the HAAC suspending publications or withdrawing press cards in 2011. In December 2010, three independent radio stations were closed under the authority of the Posts and Telecommunications Regulation Agency (ART&P) for not having the proper operating permits or meeting technical regulations. In February 2011, several civil society and journalists' organizations organized a campaign to bring attention to these closures, which included sit-ins and protest marches. Two of the three radio stations in question were reinstated by the end of the year. In March, the ART&P closed community radio station Carré Jeunes for "non-respect of professional standards," though it was reinstated by the end of 2011.

In the lead-up to the 2010 presidential election, a number of journalists from French media outlets had been denied press accreditation until election day, preventing them from fully covering the event. No such restriction on international reporting took place in 2011, but radio stations are legally barred from rebroadcasting foreign programs without prior authorization from the HAAC.

Journalists in Togo have traditionally operated in fear of violent attacks and harassment for their reporting, and many engage in self-censorship as a result. According to the Union of

Independent Journalists in Togo (UJIT), there was an increase in the number of journalists harassed in 2010 around the election. In 2011, a group called “SOS Journalists in Danger” was formed after an anonymous note, purportedly from the government, threatened 10 journalists critical of the government with torture and bodily harm. None of the journalists were harmed by the end of the year. The only reported incident of violence against journalists in 2011 came in August, when the police used tear gas to disperse a demonstration of journalists and other press freedom advocates who were protesting against the National Intelligence Agency for allegedly threatening journalists.

Despite the rapid growth of private media since the late 1990s, the government still owns the media outlets with the greatest reach in each medium, including the only television station with a nationwide broadcast. The size of the private media sector is impressive for a relatively small country, and its content is often highly politicized. There are approximately 30 privately owned newspapers that publish with some regularity, including 2 dailies, about 100 private radio stations—most of which are private—and 8 independent television stations. The state broadcaster appeared to make efforts in 2011 to diversify its coverage. Many media outlets suffer from precarious finances due to a small pool of private advertisers and a low degree of professionalism. Journalists regularly take bribes and self-censor often as a result of pressure from editors or external actors.

Some 3.5 percent of the population was able to access the internet in 2011, a relatively high penetration rate by regional standards. Internet speeds are very slow and access is expensive for the average citizen. There was some evidence in 2011 of government interference in private online accounts.

Tonga

Status: Free

Legal Environment: 10

Political Environment: 9

Economic Environment: 10

Total Score: 29

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	31,PF	31,PF	32,PF	32,PF	31,PF

Status change explanation: Tonga improved from Partly Free to Free due to the new government’s commitment to strengthening press freedom and a general reduction in the harassment and intimidation of journalists.

Tonga’s media landscape has matured and strengthened in recent years. The kingdom held elections under new rules in November 2010, with the parliament rather than the king empowered to choose the prime minister. The election campaign reflected a more robust and open media climate than in the past, and a clearer commitment by the government to uphold Clause 7 of the constitution, which guarantees a free press. In May 2011, Prime Minister Siale ‘Ataongo Kaho (Lord Tu‘ivakanō)—who was elected as national leader ahead of the prodemocracy politician Samuela ‘Akilisi Pohiva, a former broadcaster and publisher—declared

in a World Press Freedom Day statement: “With a new and more democratic system of government, it is more critical now than ever that the government, the media, and the public understand the importance of transparency, freedom of information and freedom of the press in building a more informed and educated society.”

Journalists found guilty of libel and defamation are usually punished with fines. In May 2011, cabinet minister Clive Edwards won a defamation lawsuit against the newspaper *Kele‘a* for a story published on the day before the elections that accused him and other candidates of forming a “secret” political party backed by the government. Edwards claimed that the front-page story was false and played a key role in the loss of his seat in the parliament. The newspaper was fined 14,275 pa‘anga (\$8,300).

A longtime publishing foe of the monarchy, Kalafi Moala, now heads an independent newspaper, *Taimi ‘o Tonga*, in Nuku‘alofa and has been contracted to revive the state-owned *Tongan Chronicle* as a weekly English-language newspaper, with some success. Moala also established the Taimi Media Network website. The independent monthly magazine and news website *Matangi Tonga* is an important media provider and book publisher. The state-owned Tonga Broadcasting Commission owns one AM and two FM radio stations as well as the free-to-air station Television Tonga.

The government does not restrict access to the internet, which was used by more than 25 percent of the population during 2011.

Trinidad and Tobago

Status: Free

Legal Environment: 6

Political Environment: 11

Economic Environment: 8

Total Score: 25

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	24,F	23,F	23,F	23,F	24,F

Freedom of the press is enshrined in the constitution, and is generally respected in practice. However, defamation and libel remain criminal offenses. While freedom of information legislation is in place, the government has been criticized for gradually narrowing the categories of public information that are accessible under the law. A Data Protection Act to provide for the protection of certain personal data and information was passed in June 2011, but had yet to be proclaimed by President George Maxwell Richards at year’s end. Critics of the new law, including the Media Association of Trinidad and Tobago (MATT) and the Trinidad and Tobago Publishers and Broadcasters Association (TTPBA), argued that it does not contain specific exemptions for journalism, literature, and art, or for the publication of material on the grounds of public interest. They also voiced concerns that it is too ambiguous and will only serve to undermine press freedom.

There were a number of reports of government intimidation of journalists and interference in the work of media houses in 2011. In April, journalists at the state-owned Caribbean New Media Group (CNMG) expressed their concerns about increasing political

interference, noting that they felt pressured by managers to publish only positive news about the government and did not feel free to focus attention on controversial policies, expose corruption, or hold politicians accountable to public opinion. Foreign Affairs Minister Surujrattan Rambachan denied that there was any political interference in the CNMG. On December 29, around 20 police officers raided the newsroom of Caribbean Communications Network Television 6 (CCN), the largest private television broadcaster in the country. They were executing a search warrant to seize a tape of a *Crime Watch* program aired in late October.

For the most part, journalists can cover the news freely, and there were no reports of physical attacks against the press. However, two journalists with the *Trinidad Express* newspaper received threatening e-mails on January 30 in relation to their reporting on the questionable appointment of a Strategic Services Agency employee. An investigation revealed that the e-mails had been sent by an adviser to the prime minister, who denied any involvement.

There are three daily newspapers—*Trinidad and Tobago Express*, *Newsday*, and the *Trinidad Guardian*—and three political weeklies, all of which are privately owned. Four television stations are in operation, including the state-owned CNMG. There are about a dozen radio stations, including three operated by the CNMG. Due to the high literacy rate in the country, print media are an important source of news. Concerns regarding the use of advertising to influence content occur occasionally. In October 2011, the TnT Mirror Group, which publishes a biweekly newspaper, claimed it had suffered a significant decline in advertising since a government-imposed boycott was initiated in June. The company said the boycott, by government ministries and state agencies, occurred after the paper resisted government pressure to drop a story. Publisher Maxie Cuffie reported that attempts to engage in dialogue with the government had been unsuccessful. A similar type of boycott also reportedly affected the I95.5 radio station.

There were no government restrictions on the internet, which was accessed by 55 percent of the population in 2011.

Tunisia

Status: Partly Free

Legal Environment: 18

Political Environment: 17

Economic Environment: 16

Total Score: 51

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	83,NF	81,NF	82,NF	85,NF	85,NF

Status change explanation: Tunisia improved to Partly Free to reflect the dramatic transformation in the media environment following the overthrow of President Zine el-Abidine Ben Ali in January 2011. Proposals for the draft constitution contain provisions protecting press freedom, restrictive laws were no longer used to imprison journalists, and formerly tight controls over the internet were relaxed considerably. A number of private media outlets began operating, leading to a greater diversity of viewpoints and less self-censorship and state control over content. Both professional and citizen journalists were able to cover the news more freely and

with less fear of reprisals. Additionally, there were fewer economic barriers to entry into the media market, and outlets were able to more easily sustain their operations through advertising.

As protests against longtime president Zine el-Abidine Ben Ali—which had begun in December 2010—gained strength in early January 2011, the regime stepped up efforts to censor coverage of the unrest, and several bloggers and activists were arrested or disappeared on January 6. Nevertheless, the protests spread and gained strength, and the president and his wife fled Tunisia for Saudi Arabia on January 14. After Ben Ali's ouster, previously jailed journalists, bloggers, and activists were released, and gained the ability to operate with much less fear of harassment or imprisonment. A transitional government was formed, but protests continued throughout the year over a variety of issues. Elections held in October for a Constituent Assembly—which would write a new constitution—were deemed to be free and fair, and the new body is led by a coalition of Islamist and secular parties.

Under Ben Ali, Tunisia's constitution and press code offered ill-defined protections for freedom of the press, and the government did not respect them in practice. The press code criminalized libel and defamation, and violations could result in imprisonment and fines, with offensive statements about the president carrying prison sentences of up to five years. Journalists could also legally be punished for disturbing public order. During Ben Ali's rule, more than 100 Tunisian journalists had been forced into exile, according to the National Syndicate of Tunisian Journalists. The authorities monitored foreign media and denied accreditation to critical journalists and foreign publications, and reporters could be seized or expelled if they offended the government. Self-censorship among journalists was common. Due to harassment and the fear of arrest, journalists hesitated to report on sensitive political topics and generally waited for official accounts from the government's Tunis Afrique Presse (TAP) agency to guide their reporting. Censorship and monitoring of the internet was pervasive by the cyberpolice, known as Ammar 404.

After Ben Ali fled, the media environment opened considerably. Proposals for the new constitution, which the Constituent Assembly would begin working on in 2012, provide for freedom of opinion, expression, and the press. The transitional government adopted a draft press code bill on the eve of the Constituent Assembly elections; the bill was then passed by the assembly in November and is in the process of being implemented. This code will enable journalists to freely access information, and removes a requirement for prior authorization from the Ministry of the Interior for the publication of certain stories. The draft press code also includes a reduction in the protection and privileges enjoyed by public authorities, including those related to defamation and information related to state security. In May, the interim government adopted a Decree on Access to Administrative Documents. While the adoption of the decree was welcomed by press freedom groups, it was criticized for its broad exceptions and the absence of a public interest override clause, as well as the fact that it was not scheduled to be implemented for two years. Activists were working to include the right to freedom of information in the new constitution. Further, there were no libel cases in 2011.

The tone of the media has changed under the new government, as there is no longer official censorship, strict control of the internet is no longer an issue, and self-censorship has decreased. However, these gains were not universal. Journalists in Tunisia continue to face threats, but to a far lesser extent than before, and there is a lack of a professional code of conduct and professionalism among media contributors. Police violence against journalists in May and July 2011 was similar to the practices of the security forces under Ben Ali. In May, plainclothes

police physically assaulted 15 local and international journalists while they were covering demonstrations. And in July, several journalists were targeted and attacked while demonstrating outside the Kasbah Palace in Tunis. In addition, Salafist groups have been using various intimidation methods against journalists. The religious extremist groups have harassed media representatives in an attempt to dissuade them from covering stories related to religion. Legal proceedings were brought against Nessma TV and its leading shareholder in October after the broadcasting of the Franco-Iranian animated film *Persepolis*, which depicts a representation of God; the case was ongoing at the end of 2011. Further, after the film was aired, an angry crowd attempted to storm Nessma TV's offices in Tunis; it was dispersed by the security forces

There was a significant increase in the number of independent media outlets in 2011, representing a diversity of viewpoints; however, some observers expressed concern over the apparently chaotic media environment in the country after the revolution, which—similar to the political sphere—is still very much in a transitional phase. New media outlets were able to begin work quickly, as the registration process has been expedited considerably. Press freedom groups and journalists alike are able to operate more openly in this new environment. In 2011, a new television station was created, and three new radio stations began broadcasting. More than 50 newspaper registration applications were submitted by May 2011. The cost of establishing media outlets has decreased, and there is no longer a state intermediary between advertisers and the media. The debilitating limits on advertising that existed under Ben Ali are no longer a factor for privately owned media. The Tunisia External Communication Agency used to allocate advertising support to progovernment newspapers, but this group has suspended its activities. While this is a positive gesture from the government, the agency appears to be restricting media distribution in Tunisia. The agency halted the distribution of two French weeklies, *L'Express* and *Le Nouvel Observateur*, because they contained representations of the prophet Muhammad.

Approximately 39 percent of the population had internet access in 2011. More people than ever used social-media platforms such as Facebook and Twitter in Tunisia during the year, and these platforms, along with mobile phone networks, helped spread information about the January uprising. Ben Ali's censorship apparatus stepped up efforts to block content, including preventing bloggers from uploading photos and videos of the protests to Facebook, YouTube, and other sites, as well as blocking access to foreign news websites. Several bloggers and online activists, including Slim Amamou, were among those arrested or disappeared on January 6. The environment for online free expression improved significantly after the fall of Ben Ali. However, there have been instances of internet censorship under the transitional government. Amamou, who was named a minister in the transitional government later in January, resigned in May after the government agreed to the army's request to censor websites. Social media is playing a growing role in the country, with new online platforms joining the increasing number of print, radio, and television outlets.

Turkey

Status: Partly Free

Legal Environment: 22

Political Environment: 22

Economic Environment: 11

Total Score: 55

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	49,PF	51,PF	50,PF	51,PF	54,PF

The Turkish government, led by the Justice and Development Party (AKP), continued to crack down on unfavorable press coverage in 2011. Constitutional guarantees of freedom of the press and expression are only partially upheld in practice, and are generally undermined by provisions in the penal code and a strict antiterrorism law. Turkish law does not meet press freedom standards as laid out in the European Convention on Human Rights. The restrictive penal code continued to overshadow positive reforms that had been implemented as part of the country's bid for European Union (EU) membership, including a 2004 press law that replaced prison sentences with fines for media violations. Defamation remains a criminal offense and can result in fines or prison terms. In January 2011, a new amendment to the media law was passed, allowing for television broadcasts to be suspended and stations to be fined or closed by Prime Minister Recep Tayyip Erdoğan or other designated ministers in cases of emergency or threats to national security. In May 2011, the Constitutional Court approved the removal of Article 26 from Turkey's press law, which had restricted the amount of time prosecutors had to file a complaint against publications or journalists to 2 months in the case of dailies and up to four months for other publications.

Application of a range of restrictive laws has led to dozens of journalists and writers being imprisoned in recent years. Article 301 of the penal code, which prescribes prison terms of six months to two years for "denigration of the Turkish nation," has been used to punish journalists who state that genocide was committed against the Armenians in 1915, discuss the division of Cyprus, or criticize the security forces. A set of 2008 amendments to the article were largely cosmetic, substituting "Turkish nation" for "Turkishness" and "State of the Turkish Republic" for "Turkish Republic," and reducing the maximum prison sentence from three years to two. Very few of those prosecuted under Article 301 receive convictions, but the trials are time-consuming and expensive. In March 2011, novelist Orhan Pamuk was fined \$3,670 for "denigrating Turkishness." The charges stemmed from remarks he made during an interview in February 2005 with the Swiss publication *Das Magazin*. In the interview, Pamuk stated, "Thirty thousand Kurds have been killed here, and a million Armenians. And almost nobody dares to mention that." Turkish commentators were divided over the remarks.

Article 216 of the penal code, which bans "inflaming hatred and hostility among peoples" and carries a six-month to three-year prison term, continues to be used against journalists and other commentators who write about the Kurdish population or allegedly denigrate the armed forces. In March 2011, academic İsmail Beşikçi was sentenced to 15 months behind bars for an article entitled "The Rights of the Nations to Self-Determination and the Kurds." Beşikçi has spent a total of 17 years in prison for similar publications on the Kurdish minority. The first hearing in a case against cartoonist Bahadır Baruter was held in September, though no judgment had been reached by the end of the year. Baruter faced a one-year prison sentence for a cartoon that appeared in the weekly magazine *Penguen*, depicting the words "There is no God, religion is a lie" on the wall of a mosque.

Amendments to the antiterrorism law, officially called the Law on the Fight against Terrorism, that were passed in 2006 allow journalists to be imprisoned for up to three years for the dissemination of statements and propaganda by terrorist organizations, and five years for creating propaganda on behalf of a terrorist organization. The legislation has raised concerns

about arbitrary prosecutions, since members of the pro-Kurdish press are sometimes accused of collaborating with the separatist Kurdistan Workers' Party (PKK) militant group. Sixty-four of the reporters in detention at the end of 2011 were from Kurdish media outlets. In October, the Council of Europe's commissioner for human rights voiced concern over the broad wording and application of both the antiterrorism law and Article 220 of the penal code, which assigns one to three years in prison to those found guilty of creating propaganda in support of a criminal organization or its objectives.

Extensive investigations surrounding Ergenekon, an alleged right-wing coup conspiracy, were ongoing in 2011. In February, three journalists from the website OdaTV were arrested in relation to the Ergenekon case. In March, police raided a number of homes of journalists and professors in search of notes and computers. Ten people were arrested, including journalists Nedim Şener and Ahmet Şık, who faced up to 15 years in prison. The fact that neither had access to the evidence brought against him was criticized by the Council of Europe's commissioner for human rights. The government and the chief prosecutor in the Ergenekon case have consistently maintained that journalists arrested during the investigation were detained not because of their writing, but because of evidence tying them to an illegal organization, though this evidence has not been released. The trial of Şener and Şık, as well as eight other reporters and editors from OdaTV, was ongoing at the end of the year. The OdaTV staff were allegedly targeted for their critical reporting on the Ergenekon case. Şık was reportedly detained because of his book on the Fethullah Gülen religious movement, and Şener for his book on ethnic Armenian journalist Hrant Dink's assassination in 2007. Separately, Mustafa Balbay, a bureau chief of the daily *Cumhuriyet* who was arrested in connection with Ergenekon, had been held in prison without charge for nearly three years as of the end of December 2011.

In 2011, the government also stepped up its detention of individuals suspected of having links to the Union of Communities in Kurdistan (KCK), a wing of the PKK, as part of a crackdown launched in April 2009. Approximately 4,000 people—mostly members of the pro-Kurdish Peace and Democracy Party—had been officially arrested as of November 2011, on charges of undermining the state and assisting an illegal organization. Some 70 people were arrested for alleged links to the KCK in November, including the owner of Belge Publishing House, Ragıp Zarakolu. Twenty-six journalists, including a photographer for Agence France-Presse, were among about 100 people arrested in December for alleged connections to the KCK. As of December, 2,000 people remained in custody as part of the investigation. The Ergenekon and KCK cases have further encouraged editors and journalists to practice self-censorship to avoid violating legal restrictions.

The Supreme Council of Radio and Television, whose members are elected by the parliament, has the authority to sanction broadcasters if they are not in compliance with the law or its expansive broadcasting principles. The council is frequently subject to political pressure. Print outlets can also be closed if they violate laws restricting media freedom. In a 2011 survey of 67 journalists from top Turkish media outlets by Esra Arsan of Istanbul Bilgi University, 95 percent of respondents said the government interferes in news production, while 85 percent said media owners also intervene. Arsan's report found that in contrast to years past, when the military had influence over the news, the police now play a stronger role.

Threats against and harassment of the press remained much more common than acts of violence. Journalists are rarely killed—none were murdered in 2011—and their work is not regularly compromised by the fear of physical attacks, although instability in the southeastern part of the country does infringe on journalists' ability to work. The European Court of Human

Rights (ECHR) ruled in September 2010 that the Turkish government had failed to respond to ultranationalist hostility toward Hrant Dink, the editor in chief of the Turkish-Armenian weekly *Agos* who was assassinated in 2007. Prior to his murder, Dink had twice been prosecuted under Article 301 for insulting Turkishness. In July 2011, a juvenile criminal court convicted Oğün Samast of premeditated murder and sentenced him to more than 22 years in prison for Dink's death. In September, the High Criminal Court held its 20th hearing in the cases of an additional 19 individuals charged in relation to Dink's murder. No journalists were murdered in 2011.

There are approximately 370 newspapers operating in Turkey, including 38 daily national papers. The country's broadcast media are also well developed, with hundreds of private television channels, including cable and satellite, and more than 1,000 commercial radio stations. State television and radio provide limited broadcasting in minority languages, including several local radio and television stations that broadcast in Kurdish. The introduction of Kurdish-language stations in recent years marked a major step forward for freedom of expression, although critics say that the broadcasts are too restricted and their quality is poor. An Armenian-language radio outlet, Nor Radio, began broadcasting over the internet in January 2009. Media ownership is highly concentrated, with a few major private holding companies subtly applying pressure on editors and journalists to refrain from coverage that could harm the parent company's business interests. This can include avoiding criticism of the government or potential advertisers. In February 2011, the parliament passed legislation that allows foreigners to own up to 50 percent of a Turkish broadcaster, an increase from the existing 25 percent cap. The new law also reduced the amount in advertising revenues that channels are required to turn over to the Radio and Television Supervision Agency. The Turkish print media tend to focus on columns and opinion articles rather than pure news, while independent domestic and foreign print media are able to provide diverse views, including criticism of the government and its policies. Three books were confiscated in 2011, and four newspapers and two magazines received short publication bans.

The politicized case against one of the country's major media companies, the Doğan Group, for purported tax evasion worth some \$3 billion was apparently resolved in 2011. The Doğan Group had consistently reported on the ruling party's shortcomings and its involvement in an Islamic charity scandal in 2008. In February 2011, the courts overturned approximately \$1.1 billion in fines and interest allegedly owed by Doğan. In April, the Doğan Group announced that it was selling two of its major papers, *Milliyet* and *Vatan*, to the Karacan family in partnership with the Demirören Group for \$74 million, in order to raise funds to pay the remaining back taxes and fines. *Milliyet* was launched by Ali Naci Karacan in 1950, meaning the paper was essentially returning to its founders. Doğan settled with the Finance Ministry in May, agreeing to pay \$590 million. Demirören and the Karacan family subsequently entered into a months-long dispute over control of the two papers, forcing a third party to step in to administer them. As the year came to a close, journalists at the papers were having trouble getting paid due to the ongoing disagreement. In October, Doğan Group sold one of its television stations, Star TV, for \$327 million. Doğan employees have reported practicing self-censorship to avoid further trouble with the law.

An estimated 42 percent of the population accessed the internet in 2011. Law 5651 on the internet allows prosecutors to block sites that offend "Turkishness," attack Republic of Turkey founder Mustafa Kemal Atatürk, or contain content that "incites suicide, pedophilia, drug abuse, obscenity, or prostitution." After being blocked for more than two years for carrying videos that were deemed insulting to Atatürk, the video-sharing website YouTube was unblocked in October

2010. As of June 2011, the Turkish Telecommunications Directorate had reportedly blocked over 15,000 websites, many of which allegedly contained pornography. Many websites that published content on Turkey-related issues were the subject of blocking orders in 2011, including news sites—such as Özgür Gündem, Azadiya Welat, Keditör, Fırat News, and Günlük Gazete—that focus on southeastern Turkey and Kurdish issues. A blocking order was also issued against Google-owned Blogspot, which then remained inaccessible for approximately three months. The prosecutor’s office requested the internet protocol (IP) addresses of anonymous users of the website Eksi Sozluk (Sour Dictionary) in June after comments insulting Islam were posted. If identified and found guilty, the users could face up to two years in prison for inciting religious hatred. In September, the presidency of the Turkish parliament interfered with access to the websites of two lesbian, gay, bisexual, and transgender (LGBT) organizations, posting warnings about the sites and requiring visitors to fill in their contact information. In October, police raided the home of a Facebook user who had posted comments and videos insulting Erdoğan and other government ministers. The police accessed the user’s computer files during the raid. Prosecutors were seeking a two-year jail term for the defendant. In November, a modified internet-filtering system came into force, giving users two voluntary filtering options: “family” or “child.” While the filtering, originally conceived as mandatory, is now optional, concerns remain over the fact that internet service providers will be required to offer it, and that the government will have access to the profiles of those who choose to use it.

Turkmenistan

Status: Not Free

Legal Environment: 30

Political Environment: 37

Economic Environment: 29

Total Score: 96

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	96,NF	96,NF	96,NF	95,NF	96,NF

President Gurbanguly Berdymukhamedov’s government maintained near-total control over the media in 2011, despite nominal constitutional protections for press freedom and freedom of expression. While the state built an elaborate and costly new television tower and broadcasting center and added a new sports channel, none of this led to increased media freedom for the general population. The president made frequent pledges to modernize broadcast and print media and increase internet availability, yet these pledges remained unfulfilled. Although libel is a criminal offense, the law is rarely invoked given the intensity of official media control and self-censorship, and the extreme scarcity of independent and critical reporting.

Both local journalists and those in exile face a range of extralegal threats and harassment. The government cracked down on coverage of a July 2011 explosion at an arms depot in the town of Abadan. Independent reporters and citizen journalists rushed to the scene, getting past military roadblocks to take video footage and photographs that they then uploaded to YouTube as well as local and Russian social-networking sites. Russian and other foreign media rebroadcast pictures and interviews from local reporters who had evaded state censors. The

authorities responded by confiscating cameras, searching homes, seizing computers, and detaining citizens suspected of using social media to report the disaster. Dovletmyrat Yazkuliyevev, a stringer for Radio Azatlyk, the Turkmen-language service of Radio Free Europe/Radio Liberty (RFE/RL), was warned about his “unlawful defamatory activity” after blogging about the tragedy. Subsequently, he was arrested and sentenced to five years in prison on a charge of inciting a relative’s suicide. He received amnesty in October, and credited an international outcry for his release.

In 2011, Reporters Without Borders reported that the health of two imprisoned journalists, Sapardurdy Khadjiyev and Annakurban Amanklychev, remained in jeopardy. After protests from U.S. and European lawmakers, their relatives were finally permitted to visit them. The two men had been arrested in 2006 with their colleague, Ogulsapar Muradova, after helping France 2, a French television station, with a report on Turkmenistan; Muradova died several months later as a result of severe beatings in prison.

Foreign correspondents were very rarely given permission to report in Turkmenistan, and were kept under surveillance and restricted in their meetings. The authorities also harassed local correspondents working for RFE/RL during 2011. Other reporters for foreign outlets continued to encounter insurmountable obstacles to accreditation, forcing them to work unofficially if at all.

The government retained an absolute monopoly on the national media in 2011, directly controlling not only all domestic outlets, but also the printing presses, broadcasting facilities, and other media infrastructure. Berdymukhamedov repeatedly warned, reprimanded, or fired broadcast executives, usually on the grounds that they had failed to portray his propagandistic “New Revival” campaigns with sufficient enthusiasm, or due to technical problems during coverage of state events. While prior censorship is extensive in broadcast media, some television shows still drew presidential harangues for inappropriate broadcasts, although the details were not explained in the state media. One privately published magazine, *Rysgal*, opened with great presidential fanfare in 2010; however, it became clear in 2011 that the state-controlled Union of Industrialists and Entrepreneurs in fact published the magazine, and that it did not stray from the presidential line. The authorities maintained a ban on almost all foreign newspapers and periodical subscriptions—notably including Russian newspapers—and confiscated publications and computer discs from travelers. Despite an absence of independent domestic media, many citizens had some access to international media through satellite dishes, and obtained some news of the Abadan explosion and the Arab Spring demonstrations from Russian television. As in 2002 and 2007, the authorities ordered the removal of satellite dishes in 2011, and citizens generally failed to comply. Nevertheless, access remains limited due to cost barriers. Turkmenistan announced plans to launch its own satellite into space to control broadcasting more fully, but there was little progress on this by year’s end.

Continued government restrictions and high costs kept the internet penetration rate extremely low in 2011, with only 5 percent of the population using the medium. The government controlled the dominant internet service provider, Turkmen Telecom, and restricted access to critical sites including regional news sources based outside Turkmenistan, opposition websites run by Turkmens living abroad, the video-sharing site YouTube, and foreign outlets like the British Broadcasting Corporation.

Two websites, Chronicles of Turkmenistan (Chrono-tm.org) and Gundogar.org, an exile news site, were subject to repeated distributed denial-of-service (DDoS) attacks in 2011, particularly after the Abadan explosion and leading up to the presidential election scheduled for

February 2012. Farid Tukhbatullin, the editor of the Chronicles of Turkmenistan, received several death threats in 2010, and in 2011 his e-mail was hacked and published. At the end of 2010, the government refused to extend a contract with MobileTeleSystems (MTS), a Russian mobile provider, depriving 2.4 million people—or 80 percent of the country’s users—of mobile service. Some citizens used the sole state provider, Altyn Asyr, but it had previously served only 300,000 people, so new customers were subjected to long waits and poor service. The government was in talks with other foreign mobile companies at the end of 2011, but had not restored service to its previous level.

Tuvalu

Status: Free

Legal Environment: 3

Political Environment: 11

Economic Environment: 12

Total Score: 26

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	26,F	26,F	26,F	26,F	26,F

Uganda

Status: Partly Free

Legal Environment: 19

Political Environment: 24

Economic Environment: 14

Total Score: 57

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	54,PF	53,PF	53,PF	54,PF	54,PF

The Ugandan press freedom environment deteriorated in 2011 due to an increase in harassment, intimidation, and violence on the part of police and the security forces against journalists who were attempting to cover political events such as the February presidential and parliamentary elections and the “walk to work” demonstrations against rising food and fuel prices in April and May. In addition, there was a rise in biased election coverage by the state-controlled media prior to the elections. Despite these obstacles, however, the independent media remained vibrant.

The country’s constitution provides for freedom of expression and press freedom. However, several laws claw back these guarantees, and the government continued to crack down on critical journalists and media houses using both subtle and blatant methods. Although the law on sedition, which had often been invoked to charge critical journalists, was declared unconstitutional by the Constitutional Court in August 2010, the government continued to use

other provisions of the penal code, including those on criminal libel and treason, against journalists.

There had been fear that the Press and Journalist Amendment Bill, proposed in 2010, would enable the government to manipulate the licensing and registration of media houses and introduce new publication offenses, but the amendments had not been tabled before parliament as of the end of 2011. In April 2011, after a delay of nearly six years, the government finally gazetted the regulations to operationalize the 2005 Access to Information Act. Uganda is among a handful of African countries with a freedom of information law; however, without the regulations in place, the act had existed only on paper. Even after the release of the regulations, many government departments still deny requests for information. Moreover, parliament has yet to enforce the law's requirement that each ministry submit annual reports on the status of implementation. Other laws related to national security and confidentiality continue to impede open access to information in practice.

The 2000 Press and Journalist Act requires journalists to register with the government-affiliated National Institute of Journalists of Uganda (NIJU) and obtain a license from the Media Council, which has been criticized for lacking independence. Journalists must also meet certain standards, including the possession of a university degree, to be full members of NIJU. Although journalists are supposed to renew their licenses annually, this provision is frequently overlooked in practice. Minister of Information and National Guidance Mary Karooro Okurut warned in September 2011 that the government could be compelled to enforce the requirement that journalists to be licensed, citing growing unprofessionalism.

The regulatory structure is not always transparent, and grants broad discretionary powers to the regulator. The 2000 Electronic Media Act created the Uganda Broadcasting Council (UBC), which can grant or withhold licenses based on an opaque set of conditions, and confiscate transmission equipment without a hearing or other forms of due process. In March 2010, the Broadcasting Council was merged with the Uganda Communications Commission (UCC), which regulates the telecommunications sector. The regulator is susceptible to influence and manipulation by the executive. Authorities have continued to interfere in private radio broadcasting, temporarily shutting down some stations in recent years. There were reports that four radio stations that had been closed down by the regulator in September 2009 on accusations of promoting sectarianism and inciting violence continued to engage in self-censorship to avoid renewed conflict with the authorities. In April 2011, the UBC issued a warning to television and radio stations against covering the postelection protests live. The regulator warned that it would take "appropriate action" against any media house that aired material deemed to promote a culture of violence, ethnic prejudice, and public insecurity. Council chairman Godfrey Mutabazi accused some broadcasters of "portraying the events in such a way as to compromise public security." In a May 17 statement, Ugandan president Yoweri Museveni took issue with the media for their continued coverage of antigovernment protests, calling them "enemies of Uganda's recovery." Despite some donor-supported efforts, such as the formation of the Independent Media Council of Uganda, self-regulation by the media sector is lacking, providing the government with a rationale for imposing statutory controls.

Journalists face harassment, occasional violence, and various other obstacles while attempting to cover the news. In the run-up to the February 2011 elections and the April-May protests, many journalists were intimidated, arrested, beaten up, shot at, and openly assaulted by the police, the army, and other security operatives, and in some cases by the public. Photojournalist Julius Odeke was shot by soldiers in February while covering an election-related

disturbance in eastern Uganda. He was taking pictures of the military roughing up an opposition candidate, Nandala Mafabi, who is now the leader of the opposition in parliament. Also in February, at least seven journalists were roughed up—and some were seriously injured—by supporters of a political candidate during the Kampala local council elections. A number of journalists covering the walk to work protests were beaten up and had their equipment confiscated. In May, Radio Simba journalist Christine Nabatanzi was shot in the leg with a rubber bullet as police tried to disperse protesters. At least 10 local and foreign journalists were attacked by security and military personnel while covering the return of opposition leader Kizza Besigye on May 12. Besigye had been hospitalized in Nairobi after he was seriously injured during a brutal arrest in April. Some journalists' equipment, including cameras and notebooks, was confiscated by the military and police officers. In the countryside, government officials and security agents regularly intimidate journalists and attempt to influence media content by forbidding certain guests to appear on live radio programs.

During the election campaign that began in late 2010, coverage by the Ugandan Broadcasting Corporation (UBC) and the country's leading daily newspaper, *New Vision*—in which the government owns a controlling state—was disproportionately focused on Museveni and the ruling National Resistance Movement (NRM) party. Also, opposition politicians were denied access to radio stations owned by members of the ruling party; several radio stations in Uganda are owned by NRM politicians who regularly discourage publication of news that is deemed critical of the government.

There are more than two dozen daily and weekly newspapers and more than 180 private radio stations. *New Vision* generally shows some editorial independence, although it was decidedly progovernment during the elections and the postelection protests. Other print outlets, such as the *Monitor*, the *Observer*, and the *Independent*, are more critical of the government and offer a range of opposition views. There is unrestricted access to foreign news sources, and domestic outlets draw on and reference these sources in their reporting. Radio remains the most widely accessed news source, although very few stations dedicate sufficient time to news and public affairs programming. In recent years, the number of community stations has grown across the country. Although technically a public broadcaster, the UBC remains subservient to the interests of the ruling party and the government. Four private television stations also operate.

Media owners are somewhat complicit in the erosion of press freedom in Uganda. To safeguard their investments, they reportedly comply with government requests, including onerous instructions as to which journalists they may employ. The sustainability of newspapers is compromised by declining circulation rates, which leave outlets more dependent on advertising. Threatened or actual advertising boycotts by corporations and the government, which are especially problematic for smaller media outlets, limit media diversity and pluralism.

Internet penetration remained at about 13 percent, or 4 million users, in 2011. Access to the internet through both computer-based applications and internet-enabled mobile phone devices is not officially restricted. However, access is limited by high costs and a lack of infrastructure, especially in rural areas. In the last decade, the mobile phone industry has experienced substantial expansion and there are now more than 14 million mobile phone subscribers in Uganda, making it one of the top 10 African countries in terms of mobile phone subscriptions. Social-media sites such as Facebook, Twitter, and YouTube are gaining popularity and, similar to the Arab Spring uprisings in the Middle East and North Africa, have been used to mobilize protests. Social media played a significant role in mobilizing the February and April 2011 protests, but also in organizing the harsh responses by security forces. In April, the UCC

ordered internet service providers to temporarily ban access to Facebook and Twitter. However, the order was for the most part not carried out.

Ukraine

Status: Partly Free

Legal Environment: 18

Political Environment: 21

Economic Environment: 20

Total Score: 59

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	53,PF	53,PF	55,PF	53,PF	56,PF

Press freedom declined further in 2011 as President Viktor Yanukovich continued curtailing the country's recent democratic gains by reintroducing an authoritarian style of rule that predominated under former president Leonid Kuchma (1994–2005). Yanukovich and his ruling Party of Regions cracked down on the country's opposition, consolidated their influence over the national broadcast media, and approved restrictive laws in the parliament that led to greater media self-censorship. A politicized court sentenced former prime minister Yuliya Tymoshenko—Yanukovich's possible rival in the 2015 presidential election—to seven years in prison at the end of 2011 for allegedly mishandling natural gas negotiations with Russia in 2009. Amid the government's prosecution of Tymoshenko and several of her allies, journalists continued to endure attacks, political pressure, and legal restrictions, further reducing media independence from the level enjoyed after the 2005 Orange Revolution.

The constitution and legal framework generally provide for media freedom and are among the most progressive in Eastern Europe. Libel was decriminalized in 2001, and in February 2009 the Supreme Court instructed judges to follow the civil libel standards of the Strasbourg-based European Court of Human Rights, which granted lower levels of protection to public officials and clearly distinguished between value judgments and factual information. Nonetheless, officials continued to use libel lawsuits filed in the country's politicized court system to deter critical news reporting. Respect for other media-related laws has diminished since the Orange Revolution, especially after Yanukovich was elected president in February 2010. The one exception to this negative trend was the parliament's adoption of a progressive Law on Access to Information in January 2011, which was signed by Yanukovich in response to intense advocacy by civil society organizations.

At least five other laws advanced by the ruling Party of Regions reflected various efforts to reduce government transparency and increase self-censorship in the media. In January 2011, the Law on Protection of Personal Data came into effect, discouraging officials from releasing government data that might contain personal information. In July, Yanukovich signed the Law on Court Fees, which made it much easier for plaintiffs to seek large monetary damages when they file defamation cases. In September, the parliament approved amendments to the code regulating classified information, increasing the fines for both civilians and officials if they are convicted of mishandling state secrets. In October, the parliament approved the first reading of vaguely worded amendments to the Law on Protecting Public Morals that require broadcasters to

limit “violent” programming or risk losing their licenses. And in November, the parliament approved a new election code despite civil society criticism that it contained vague clauses authorizing the courts to close media outlets for the duration of an election campaign if they commit an undefined “gross” violation.

Politicized courts—weakened by legal reforms introduced under Yanukovych—consistently ruled in favor of progovernment media owners. Similarly, the National Television and Radio Broadcasting Council implemented media regulations in a highly partisan manner. In September 2011, the council issued an official warning to the cable and satellite station TVi—one of the few channels offering independent news reporting and a rival of the government-linked Inter Media Group—for several minor administrative violations. During the year, politicians, the courts, and media regulators closed at least six private broadcasters in an effort to reduce independent news reporting ahead of the October 2012 parliamentary elections. They included the independent television company Krug, which disappeared from the airwaves in Odessa.

These legal restrictions encouraged government officials to remain secretive and even hostile to the media. On February 2, Chief Architect of Kyiv *Sergey Tselovalnik* pushed 1+1 television journalist *Olha Koshelenko* into a closet after she tried to get a comment from him following a meeting of the city planning council. On May 15, a group of Ukrainian and foreign journalists were locked in a Hotel Kievsky conference room while Yanukovych rushed out an exit rather than answer questions from reporters. During one press conference on December 21, Yanukovych even personally threatened a journalist who was asking uncomfortable questions about his luxurious lifestyle as the rest of the country faced an economic crisis.

The politicization of private media has increased under the Yanukovych administration, with the appointment of wealthy media tycoon *Valery Khoroshkovsky*—the owner of Inter Media Group—to head the National Security Service (SBU) in March 2010. Meanwhile, the country’s state media remained unreformed and continued to serve the interests of senior politicians and the bureaucracy, where secrecy and corruption are widespread. Politically loyal managers have been appointed to the state-run outlets, and those who failed to ensure favorable coverage have been illegally dismissed. In June, journalists at state-funded Donetsk Regional State Television and Radio complained that managers were receiving instructions on how to cover local events—and were denying journalists technical equipment, transportation, or airtime to cover politically embarrassing developments, such as the outbreak of cholera in the city of Mariupol.

A steady stream of threats and harassment against the media continued in 2011 as the country’s weak and politicized criminal justice system failed to protect journalists from abuse by politicians, businessmen, and criminal groups. For example, in September a Zaporizhzhya official beat *Alina Kotenko*, a journalist working for the newspaper *Reporter*. *Kotenko* believed the attack was in response to an article in which she had included criticism of the Public Council of Zaporizhzhya for various inefficiencies. Prosecutors and police regularly failed to take action against suspects identified in past attacks, leading to a culture of impunity.

Separately, although Yanukovych pledged to aggressively defend press freedom after being elected in 2010, his government has made limited progress in solving the abduction and murder of journalist *Heorhiy Gongadze* in 2000. In March 2011, prosecutors charged former president *Kuchma* with a role in the killing, more than a decade after the murder and after the statute of limitation in the case had expired. But in December, prosecutors dismissed the case against *Kuchma*, claiming that secret recordings of incriminating conversations in *Kuchma*’s

office were inadmissible because they had been acquired illegally. Analysts speculated that the short-lived case was used to quell international criticism of Tymoshenko's prosecution. The dismissal also sparked accusations from journalists, press freedom advocates, and Gongadze's family that Yanukovich had actually used the case to clear Kuchma's name by dismissing credible evidence and pinning all of the blame on Yuriy Kravchenko, the deceased former interior minister. Yanukovich appeared indifferent during 2011 toward the disappearances and murders of other journalists. When asked in January about the August 2010 disappearance of Vasyl Klymentyev, editor of the Kharkiv weekly *Novyi Stil*, Yanukovich replied dismissively that "many journalists disappear all over the world."

With hundreds of state and private television and radio stations and numerous print outlets, Ukraine's media sector is diverse compared with those of other former Soviet republics, but it faces a number of challenges. Many major outlets are owned by regional business magnates with close ties to the government, while others are dependent on state subsidies, encouraging self-censorship and biased news coverage in favor of specific economic or political interests. Transparency of media ownership remains poor, as businessmen and politicians often prefer to hide their influence over news programs. Thanks to the ties between business and politics, the top eight television channels avoid politically sensitive topics such as government corruption, the president's use of state resources to support his and his family's lifestyle, human rights abuses, persecution of the political opposition, and growing unemployment. The global economic crisis led to a decline in advertising revenue that made media outlets, particularly newspapers, even more financially dependent on politicized owners. Hidden political advertising is widespread in the media and weakens the credibility of journalists, particularly during elections.

The government does not restrict access to the internet, which was used by around 30.6 percent of the population in 2011. A growing number of citizens are relying on the web and social-networking sites such as Odnoklassniki and VKontakte to exchange information. The government limits the ability of bloggers and citizen journalists to report on public affairs by refusing to grant them accreditation. Although internet publications are not required to register with the authorities, under Khoroshkovsky's leadership, the SBU has increased its monitoring of government criticism on the internet, and bloggers have been harassed for reporting on politically sensitive issues. In May 2011, three journalists from the website Novosti-N were attacked by officers of the tax police who tried to seize their cameras by force. The three had come to the tax police office after being told that some small-business owners had been taken there for questioning. Also in May, blogger Mykola Sukhomlin posted a video on Facebook of a senior Donetsk official in an expensive Mercedes, but then started receiving threats. His post was blocked in June. In July, the apartment door of Oleksiy Matsuka, editor of the Donetsk-based Novosti Donbass news website, was set on fire. The attack occurred after Novosti Donbass published several articles about the extravagant lifestyle of the local city elite, leading to several death threats. On August 19, a group of journalists with the Donetsk.ua website were detained by police in Donetsk for four hours after they tried to film Yanukovich's motorcade traveling from the airport to a local funeral. News websites that were critical of the government also faced occasional hacking attacks.

United Arab Emirates

Status: Not Free
Legal Environment: 24
Political Environment: 25
Economic Environment: 23
Total Score: 72

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	68,NF	68,NF	69,NF	71,NF	71,NF

High-profile legal cases, restrictive laws, and censorship continued to constrain press freedom in the United Arab Emirates (UAE) in 2011. While the constitution provides for freedom of speech and freedom of the press, the government uses its judicial and executive powers to limit those rights in practice. UAE Federal Law No. 15 of 1980 for Printed Matter and Publications regulates all aspects of the media and is considered one of the most restrictive press laws in the Arab world. It authorizes the state to censor both domestic and foreign publications prior to distribution, and prohibits criticism of the government, rulers and ruling families, and friendly foreign governments; infractions can result in fines and prison sentences. Journalists can also be prosecuted under the penal code.

In early 2009, the Federal National Council (FNC) adopted a draft “regulation of media activities” bill that would replace the 1980 press code, though it has not yet been passed into law. The proposed legislation would impose fines of more than \$1 million for disparaging the head of state or his officials, and fines of several thousand dollars for publishing “misleading” articles “in a manner that harms the country’s reputation, foreign relations or obligations or defaces its national identity,” or that “harms the country’s national economy.” Expectation that the draft law will soon be enacted has prompted journalists to engage in even greater self-censorship and led to firings. The National Media Council (NMC), created in 2006, is responsible for licensing all publications and issuing press credentials to editors. Members of the council are all appointed by the president.

Defamation is a criminal offense. Mark Townsend, a freelance journalist and former business editor of the English-language *Khaleej Times*, was accused of criminal defamation in August 2009, and was unable to leave the UAE for nearly two years as the investigation proceeded. He was charged under Article 373 of the penal code for allegedly posting articles that criticized the *Khaleej Times*, in which the government holds a 30 percent stake, and faced a maximum sentence of two years in prison and a fine of up to 20,000 dirhams (\$5,400). Townsend was ultimately acquitted in May 2011. In another major case in 2011, blogger Ahmed Mansoor and four other Emirati activists—Nasser bin Gaith, Fahad Salim Dalk, Hassan Ali al-Khamis, and Ahmed Abdul Khaleq—were arrested in April and charged in June under Articles 176 and 8 of the penal code for allegedly insulting the leaders of the UAE in posts made to the internet forum UAEHewar. In November, Mansoor received a three-year prison sentence, while the others received sentences of two years each. The trial was widely criticized by international human rights groups, which cited a lack of evidence and failure to adhere to proper court procedures. The day after their conviction, the five men were pardoned by the president and released.

Extreme forms of self-censorship are widely practiced, particularly regarding issues such as local politics, culture, religion, or any other subject the government deems politically or culturally sensitive. The Dubai Media Free Zone (DMFZ), an area in which foreign media outlets

produce print and broadcast material intended for foreign audiences, is the only arena in which the press operates with relative freedom. It is now home to bureaus of important media outlets such as Cable News Network (CNN), the British Broadcasting Corporation (BBC), and Agence France-Presse. Broadcast media outlets based in the DMFZ are regulated by the Technology and Media Free Zone Authority, but they are also subject to the 1980 press law and the penal code. All free zones must obtain approval from the NMC before licensing any print or broadcast activities.

Although there were no reported physical attacks against journalists in 2011, reporters in the UAE suffered multiple forms of intimidation and harassment. The five activists arrested in April were the targets of an intense campaign of verbal threats online, in the media, and through demonstrations at their court hearings. The government did little to protect the men. Emirati journalists often face warnings and threats if they push the limits of permissible media coverage. However, noncitizen journalists account for the overwhelming majority of those working in the UAE, and they face harsher measures, including dismissal and deportation.

There are about a dozen newspapers printed in Arabic and English, as well as several radio stations and terrestrial television stations. Most media outlets are either government owned or have close government affiliations. The Arab Media Group and Dubai Media Incorporated operate as the Dubai government's media arm, publishing several newspapers and operating television and radio stations. Privately owned newspapers such as the Arabic daily *Al-Khaleej* and its sister paper, the English-language *Gulf Today*, are heavily influenced by the government. Almost all Arabic-language broadcast media that target the domestic audience are state owned and provide only the official view on local issues. However, satellite television service is widespread and provides uncensored access to international broadcasts.

Most major papers receive government subsidies and rely predominantly on the official Emirates News Agency (WAM) for content and guidance on whether or how to cover sensitive local news. Several publishers have opposed free dailies such as *7DAYS*, arguing that they violate a legal provision requiring papers to print their price on the front page. In 2010, the editors of several papers adopted an initiative to expand the number of local citizens in the workplace, despite concerns that the process, known as Emiratization, was leading to arbitrary dismissal and insecurity among non-Emirati staff. According to one estimate, only about 10 percent of working journalists in 2010 were native Emiratis. The NMC-supported Journalist Association allocated 1 million dirhams (\$270,000) for training and developing Emiratis' capacity in the field.

About 70 percent of the UAE population had regular access to the internet in 2011. The 2006 Information and Privacy Cybercrime Law criminalizes the use of the internet to commit a range of offenses—including violating political, social, and religious norms—and subjects perpetrators to prison terms and fines. There are two internet service providers, Etisalat and Du, both of which are owned and operated by state corporations. Online censorship is extensive, although the government claims it only censors pornographic sites. Both high-speed and dial-up users find themselves directed to a proxy server that maintains a list of banned websites and blocks material deemed inconsistent with the “religious, cultural, political, and moral values of the country.” The OpenNet Initiative has reported a marked increase in the number of political sites blocked since 2007 and categorizes social filtering as “pervasive.” Websites that are considered indecent include those featuring pornography, dating or personal advertisements, and gay and lesbian content. Some websites based in Israel or covering religions other than Islam, notably the Baha'i faith, are also blocked.

Despite the restrictions, a majority of news consumers in Dubai rely on the internet, including blogs and news forums, to obtain information, according to the Dubai Press Club’s report *Arab Media Outlook 2009–2013*. The country has an extremely high mobile-telephone penetration rate, making such devices one of the most popular ways to receive news content. The authorities have threatened to restrict use of the BlackBerry mobile device’s encrypted e-mail and messaging services, which could ease government surveillance of journalists.

United Kingdom

Status: Free

Legal Environment: 7

Political Environment: 9

Economic Environment: 5

Total Score: 21

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	19,F	18,F	19,F	19,F	19,F

With a history of aggressive reporting and an editorially independent public broadcaster, the United Kingdom maintained its open media environment in 2011. The laws provide for freedom of the press, and the government generally respects this right in practice. Antiquated legal provisions that criminalized blasphemy and blasphemous libel were abolished in 2008. However, several laws that weaken press freedom remain in place. Under legislation from the 1980s, journalists deemed to have information vital to a police investigation can be forced to give evidence at trial. In the aftermath of July 2005 terrorist bombings on London’s mass transit system, the government passed the 2006 Prevention of Terrorism Act. Certain provisions of the law criminalize speech that is considered to encourage terrorism, even in the absence of a direct, proven link to a specific terrorist act. Another 2006 law, the Racial and Religious Hatred Act, criminalized incitement of religious hatred or violence. In the first conviction under this legislation, blogger Bilal Zaheer Ahmad was sentenced in July 2011 to 12 years in prison for encouraging Muslims to murder members of Parliament who had supported the war in Iraq. His website was also shut down.

The right to information is not constitutionally guaranteed, and while a 2000 Freedom of Information Act came into force in 2005, it contains a number of broad exceptions. “Absolute” exemptions act as unconditional barriers to the disclosure of information. With “qualified” exemptions, a determination is made as to whether the public interest is better served by withholding or disclosing the information; also, a ruling is made on whether to reveal what information has been withheld. Although the law includes 24 such exemptions, the functioning of the Information Commissioner’s Office—established in 2000 to address freedom of information complaints—has been praised by civil society groups.

English libel laws heavily favor the plaintiff, placing the burden of proof on the defendant. As a result, the country has become an increasingly popular destination for “libel tourism,” in which foreign plaintiffs bring libel actions against foreign defendants in English courts. A campaign led by the free speech organizations Sense About Science, English PEN, and Index on Censorship launched a libel reform petition in Parliament in December 2009, attracting

greater attention to the issue and resulting in a promise in 2010 by the new coalition government to reform the libel laws. In March 2011, a draft bill on the matter was unveiled. It featured several significant reforms, including the elimination of trial by jury in libel cases and a new requirement that plaintiffs prove substantial harm. The legislation was still under discussion at year's end.

The courts on rare occasions impose so-called superinjunctions, which forbid the media from reporting certain information and even from reporting on the injunction itself. However, such legal mechanisms have been complicated by the internet. In 2011, one of the country's top soccer players obtained a superinjunction to keep journalists from reporting on an affair he had with a television star. Controversy over the issue erupted in Parliament in May, after the news on the soccer player—Ryan Giggs—was spread via the U.S.-based microblogging service Twitter. Member of Parliament John Hemming argued that it was unrealistic to allow Giggs to sue the 75,000 people gossiping about his personal life on a social-media website. However, the High Court upheld the validity of the superinjunction. The media have criticized the increasing use of such “gag orders,” claiming that they allow the rich and powerful to be legally exempt from journalistic investigation.

In early January 2011, the police in Avon and Somerset denied ITV News access to press conferences on the murder of a young woman, Joanna Yates, which had occurred in the jurisdiction the previous month. ITV News had previously criticized the police's handling of the case. The police filed a complaint against ITV with the broadcast regulator, Ofcom, citing unfair coverage. After it produced reports that were considered more balanced, the broadcaster was allowed to cover the press conferences.

Physical attacks on the media are rare. However, photojournalist Niall Carson was shot in the leg when fighting broke out in Belfast between a Protestant paramilitary group, Catholics, and the police in June 2011. The riots spread across Northern Ireland for several nights. It was not clear whether Carson had been targeted as a journalist, or was fired upon because he was standing near police. The Committee to Protect Journalists alleged that during separate youth riots in London in August, journalists were directly targeted by rioters. Reporters working for the British Broadcasting Corporation (BBC) and Sky News reported that assailants shattered their windows, while a correspondent for U.S.-based CNN had bottles thrown at him. Photojournalists reported having their equipment destroyed and being physically attacked. Some of the violence against journalists was attributed to the fact that the media can be required under the 1984 Police and Criminal Evidence Act to turn over evidence to the police. Prime Minister David Cameron called on the media to submit raw footage of the rioting to Scotland Yard. Despite initially resisting the request, the BBC and others handed over unedited material after being served with court orders in September. Following further riots in Belfast in July, a judge called on journalists to turn over any unpublished footage of the violence. Media organizations criticized the requests, arguing that it put journalists at greater risk for retaliation. In December, a judge ruled in favor of the Police Service of Northern Ireland, which legally requested that the BBC, ITN, and the Northern Irish station UTV hand over unreleased footage of riots in Derry in August. As of the end of 2011, no one had been brought to justice for the 2001 murder of journalist Martin O'Hagan, who is believed to have been killed for his investigations into cooperation among Northern Ireland police, military intelligence officials, illegal armed groups, and drug gangs.

In July 2011, lawyers for the family of Milly Dowler, a 13-year-old girl who had been kidnapped and murdered in 2002, alleged that journalists at the *News of the World*—a British newspaper owned by media mogul Rupert Murdoch's U.S.-based News Corporation—had paid a

private investigator to hack into Dowler's voicemail and delete messages, giving her family false hope that she was still alive. This led to a widespread scandal, as it was revealed that the telephones of thousands of people had been hacked by the paper, including members of the royal family, celebrities, and politicians. The *Guardian* newspaper had already broken the story about widespread phone hacking at the *News of the World* in July 2009, but Britain's independent self-regulator for the press, the Press Complaints Commission, failed to follow up on the *Guardian* story. In fact, after a very cursory inquiry with editors and managers at the *News of the World*, it criticized the *Guardian* for publishing the story. The Dowler case also exposed corrupt links between reporters and the police, who had not adequately investigated hacking reports, failed to alert possible victims of hacking, and allegedly received money from *News of the World* journalists. The paper, which had been operating for 168 years, closed after publishing a final issue on July 10. Several days later, Murdoch withdrew his takeover bid for the British satellite broadcaster BSkyB.

Cameron came under significant criticism for having hired Andy Coulson—a former editor of the *News of the World*—as his communications director in May 2010. Coulson had denied any knowledge of phone hacking when more limited accusations related to the royal family first emerged in 2005, but resigned in 2007 after the paper's royal affairs editor was jailed for illegally accessing voicemail messages. Coulson was arrested in early July 2011.

In response to the phone-hacking scandal, the prime minister launched an inquiry, led by Lord Justice Leveson, into the ethical lapses at the *News of the World* and the general regulatory framework of the British media. In November, the Leveson inquiry revealed accusations that other newspapers had engaged in phone hacking, and that the number of hacking requests by *News of the World* staff was larger than previously thought. Other papers are also suspected of paying police for confidential information.

The United Kingdom has a strong tradition of public broadcasting, and the BBC, though publicly funded, is editorially independent. Ownership of private media outlets is concentrated in the hands of a few large companies, including News Corporation, and many of the national newspapers remain aligned with political parties. Few commercial news radio stations exist, and the handful in operation are reportedly struggling financially. There are several independent television news channels, including ITV and BSkyB.

About 82 percent of the population accessed the internet in 2011. Authorities may monitor e-mail and other internet communications without judicial permission in the name of national security and “well-being.” However, surveillance must be approved by the home secretary, and there are departments in place to handle public complaints of abuse. In keeping with European Union policy, a 2009 law requires internet service providers to retain usage records for one year.

Several press freedom issues emerged before the wedding of Prince William and Catherine Middleton in April 2011. Equipment to block the use of Twitter was installed in Westminster Abbey for the ceremony, while an Australian Broadcasting Corporation program providing satirical commentary on the wedding was effectively forced off the air by the BBC and Associated Press Television News. After the London riots in August, Cameron also discussed plans for possible restrictions on social media in times of domestic rioting, though this was met with serious criticism and the issue was not pursued. Research In Motion (RIM), the manufacturer of BlackBerry mobile devices, had offered to help the Metropolitan Police with its investigations into the unrest, as rioters communicated through BlackBerry's messaging service.

United States

Status: Free

Legal Environment: 3

Political Environment: 10

Economic Environment: 5

Total Score: 18

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	16,F	17,F	18,F	18,F	17,F

Problems encountered by journalists during coverage of the Occupy movement protests in various American cities provoked complaints of police mistreatment and triggered a debate over the accreditation of reporters from nontraditional media. At the same time, the federal judiciary showed signs of resisting demands by the federal government for reporters' notes and the names of sources in cases involving leaks of classified information by government employees.

The United States has one of the world's strongest systems of legal protection for freedom of the press. The First Amendment of the U.S. Constitution provides the core guarantee of press freedom and freedom of speech. While those rights have come under pressure at various times in the country's history, the independent court system has repeatedly issued rulings that protect and expand the right of journalists to be free of state control. The courts have also given the press broad protection from libel and defamation suits that involve commentary on public figures, though libel remains a criminal offense in a number of states.

Some 39 states have shield laws that give journalists limited protection from revealing sources or other information in the course of their work. The federal government, however, has no such protection, and an effort to adopt a shield law has stalled in Congress. Over the past decade or so, a series of controversies has emerged over efforts by federal prosecutors to obtain testimony from journalists in high-profile cases, including some in which government workers have been charged with leaking information to the media or lobbyists. Until recently, judges have tended to side with prosecutors and have on occasion held journalists in contempt of court for refusing to identify sources. While many of the cases were initiated by the Justice Department under President George W. Bush, the administration of President Barack Obama has proved equally as zealous in pursuing government secrecy cases and in issuing demands for information from reporters. The best-known current case involves James Risen, a prize-winning *New York Times* reporter and author of several books on national security themes. The Justice Department has sought to compel Risen to testify about information he may have received from Jeffrey Sterling, a former CIA employee, in the course of researching a book about American efforts to disrupt Iran's nuclear program. While the Justice Department continues to seek to compel Risen to testify, their efforts have been restricted by a federal court decision that reporters are not to be called before grand juries if the government has not previously exhausted other means to gather information or if enough material for indictment has already been obtained. Also among those under investigation is Bradley Manning, the Army private who is alleged to have provided hundreds of thousands of classified documents to the WikiLeaks organization and who is being held in a military detention facility.

The United States adopted the Freedom of Information Act (FOIA) in 1966. While the administration of President George W. Bush had a somewhat restrictive attitude toward the release of classified documents, the Obama administration announced a more expansive interpretation of the law in 2009, when Attorney General Eric Holder declared that records should be released to the public unless doing so would violate another law or cause foreseeable harm to protected interests, including personal privacy and national security. Critics have complained that approximately half of federal government agencies have yet to comply with Obama's executive order and that fulfillment of FOIA requests can take months or even years. In September 2011, the U.S. issued a 26-point plan comprised of "transparency commitments" as part of their National Action Plan for cooperation in the Open Government Partnership. Included in this plan was a commitment to ameliorating the inefficiencies in FOIA processing and administration. Less positively, in June 2011, Florida Governor Rick Scott enacted a new law that prohibited the release of any photos, videos, or recordings related to a murder case. Press freedom groups and national journalists urged the Scott administration to repeal the law as they believed it severely restricted the public's right to information and the media's investigative abilities.

Controversy has emerged in recent years over cases involving bloggers and other new media practitioners who claim the status, protections, and rights of journalists. Police departments in New York City and elsewhere denied formal journalist status to some new media practitioners who applied for accreditation to cover the Occupy protests. In a controversial case, a federal judge ruled that a Montana blogger was not acting as a journalist when she issued polemical attacks online directed at an Oregon attorney. The blogger had suffered a fine of \$2.5 million in a defamation judgment.

Media coverage of political affairs is aggressive and increasingly partisan. The press itself is frequently a source of controversy, with conservatives and liberals alike accusing the media of bias. The appearance of enhanced polarization is driven to some degree by the growing influence of all-news cable television channels and blogs, many of which are aggressively partisan. The growing popularity of the Fox television network, which has an overtly conservative orientation, has also played an important role in media polarization, as have talk radio shows, whose hosts are primarily conservative. Nonetheless, most U.S. newspapers make a serious effort to keep a wall of separation between news reporting, commentary, and editorials. Ironically, the trend toward fewer family-owned newspapers and more newspapers under corporate control has contributed to a less partisan, if blander, editorial tone.

There are generally few physical attacks on journalists. In 2011, however, some journalists covering the Occupy protests were injured in the scum of clashes between protesters and police. In most cases, police were responsible for the injuries, although on occasion Occupy partisans initiated attacks. Cameraman Roy Isen of Fox 5 was pepper-sprayed while his colleague, reporter Dick Brennan, was struck by a police baton during the scuffle that occurred between police and protesters on October 5 in New York City. In November, KGO cameraman Randy Davis was assaulted by about a dozen men at the Occupy Oakland protests. According to the Committee to Protect Journalist (CPJ), Davis was trying to cover the aftermath of a shooting that had occurred at one of the protest sites, and was repeatedly punched in the head by protesters whom were frustrated with the media presence there. Additionally, bloggers and other nontraditional journalists seeking to cover the Occupy encampments complained about being denied credentials by the authorities in several cities.

In June 2011, the prolonged investigation into the death of Oakland-based journalist Chauncey Bailey finally came to a close when a jury found two men guilty of Bailey's 2007 murder. Bailey was a local reporter and editor for the *Oakland Post* group of newspapers, and had been working on an investigative story regarding the finances of a local bakery when gunned down by a masked man. Bailey's colleagues formed a group, known as the Chauncey Bailey Project, to independently investigate his murder and found that the police had knowledge of evidence pertinent to the case and failed to disclose it to the public. Journalist advocacy groups and news organizations harshly criticized the police investigation for its extreme lack of transparency and breach of freedom of information rights.

The media in the United States are overwhelmingly under private ownership. Nevertheless, National Public Radio (NPR) and television's Public Broadcasting Service (PBS), which are funded by a combination of government allocations and private contributions, enjoy substantial audiences. Public broadcasting is periodically criticized by Republican legislators for an alleged liberal bias, and there have been efforts to eliminate or greatly reduce government funding for NPR and PBS. Meanwhile, the internationally popular satellite television network Al-Jazeera English (AJE), based in Qatar, has found a growing number of cable television companies willing to offer the channel to U.S. viewers. By law, radio and television airwaves are considered public property and are leased to private stations, which determine content. The Federal Communications Commission (FCC) is charged with administering licenses and reviewing content to ensure that it complies with federal limits on indecent or offensive material. On several occasions, the FCC has issued fines against radio and television outlets for what the commission deemed to be acts of indecency.

Traditional media, including print and broadcast outlets, have suffered financially from the increasing popularity of the internet as a news medium. The newspaper industry in the United States is undergoing a period of profound decline and readjustment. There are an estimated 1,400 daily newspapers geared primarily toward local readerships, but even the largest and most prestigious papers have faced falling circulations and advertising revenues and been forced to cut staff over the past decade. This trend has particularly affected outlets' ability to conduct investigative reporting and cover foreign news.

Media ownership concentration is an ongoing concern in the United States. The problem has intensified in recent years following the purchase of media entities by large corporations with no previous experience in journalism. Most recently, concern has been voiced about the purchase of large media entities by giant cable television companies. In 2011, the FCC approved the acquisition of NBC Universal by Comcast. Among the terms of approval, the FCC stipulated that Comcast could not favor content generated by media entities it owns over other companies on cable sites that it owns. The FCC regularly considers policies that would ease restrictions on a single corporation's ownership of both television stations and newspapers in a single local market, and in recent years the trend in FCC rulings has been toward a loosening of such restrictions.

The decline in coverage offered by traditional media has been only partly offset by the growth of cable television and internet journalism. In 2010, for the first time, Americans who identified their primary source of news as the internet outnumbered those who relied most on newspapers. Approximately 78 percent of Americans used the internet in 2011. The number and influence of websites and blogs have grown rapidly over the past decade, and more recently, social-media platforms such as Twitter and Facebook have gained prominence as a means of testing and mobilizing public opinion on political and policy issues. Although the government

does not restrict political or social engagement over the internet, there is still a strong push to pass legislation regarding certain online activities and content. Some of these concerns include promulgation of child abuse images, exposure of indecent content to minors, dissemination of confidential information, and online gambling.

United Kingdom

Status: Free

Legal Environment: 7

Political Environment: 9

Economic Environment: 5

Total Score: 21

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	19,F	18,F	19,F	19,F	19,F

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several significant reforms, including the elimination of trial by jury in libel cases and a new requirement that plaintiffs prove substantial harm. The legislation was still under discussion at year's end.

The courts on rare occasions impose so-called superinjunctions, which forbid the media from reporting certain information and even from reporting on the injunction itself. However, such legal mechanisms have been complicated by the internet. In 2011, one of the country's top soccer players obtained a superinjunction to keep journalists from reporting on an affair he had with a television star. Controversy over the issue erupted in Parliament in May, after the news on the soccer player—Ryan Giggs—was spread via the U.S.-based microblogging service Twitter. Member of Parliament John Hemming argued that it was unrealistic to allow Giggs to sue the 75,000 people gossiping about his personal life on a social-media website. However, the High Court upheld the validity of the superinjunction. The media have criticized the increasing use of such “gag orders,” claiming that they allow the rich and powerful to be legally exempt from journalistic investigation.

In early January 2011, the police in Avon and Somerset denied ITV News access to press conferences on the murder of a young woman, Joanna Yates, which had occurred in the jurisdiction the previous month. ITV News had previously criticized the police's handling of the case. The police filed a complaint against ITV with the broadcast regulator, Ofcom, citing unfair coverage. After it produced reports that were considered more balanced, the broadcaster was allowed to cover the press conferences.

Physical attacks on the media are rare. However, photojournalist Niall Carson was shot in the leg when fighting broke out in Belfast between a Protestant paramilitary group, Catholics, and the police in June 2011. The riots spread across Northern Ireland for several nights. It was not clear whether Carson had been targeted as a journalist, or was fired upon because he was standing near police. The Committee to Protect Journalists alleged that during separate youth riots in London in August, journalists were directly targeted by rioters. Reporters working for the British Broadcasting Corporation (BBC) and Sky News reported that assailants shattered their windows, while a correspondent for U.S.-based CNN had bottles thrown at him. Photojournalists reported having their equipment destroyed and being physically attacked. Some of the violence against journalists was attributed to the fact that the media can be required under the 1984 Police and Criminal Evidence Act to turn over evidence to the police. Prime Minister David Cameron called on the media to submit raw footage of the rioting to Scotland Yard. Despite initially resisting the request, the BBC and others handed over unedited material after being served with court orders in September. Following further riots in Belfast in July, a judge called on journalists to turn over any unpublished footage of the violence. Media organizations criticized the requests, arguing that it put journalists at greater risk for retaliation. In December, a judge ruled in favor of the Police Service of Northern Ireland, which legally requested that the BBC, ITN, and the Northern Irish station UTV hand over unreleased footage of riots in Derry in August. As of the end of 2011, no one had been brought to justice for the 2001 murder of journalist Martin O'Hagan, who is believed to have been killed for his investigations into cooperation among Northern Ireland police, military intelligence officials, illegal armed groups, and drug gangs.

In July 2011, lawyers for the family of Milly Dowler, a 13-year-old girl who had been kidnapped and murdered in 2002, alleged that journalists at the *News of the World*—a British newspaper owned by media mogul Rupert Murdoch's U.S.-based News Corporation—had paid a private investigator to hack into Dowler's voicemail and delete messages, giving her family false hope that she was still alive. This led to a widespread scandal, as it was revealed that the

telephones of thousands of people had been hacked by the paper, including members of the royal family, celebrities, and politicians. The *Guardian* newspaper had already broken the story about widespread phone hacking at the *News of the World* in July 2009, but Britain's independent self-regulator for the press, the Press Complaints Commission, failed to follow up on the *Guardian* story. In fact, after a very cursory inquiry with editors and managers at the *News of the World*, it criticized the *Guardian* for publishing the story. The Dowler case also exposed corrupt links between reporters and the police, who had not adequately investigated hacking reports, failed to alert possible victims of hacking, and allegedly received money from *News of the World* journalists. The paper, which had been operating for 168 years, closed after publishing a final issue on July 10. Several days later, Murdoch withdrew his takeover bid for the British satellite broadcaster BSkyB.

Cameron came under significant criticism for having hired Andy Coulson—a former editor of the *News of the World*—as his communications director in May 2010. Coulson had denied any knowledge of phone hacking when more limited accusations related to the royal family first emerged in 2005, but resigned in 2007 after the paper's royal affairs editor was jailed for illegally accessing voicemail messages. Coulson was arrested in early July 2011.

In response to the phone-hacking scandal, the prime minister launched an inquiry, led by Lord Justice Leveson, into the ethical lapses at the *News of the World* and the general regulatory framework of the British media. In November, the Leveson inquiry revealed accusations that other newspapers had engaged in phone hacking, and that the number of hacking requests by *News of the World* staff was larger than previously thought. Other papers are also suspected of paying police for confidential information.

The United Kingdom has a strong tradition of public broadcasting, and the BBC, though publicly funded, is editorially independent. Ownership of private media outlets is concentrated in the hands of a few large companies, including News Corporation, and many of the national newspapers remain aligned with political parties. Few commercial news radio stations exist, and the handful in operation are reportedly struggling financially. There are several independent television news channels, including ITV and BSkyB.

About 82 percent of the population accessed the internet in 2011. Authorities may monitor e-mail and other internet communications without judicial permission in the name of national security and “well-being.” However, surveillance must be approved by the home secretary, and there are departments in place to handle public complaints of abuse. In keeping with European Union policy, a 2009 law requires internet service providers to retain usage records for one year.

Several press freedom issues emerged before the wedding of Prince William and Catherine Middleton in April 2011. Equipment to block the use of Twitter was installed in Westminster Abbey for the ceremony, while an Australian Broadcasting Corporation program providing satirical commentary on the wedding was effectively forced off the air by the BBC and Associated Press Television News. After the London riots in August, Cameron also discussed plans for possible restrictions on social media in times of domestic rioting, though this was met with serious criticism and the issue was not pursued. Research In Motion (RIM), the manufacturer of BlackBerry mobile devices, had offered to help the Metropolitan Police with its investigations into the unrest, as rioters communicated through BlackBerry's messaging service.

Uzbekistan

Status: Not Free
Legal Environment: 30
Political Environment: 37
Economic Environment: 28
Total Score: 95

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	91,NF	92,NF	93,NF	92,NF	94,NF

The government of President Islam Karimov showed no respect for nominal constitutional guarantees of freedom of speech and of the press in 2011, and further restricted the internet and social media to prevent the spread of news about the Arab Spring uprisings in the Middle East and North Africa. Convictions for libel and defamation can result in hefty fines and jail time, and public insult of the president is punishable by up to five years in prison. Such charges were routinely used by the government to punish and attempt to silence critical journalists as well as human rights activists and government opponents. In April 2011, Voice of America stringer Abdumalik Boboyev—who had been convicted and fined in 2010 for “libel and insulting the Uzbek people”—was denied an exit visa to travel to Germany to attend a program at the Hamburg Foundation for the Politically Persecuted. The Uzbek regime’s efforts to silence the media reached outside the country when one of Karimov’s daughters, Lola Tillyaeva-Karimova, filed a libel suit against a French news website, *Rue89*, that published an article calling her the daughter of a dictator in 2010. The case was dismissed by a French court in July 2011.

In August 2011, the government approved the creation of a “committee of experts on information and mass communication,” comprising government employees, that would monitor the media for news that was “destructive and negative,” that could weaken “national cultural traditions,” or that advocated the “violent overthrow” of the government. The committee would concentrate its efforts on new media and “satellite systems.”

Virtually all local media are linked either directly or indirectly to the state, and the National Security Service actively manipulates reports to present a carefully constructed image of the country, with occasional forays into limited criticism of local corruption. Widespread self-censorship is a serious problem, and journalists fear reprisal in the form of harassment, loss of employment, or jail time. In 2011, state-controlled media provided belated and minimal coverage of major international events such as the Arab Spring and the killing of Osama bin Laden. The Uzbek media were also silent about the lavish lifestyles and real estate holdings of Karimov’s daughters. Two journalists from the state-controlled Yoshlar TV, Saodat Omonova and Malokhat Eshonkulova, were fired from their jobs in 2010 for protesting against corruption and censorship at the station. They began a hunger strike on June 27, 2011, Uzbekistan’s national Media Day, to protest their dismissal and management practices including prescreening of reports, suppression of criticism of officials, and reliance on state news services. They were pressured to call off their protest, and remained unemployed at year’s end.

In a major blow to press freedom in 2011, authorities in November ordered the closure of the decade-old *Zerkalo XXI*, one of the few independent newspapers left in the country, on charges of violating the law on advertising and other business-related offenses. Media observers said the closure was likely motivated by the paper’s publication of articles that challenged the government.

Because there are only a few independent journalists remaining in Uzbekistan, harassment of reporters is rare. According to the Committee to Protect Journalists, five journalists remained behind bars for political reasons as of December 1, 2011. One of them, Muhammad Bekjanov, a former editor of the opposition newspaper *Erk* who had been imprisoned since 1999, faced an additional five years in prison at year's end; his original sentence was set to expire in January 2012. Following intervention by foreign democratic governments, journalist Jamshid Karimov, the president's nephew, was released from psychiatric incarceration in November 2011; he had been held since 2006 for contributing to banned internet publications. His whereabouts were unknown at year's end. In one case of harassment in 2011, independent journalist Elena Bondar was briefly detained at Tashkent airport in August as she returned from an Organization for Security and Cooperation in Europe (OSCE) journalism training course in Kyrgyzstan. Authorities seized digital media devices that she was carrying, on the basis that they were undeclared goods. Bondar was cleared of possessing illegal content, and the confiscated materials were returned to her in September, but the incident was seen as a warning against engaging in such trainings and independent journalism in general.

While an estimated 1,100 media outlets operate in Uzbekistan, the government controls most national dailies and four television stations, as well as the publishing houses and printing presses that handle the majority of the country's print media. However, there are a number of privately owned regional and local television and radio stations, and a few private printing presses produce independent publications that avoid politically sensitive topics and have a very limited circulation. The government does not permit foreign outlets such as the British Broadcasting Corporation (BBC), Radio Free Europe/Radio Liberty (RFE/RL), or Voice of America to broadcast from within Uzbekistan. According to the independent online publication *Fergananeews.com*, the foreign press corps has shrunk from 88 journalists before the 2005 Andijon massacre—in which government troops fired on demonstrators, reportedly killing hundreds and straining Uzbekistan's relations with democratic countries—to 33 or less today. Even some of those who were accredited by the government have left the country.

Approximately 30 percent of the population used the internet in 2011, but many users access the medium in institutional and public settings, where state controls and surveillance hamper their ability to obtain independent perspectives on the events in the country. Users report that the government routinely blocks the websites of RFE/RL, the BBC's Uzbek service, EurasiaNet, Human Rights Watch, Amnesty International, and various Uzbek- and Russian-language human rights, opposition, and religious sites. Just prior to the celebrations marking Uzbekistan's 20th independence anniversary in August, several major websites were also temporarily blocked, including the *New York Times*, the *Financial Times*, Reuters, Bloomberg, and several Russian-based news sites, as well as the search engine Google and Reporters Without Borders. There has been a surge in membership on Facebook and other social-networking sites in recent years. While social-media sites such as Facebook, Twitter, and LiveJournal could be reached during 2011, there were reports that some groups and accounts within those sites were blocked.

Vanuatu

Status: Free

Legal Environment: 6

Political Environment: 12
Economic Environment: 8
Total Score: 26

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	24,F	23,F	23,F	23,F	25,F

Venezuela

Status: Not Free
Legal Environment: 27
Political Environment: 29
Economic Environment: 20
Total Score: 76

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	74,NF	74,NF	73,NF	75,NF	76,NF

Venezuela’s media environment remained repressive in 2011 under the government of President Hugo Chávez Frías, with tight controls and concentrated ownership of media reaching overwhelming proportions. While freedoms of speech and the press are constitutionally guaranteed, the legal environment is characterized by standing threats of arbitrary detention, charges, fines, and sentences, as well as license manipulation and other administrative harassment aimed at opposition media, primarily broadcast stations and daily newspapers. Defamation is a criminal offense; when directed specifically at the president, it can result in a prison term of up to 30 months. In July, opposition leader Oswaldo Álvarez Paz was convicted for distributing false information regarding the Chávez government. Additionally, an editor was detained on charges of defamation and inciting hatred in July 2011. The case was ongoing at year’s end. A judicial gag order, issued in August 2010, against the daily *El Nacional* for publishing statistics about the increasing level of street violence remained in effect throughout the latter part of the year. Also in August, the weekly newspaper *6to Poder* was temporarily ordered to stop distribution after its owner and top executive were charged with “incitement to hatred, insulting a public official, and publicly denigrating women,” according to the Committee to Protect Journalists. The paper had published a satirical article which described top-ranking female officials as part of a “cabaret directed by Mr. Chávez.” The paper also included a photo in which the heads of these officials were superimposed on the bodies of cabaret dancers—an act that further exacerbated the government’s outrage. Dinorah Girón, the paper’s top executive, was arrested on August 21, but released two days later under the provision that she attend court every 15 days and refrain from speaking to the media about the case.

The revised Law on Social Responsibility in Radio, Television and Electronic Media, which went into effect in December 2010, contains vaguely worded restrictions on media freedom and extends existing controls on broadcast media to the internet. The legislation bans messages that “incite or promote hatred,” “foment citizens’ anxiety or alter public order,” “disrespect authorities,” “encourage assassination,” or “constitute war propaganda.” It also retains poorly defined prohibitions on messages “that promote, defend, or incite breaches of

public order” or “are contrary to the security of the nation.” The law also empowers the Venezuelan National Telecommunications Commission (CONATEL) to manage digital services and impose—with considerable discretion—significant fines and service suspensions, potentially disrupting internet access and content. The law was widely criticized by press freedom organizations in 2011, and international organizations recommended removing the unnecessary restrictions on freedom of expression from the law. The Venezuelan government rejected these recommendations.

In response to this law, Radio Caracas Televisión (RCTV) filed a request with CONATEL in hopes of being recognized as a domestic audiovisual producer in compliance with new electronic media regulation. In January 2010, cable operators had halted all broadcasting of RCTV after CONATEL ruled that the station had failed to uphold the provision that national stations air live coverage of regular government broadcasts (known as *cadenas*). The mandating of these *cadenas*, which were instituted when Chávez took office in 1999, is indicative of the government’s unremitting effort to exert control over the Venezuelan media sector. On August 23, RCTV International announced its return via the internet after signing an agreement with a foreign provider that allows the public to access RCTV International for free, including its newly equipped news program *El Observador*. RCTV International also promised to have an active presence in Twitter and Facebook.

Equal or fair access to spectrum space, official news, and governmental sources is increasingly difficult for opposition and dissident media. CONATEL’s broadly applied licensing powers remain one of the greatest threats to opposition broadcasters. The national Chamber of Industry (Cámara Venezolana de la Industria) also complained that illegal or pirate broadcast stations (possibly more than a thousand of them) do not pay taxes while engaging in defamation and interference with legitimate radio signals. In April, CONATEL shut down a radio station for operating clandestinely. The director of the station claimed that it was legitimately operating, and that CONATEL officials had inspected the office insuring that it was in order. CONATEL imposed a \$2 million fine on Globovisión in October 2011 for its coverage of riots in El Rodeo prison. If the fine is actually imposed, the television station would likely go bankrupt. Additionally, in March 2011, the Chávez gave the vice president the power to grant, revoke, and suspend radio frequencies, giving the government more authority over radio and television frequencies. Political pressure is regularly used to censor broadcasters. In May, Pedraza TV and the radio program “Contrapunto” were forced off the air as a result of pressure from Yusein Silva, the mayor of the municipality of Pedraza in the state of Barinas. Additionally, the radio program “Magazine Informativo” was taken off the air in August as a result of political pressure only 15 days after it premiered.

Although the killing of journalists is relatively rare in Venezuela, one murder did occur in 2011, along with numerous accounts of harassment and intimidation. On May 17, political columnist Wilfred Iván Ojeda of *El Clarín*—who was also an activist and member of the opposition Democratic Action Party—was found dead in a vacant lot in the town of Revenga. Ojeda, who died of a gunshot to the head, was found gagged, hooded, and with his hands tied. Local authorities suspect the killing is work-related, but the motive remained unconfirmed. In February 2011, cartoonist Rayma Suprani received a death threat over Twitter in response to a cartoon published in *El Universal*. In March, an intern at *El Carabobeno* newspaper received a death threat as a result of a story about a work stoppage at a factory that contained information regarding poor conditions and community members’ complaints. In April, a Globovisión correspondent received death threats as a result of reporting on the health system. Additionally,

in July, assailants raided the headquarters of Vive TV, in Zulia State, in a drive-by shooting. The attack wounded a security guard and a police officer who were guarding the station at the time. Ricardo Márquez, Vive TV-Occidente's president, informed local media outlets that the raid was intended to intimidate the government-owned station, which often airs broadcasts focusing on sensitive issues such as exploitation of farmers and indigenous peoples. High-profile opposition journalists and media owners remain in exile with outstanding arrest warrants against them, such as Globovisión's president, Guillermo Zuloaga; Rafael Poleo, director of *Revista Zeta* and *El Nuevo País*; and his daughter, Patricia Poleo, a reporter for *El Nuevo País*.

Venezuela's leading newspapers are privately owned, and although some papers avoid critical coverage or politically sensitive topics, the majority openly display their opposition to the government. Mass media investment and usage remain a top priority for the government, which relies on some 244 radio stations and 36 television channels, as well as print and internet-based news outlets, to disseminate its messages. Although some private broadcasters are openly aligned with the opposition, a greater number self-censor to avoid shutdowns or other reprisals by the authorities. The government has expropriated or used state enterprises to weaken companies that advertise in opposition media. The print media have also come under growing economic pressure, and some are struggling to stay in business in a challenging financial environment. In addition, indirect forms of official censorship—such as discriminatory uses of advertising to punish critics, increasing the price of newsprint, blocking distribution, and launching lengthy and expensive-to-defend government investigations or audits—are customary. In March 2011, the government suspended distribution and sale of the weekly *Notillanos Plus* in San Fernando as a result of tax evasion allegations brought against Inversiones Goga, the paper's publishing company. According to the paper's editor, Vladimir Hidalgo, they did not receive any certified notification, but were made aware of the suspension by reading a notice published in another local newspaper. In May, police officers attempted to impound a building that contained the printing press for the newspaper *El Nuevo País*. The officials did this without formal orders, and the raid was likely a result of an article about an agreement between Venezuela and Iran.

By contrast, community media are booming across the country—with notable government support—amid increased participation by segments of the population that until recently did not have any access to the dominant private media outlets. However, community stations lack sufficient autonomy to decide on content and activities. International support for community media through nongovernmental organizations has been discouraged by the authorities.

In 2011, 40 percent of the Venezuelan population had access to the internet. The number of subscribers to social-media sites such as Facebook and Twitter continued to grow rapidly, and many critical viewpoints have migrated from the traditional media onto these networks. The government claims that there is no government interference but in 2011, Twitter accounts of multiple journalists and government critics were hacked. In the digital crossfire, hackers have targeted internet users from across the sociopolitical spectrum, from opposition activists, nongovernmental organizations, intellectuals, and journalists to foreign embassies, electoral authorities, and government entities. In September 2011, a hacking group known as N33 claimed responsibility for the attacks and said they had not been ordered by government authorities. The December 2010 extension of the Law on Social Responsibility to cover the internet has led to greater self-censorship by internet-based media. Frank de Prada, founder and director of Noticias24.com, noted that his portal now reviews his readers' comments prior to posting to

minimize government retaliation. Even so, intelligence agents questioned him after a critical comment on the law and its reforms, an act regarded as criminal incitement.

Vietnam

Status: Not Free

Legal Environment: 28

Political Environment: 34

Economic Environment: 22

Total Score: 84

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	77,NF	82,NF	83,NF	82,NF	83,NF

Despite expectations that the government would loosen restrictions after the Communist Party Congress in January, Vietnam narrowed the space for press freedom in 2011. Officials grew increasingly intolerant regarding calls for democracy and criticism of Vietnam’s policy toward China. Legal protections for journalists and bloggers deteriorated with the passage of Decree No. 2, which imposes stiff penalties on journalists who refuse to reveal sources.

Although the 1992 constitution recognizes freedom of expression, the criminal code prohibits speech that is critical of the government. The definition of such speech is vaguely worded and broadly interpreted. The propaganda and training departments of the ruling Communist Party of Vietnam (CPV) control all media and set press guidelines. The government frequently levies charges under Article 88 of the criminal code, which prohibits the dissemination of “antigovernment propaganda,” as well as Article 79, a broad ban on activities aimed at “overthrowing the state.” Reacting to increasingly vibrant reporting by both the traditional and internet-based news media, the government issued a decree in 2006 that defined over 2,000 additional violations of the law in the areas of culture and information, with a particular focus on protecting “national security.” In January 2011, Prime Minister Nguyễn Tấn Dũng signed Decree No. 2, Sanctions for Administrative Violations in Journalism and Publishing. The decree restricts the use of pseudonyms and anonymous sources, and distinguishes between credentialed journalists and citizen bloggers, ostensibly to exclude the latter from press freedom protections.

The judiciary is not independent. Individuals are held for months or longer in pretrial detention and sometimes not released after completing their sentences. Many trials related to free expression last only a few hours. In November 2011, two broadcasters, Vũ Đức Trung and Lê Văn Thành, were found guilty of transmitting Falun Gong programming into China and sentenced to three years and two years in prison, respectively. Though officials originally charged both with minor administrative violations, they were upgraded to criminal charges after significant pressure from China.

The CPV generally views the media as a tool for the dissemination of party and state policy. Criticism of government leaders and Vietnam’s policy toward China, as well as calls for religious freedom and democratic reforms, are the topics most commonly targeted for official censorship or retribution. Journalists are sometimes permitted to report official corruption at the local level, as it serves the interests of the CPV’s national anticorruption platform, but they are

increasingly silenced for reporting on higher-level misdeeds. Foreign reporters are often required to remain in the capital, Hanoi, and face disciplinary action from the propaganda department for covering politically sensitive topics. In July 2011, police detained and questioned reporters from Japanese newspaper *Asahi Shimbun* and Japanese television broadcaster NHK for covering public protests against China's territorial claims in the South China Sea. *Guardian* reporter Dustin Roasa was denied entry to Vietnam in October due to a story he wrote in January about the country's crackdown on prodemocracy activism on the internet. In addition, two of Roasa's Vietnamese sources fled the country after authorities threatened them with imprisonment for their involvement in the article. Foreign journalists were not permitted to enter the village of Huổi Khon in May after reports surfaced that the military had dispersed an ethnic Hmong religious gathering, leaving dozens killed or injured.

Police often use violence, intimidation, and raids of homes and offices to silence journalists who report on sensitive topics. Bùi Chất, head of the publishing house Giấy Vụn, was detained for questioning a number of times after returning to Vietnam in April 2011, having traveled to Argentina to accept the Freedom to Publish Prize from the International Publishers Association. He remained under close surveillance by the authorities at year's end. Several raids of homes and offices occurred during the year. In November and again in December, police raided the home of cyberactivist Huỳnh Ngọc Tuấn, confiscated mobile telephones, cameras, and a computer, and fined his family 270 million đồng (\$13,000).

Almost all print media outlets are owned or controlled by the CPV, government institutions, or the army. Several of these newspapers—including *Thanh Niên*, *Người Lao Động*, and *Tuổi Trẻ* (owned by the Youth Union of the CPV)—have attempted to become financially self-sustaining. Along with the popular online news site VietnamNet, they also have a fair degree of editorial independence, though ultimately they are still subject to the CPV's supervision. Several underground publications have been launched in recent years, including *Tổ Quốc*, which continues to circulate despite harassment of staff members, and *Tự Do Ngôn Luận*, whose editor, Father Nguyễn Văn Lý, was rearrested in July 2011 after being granted temporary medical parole 16 months earlier. Radio is controlled by the government-run Voice of Vietnam or other state entities. State-owned Vietnam Television (VTV) is the only national television provider, although cable services do carry some foreign channels. Many homes and local businesses in urban areas have satellite dishes, allowing them to access foreign programming. In May, Decision 20/2011 came into effect, requiring all foreign news, education, and information television content to be translated into Vietnamese and censored by the Ministry of Information and Communications (MIC) before airing. The decision will place onerous demands on foreign stations and is expected to cause several foreign outlets to withdraw from broadcasting in the country. International periodicals, though widely available, are sometimes censored.

Rising internet penetration has posed problems for the CPV, which seeks to promote new technology as well as restrict online criticism. Approximately 35 percent of the population accessed the internet in 2011, with the vast majority utilizing internet cafés and other public providers. Website operators continue to use internet service providers (ISPs) that are either wholly or partly state owned. The largest is Vietnam Data Communications, which is controlled by the state-owned Vietnam Posts and Telecommunications Group and serves nearly a third of all internet users. ISPs are legally required to block access to websites that are considered politically unacceptable. Foreign news sites remain intermittently accessible. The Vietnamese-language services of the British Broadcasting Corporation (BBC), Voice of America (VOA), and Radio Free Asia (RFA) were repeatedly blocked in 2011. In 2008, the MIC formed an agency to

monitor the internet and blogosphere. Though the government has denied using cyberattacks to monitor and prevent dissident activity, malicious programs attached to downloadable Vietnamese-language software and distributed denial-of-service (DDoS) attacks, which overwhelm servers and websites with traffic, frequently target politically sensitive websites.

Vietnam has one of the largest numbers of bloggers behind bars worldwide, and conditions for cyberactivists and online journalists continued to deteriorate during 2011. Former high-level party member Vi Đức Hồi was sentenced in January to eight years in prison followed by five years of house arrest (later reduced to five years in prison and three years of house arrest by an appeals court) for posting online commentaries that were critical of the government. French-Vietnamese blogger Phạm Minh Hoàng was found guilty in August of “undermin[ing] national security,” having been arrested in 2010 for writings that call for democracy in Vietnam. He was sentenced to three years in prison followed by three years of house arrest, though in November strong international pressure prompted an appeals court to reduce his prison term to 17 months. Within weeks of each other in July and August, Đặng Xuân Diệu, Hồ Đức Hòa, Nguyễn Văn Duyệt, and Paulus Lê Sơn, all contributors to *Vietnam Redemptorist News*, an online outlet covering the persecution of Roman Catholics, were arrested under Article 79 of the criminal code for activities aimed at overthrowing the government. Also in August, an appeals court upheld a seven-year prison sentence for blogger and activist Cù Huy Hà Vũ and sentenced opposition blogger Lu Văn Bảy to four years in prison plus three years of house arrest. Both trials lasted less than one day, and Bảy was not permitted access to a lawyer. Popular blogger Nguyễn Văn Hải, who blogs under the name “Điều Cày,” continued to be held incommunicado after completing a 30-month prison sentence in 2010 on trumped-up tax evasion charges. The status of his health and whereabouts were unknown. Blogger Phan Thanh Hải, arrested in 2010 for writings that were critical of Vietnamese-Chinese relations and advocated changes to restrictive provisions in the criminal code, also remained in detention without formal charges at year’s end.

West Bank and Gaza

Status: Not Free

Legal Environment: 28

Political Environment: 33

Economic Environment: 22

Total Score: 83

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	84,NF	84,NF	86,NF	84,NF	83,NF

Press freedom in the Palestinian territories is restricted by ongoing violence, as well as abuses at the hands of three different governing authorities: the Fatah-controlled Palestinian Authority (PA) in the West Bank; the Hamas-led government in the Gaza Strip; and the Israeli military, which occupies parts of the West Bank and is at war with Hamas. Journalists faced harassment, detentions, assaults, and restrictions on their freedom to report throughout 2011.

The Palestinian basic law and the 1995 Press and Publication Law provide for freedom of the press and freedom to establish media outlets, and state that there should be no censorship.

However, restrictions are allowed if press activity threatens “national unity” and “Palestinian values.” This vague terminology gives authorities ample leeway to impede journalistic activity via legal means, including by bringing criminal libel charges. In the West Bank, the PA Ministry of Information regulates all television and radio station licenses. Although no official measures have been taken, West Bank authorities often treat Hamas-affiliated outlets—most prominently Al-Quds and Al-Aqsa TV—as “illegal” and thus subject to persistent harassment. Following its 2007 takeover of Gaza, the Hamas government introduced a new system of accreditation under which all outlets and journalists are required to register with the authorities. West Bank and Gaza authorities have banned broadcast outlets and newspapers associated with Hamas and Fatah, respectively.

According to a 2011 report by the Palestinian Center for Development and Media Freedoms (MADA), physical attacks, arrests, detentions, and confiscation of equipment by both Palestinian security forces increased by over 45 percent between 2009 and 2010, a trend that continued in 2011. The cumulative pressure has driven many journalists to practice self-censorship. In addition, security services from both authorities cracked down on journalists covering popular demonstrations during 2011, though the situation was worse in Gaza than in the West Bank. In the West Bank, at least two journalists were attacked while covering a February demonstration. The previous month, Al-Jazeera’s release of the so-called “Palestine Papers” prompted extensive official condemnation of the Qatar-based television network and attacks by Palestinian youths on the Jazeera-linked Pali Media Agency and Al-Jazeera’s offices in the West Bank—though Palestinian police intercepted the attackers. Also in January, PA president Mahmoud Abbas ordered the closure of a local television station affiliated with his intra-Fatah rival—and rumored coup conspirator—Mohammed Dahlan. In September, a Hebron court acquitted journalist Alaa al-Titi of “breaching the peace” and “inciting sectarian violence” because of his work at Al-Aqsa TV. Al-Titi had been charged in October 2008.

In March, MADA reported several instances of journalists in Gaza being beaten, threatened, and detained during Hamas crackdowns on demonstrations in support of Egyptian antigovernment protesters and Palestinian national unity. Most detained journalists were formally asked to pledge not to cover any more unauthorized demonstrations. Following one such protest, security personnel raided the bureaus of Reuters, Cable News Network (CNN), and Japan’s NHK, attacking journalists and destroying equipment, according to the Committee to Protect Journalists (CPJ). Human Rights Watch (HRW) accused Hamas of torturing bloggers and other social-media activists who were involved in planning the demonstrations. In unrelated events in Gaza, Italian journalist Vittorio Arrigoni was killed in April by a terrorist group that is a rival of Hamas, Al-Tawhid wal-Jihad, while in October a group of Hamas-affiliated journalists forcibly took over the Gaza offices of the Palestinian Journalists’ Syndicate, a professional union linked to the International Federation of Journalists.

Israeli security policies and military activities also continued to restrict Palestinian media freedom in 2011. Israeli forces harassed and detained reporters during the year, and were repeatedly accused by local and international press freedom organizations of targeting journalists with assaults and arbitrary detentions. Soldiers routinely fired tear gas, rubber bullets, and stun grenades at journalists covering events throughout the West Bank, and occasionally fired live ammunition as well. In October, MADA reported a significant increase in settler attacks on journalists and accused the Israel Defense Forces (IDF) of willfully failing to intervene. Soldiers also confiscated journalists’ equipment on a number of occasions in 2011. In August, Israel arrested Al-Jazeera Afghanistan channel director Samer Allawi at the Allenby crossing between

the West Bank and Jordan, and detained him for over a month without formal charges. Allawi was freed in September after confessing to membership in Hamas's military wing and striking a plea deal with the Israeli prosecutor. In August, Reporters Without Borders (RSF) accused Israeli troops of arbitrarily arresting journalists and reported that five journalists, including Allawi, were in Israeli jails. As with the PA in the West Bank, Israeli troops often target Hamas-affiliated press outlets and journalists. In June, troops arrested Al-Quds TV program director Nawaf al-Amer and placed him in administrative detention for four months.

Freedom of movement for journalists is restricted by the Israeli checkpoint system, which requires military permission for passage into Israeli territory and often hinders travel within the West Bank. In addition, the IDF has increasingly restricted coverage of regular protests near the Israeli security barrier in the West Bank by declaring such areas "closed military zones." In November 2011, five foreign journalists were detained and had their equipment confiscated after Israeli forces boarded two ships headed for the blockaded Gaza Strip. Even though all five were soon deported, London-based Hassan Ghani of Iran's Press TV was held for longer than the others. While Israel dropped its earlier threat to ban journalists on Gaza-bound ships from Israel for 10 years, RSF reported that the deported journalists were pressured to sign documents agreeing to such restrictions.

There are three daily West Bank Palestinian newspapers: *Al-Hayat al-Jadidah*, which is completely funded by the Fatah-controlled PA; *Al-Ayyam*, which is partially funded by the PA; and *Al-Quds*, a privately owned paper based in Jerusalem that is subject to Israeli military censorship. Distribution of these papers in Gaza was banned by the Hamas government in July 2008, and although the bans on all but *Al-Hayat al-Jadidah* were subsequently lifted, Israel began blocking their distribution in Gaza in the same year as part of its broader sanctions on Hamas. In 2010, Israel lifted its ban on shipments of the papers, but according to CPJ, Gaza authorities again prevented their distribution, allegedly demanding that the editors agree not to criticize Hamas. Meanwhile, a June 2007 ban on the Hamas-affiliated newspapers *Felesteen* and *Al-Resaleh* in the West Bank remains in place.

There are approximately 45 privately owned television stations, and the PA funds the official Palestinian Broadcasting Corporation (PBC), which is under the direct control of Abbas. The PA has closed down Al-Aqsa TV offices in the West Bank towns of Ramallah, Jenin, and Tulkarm. PBC transmissions have been blocked in Gaza since the Hamas takeover in 2007, while the Voice of the People radio station, run by the Popular Front for the Liberation of Palestine, is generally allowed to operate but occasionally blocked. The Israeli military has utilized coercive tactics to restrict broadcasting by stations deemed to be advocating terrorism or affiliated with Hamas. Foreign broadcasts are generally available.

About 55 percent of the population in the Palestinian territories used the internet in 2011, and its use is generally not subject to restriction. There were some reported instances of the PA, Hamas, and Israeli authorities monitoring e-mail activity and internet chat rooms. In August, the Palestinian Telecommunications Company blocked the website of the electronic newspaper *Alshu'la* for one week due to a disagreement between the PA and Mohammed Dahlan, who financially supports the website.

Yemen

Status: Not Free

Legal Environment: 27
Political Environment: 33
Economic Environment: 23
Total Score: 83

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	80,NF	78,NF	79,NF	80,NF	83,NF

Confronted with popular protests and violent opposition, the embattled Yemeni government orchestrated a massive clampdown on media freedoms throughout 2011, seizing thousands of copies of newspapers at checkpoints, blocking websites, beating and arresting journalists, and creating a hostile environment meant to stifle freedom of expression. The measures came on the heels of two years of increasing legal and administrative restrictions on the press. In November, President Ali Abdullah Saleh agreed to step down, handing power to his vice president, but laws circumscribing press freedoms and specialized courts used to prosecute journalists remained in place.

The constitution allows for freedom of expression “within the limits of the law,” but the laws are restrictive and it was unclear at the end of 2011 whether Saleh’s departure would lead to any meaningful change. Several alarming amendments to the Press and Publications Law as well as a repressive bill designed to regulate media, including online publications, remained pending in the parliament. Vague existing laws prohibit journalists from criticizing the president, defaming individuals, or distorting the image of Yemeni, Arab, or Islamic culture, and prescribe steep fines and imprisonment for violators. Two specialized courts, established in direct contravention of the constitution, are regularly employed to prosecute journalists. The Specialized Criminal Court, established in 1999 to handle cases of national security, uses an exceptional tribunal to prosecute political opponents and journalists, while the Specialized Press and Publications Court, established in 2009, tries all cases related to media. Judges at the Press and Publications Court may choose from a variety of laws, including those derived from the penal code, to punish journalists, and the prosecutor can refer cases to the court at his discretion. In December 2011, a trial against *Al-Ayyam* editor Hisham Bashraheel and several other journalists continued in the specialized tribunal. The proceedings, derided as a “farce” by media watchdog organizations, stem from a 2009 government raid on the newspaper, which authorities subsequently shut down. The charges against Bashraheel include “inciting violence,” “instigating separatism,” and “forming an armed gang.” Prior to its closure, *Al-Ayyam* was Yemen’s largest-circulation daily and was often critical of the president.

Yemeni news outlets and journalists must obtain licenses from the Ministry of Information and Culture to practice journalism, and printing houses must maintain a registry of printed materials and submit copies to the ministry. In 2010, the cabinet pushed for legislation that would establish prohibitive financial requirements in order to open broadcast and online news outlets, and expand the definition of defamation to include any form of criticism of the president. Yemen has yet to pass any type of freedom of information legislation.

Journalists faced ongoing intimidation, threats, arrests, office raids and closures, and the seizure of printed publications in 2011. Those arrested were often kept in military prisons. Journalists working with foreign media outlets were particularly targeted and accused of damaging Yemen’s reputation abroad. The Yemeni Journalists’ Syndicate (YJS) reported that more than 300 assaults on journalists had occurred during the year—the highest rate in the

history of the country. Two journalists and one media worker were killed, including a photojournalist who was killed by police when they opened fire on protesters in March, and a cameraman who was shot in the face by a sniper while covering antigovernment protests in September. In February, progovernment forces attacked the offices of the Dubai-based satellite television station Al-Arabiya, Britain’s *Guardian* newspaper, and other news outlets. In March, security forces stormed the YJS office and shut down a bureau of Qatar’s Al-Jazeera satellite television station. In July, tribesmen who were angry about a land dispute kidnapped journalist Bashir al-Hazmi. The headquarters of the television station Al-Saeedi were set on fire in October during clashes between pro- and antigovernment forces. Authorities seized thousands of copies of the daily *Akhbar al-Yom*, *Al-Thawra*, and several other newspapers during the year.

The government controls most news outlets, including the country’s four terrestrial television stations and 12 radio stations, which are operated by the Yemen General Corporation for Radio and Television. Only a handful of newspapers provide independent views. The state also controls distribution outlets and advertising, undermining the ability of the press to operate in a free environment. Self-censorship is commonplace, and journalists know not to cover “red-line” topics including rebel movements in the north and south of the country. The government controls editorial policy on these issues at state-owned outlets, but Yemenis who can afford it have access to satellite news channels, which have covered both conflicts with greater freedom.

In 2011, approximately 15 percent of the population had access to the internet, and that number is believed to have increased significantly as Yemenis sought to follow the political unrest that swept their country during the year. Individuals are free to create websites, and a growing number of blogs provide diverse and independent views. The government has drafted, but not implemented, measures to control both mobile and internet technology, including by requiring outlets to pay a licensing fee. News websites often operate with a limited budget, and poor infrastructure makes access sporadic. The government owns the country’s two internet service providers. During 2011, authorities reportedly blocked access to opposition news sites for extended periods of time. Among these sites were Yemenat.net, alEshteraki.net, *Mareb Press*, YemenPortal.net, and the online version of the independent newspaper *Al-Masdar*. In January, Fuad Rashid, editor of the opposition news website *Mukalla Press*, was arrested and held for 11 days before being released. In February, the government banned Skype, the popular online telecommunications tool, after it discovered that journalists were using the service to conduct interviews.

Zambia

Status: Partly Free

Legal Environment: 19

Political Environment: 22

Economic Environment: 19

Total Score: 60

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	64,NF	64,NF	65,NF	64,NF	61,NF

Status change explanation: Zambia improved from Not Free to Partly Free due to advances in the state-run media initiated by the new government after the September 2011 presidential election and the transfer of power to former opposition leader Michael Sata and his Patriotic Front (PF) party. This led to greater professionalism and independence, less self-censorship, and a decrease in the overtly partisan character of these media outlets.

Over the past several years, independent media in Zambia have faced legal harassment, physical intimidation, and the threat of statutory regulation under the government of former president Rupiah Banda and the long-ruling Movement for Multiparty Democracy (MMD). The election of Michael Sata of the opposition Patriotic Front (PF) as president in September 2011 led to some encouraging openings in the media environment.

Freedom of speech is guaranteed in the constitution, but the relevant language can be broadly interpreted. Criminal libel laws, laws prohibiting sedition and obscenity, and provisions in the penal code such as the Official Secrets Act and the State Security Act remain in effect and have been used against journalists. As opposition leader, Sata sued Information Minister Ronnie Shikapwasha in April 2011 for libel and slander after his “false” comments about Sata’s personal beliefs on homosexuality were aired on the country’s main evening news program.

A freedom of information bill, long shelved by previous administrations, received support from the new government, which shortly after winning the election announced its intention to pass such legislation. However, no legislation had been put forward by year’s end.

The issue of media regulation had been contentious under the Banda government, as the MMD made repeated threats to impose statutory regulation. A consortium of groups within the industry made progress on self-regulation in 2010, agreeing to establish a Zambia Media Ethics Council (ZAMEC) and drafting a code of ethics that the proposed council would enforce. However, the launch of ZAMEC was repeatedly postponed due to a lack of official support, limiting participation of public media in the self-regulatory mechanism. Positively, the Sata government has endorsed and encouraged the launch of the council.

In April 2010, the Zambia National Broadcasting Corporation (Amendment) Act was passed, allowing the information minister to appoint the corporation’s board without first receiving nominations from an appointments committee. However, the selections must be ratified by the parliament. The new government has vowed to reintroduce the appointments committee. The 2002 Independent Broadcasting Authority (IBA) Act was modified in July 2010, granting the minister similar powers of direct appointment for the IBA. New board members were never appointed at the IBA, raising concerns that the government intended to tightly control the licensing process and adding to confusion about which body was responsible for granting broadcast licenses.

Physical harassment of Zambian journalists occurs regularly and often involves politicians or party activists. In January 2011, an intelligence officer destroyed information on the recorder of a journalist for the privately owned daily *Post* newspaper who was covering a meeting attended by the vice president. (The *Post* is viewed as a Sata ally.) In the same month, former president Frederick Chiluba threatened to destroy a reporter’s camera. Reporters were also harassed by MMD supporters at Chiluba’s funeral in June, while a crew from independent Muvi TV was violently assaulted by more than 100 MMD supporters in July. Charges were brought against the perpetrators in the latter case, and their sentence is expected in 2012. In December, supporters of the MMD physically assaulted several independent journalists covering the trial of a former MMD minister. PF members also attacked journalists in 2011. In February,

then opposition candidate Sata stormed the boardroom at the offices of the state-owned *Zambia Daily Mail* and made various threats against the managing director and editors during an editorial meeting over a story stating that traditional leaders in the Luapula province had vowed not to support him during the elections. In April, in two separate episodes, PF activists harassed, and in one instance injured, journalists working for the state-run Zambia National Broadcasting Corporation (ZNBC).

The Banda government also cracked down on coverage of a growing separatist movement in Barotseland, in western Zambia. In January 2011, two people were reported killed, and several others wounded, in clashes between police and secession activists. One journalist, Mwala Kalaluka of the *Post*, was overheard by a security officer detailing to an acquaintance how he had discussed the region's affairs, and specifically police brutality, with the U.S. radio network Voice of America. He was arrested and charged with seditious intent. Another incident involved Nyambe Muyumbana, an assistant station manager of local Radio Lyambai, who was arrested and charged with publishing seditious materials after he broadcast programs "inciting listeners to rise up against the authorities." Subsequently, security forces closed Radio Lyambai and confiscated its equipment after it aired an ad for a banned secessionist meeting. Both Kalaluka and Muyumbana face a possible seven-year jail sentence or a fine of 1 million kwachas (\$200); their cases were pending at year end. The government also banned live phone-in programs discussing certain aspects of the situation in the region.

The government controls the *Zambia Daily Mail* and the *Times of Zambia*, both of which are widely circulated. In the past, content has been reviewed prior to publication, and many journalists practiced self-censorship. New government policies in the wake of the September 20 elections indicate that these newspapers operate with somewhat greater independence. Four top officials at the papers were replaced with professional journalists instructed to turn the outlets into profitable professional media houses. The government has also announced plans to partially privatize the papers. Several privately owned newspapers—of which the *Post* has the widest circulation and is the only daily—have provided opposition views and criticism of the government, but have faced frequent retaliation for their reporting.

The ZNBC is the primary broadcast outlet covering domestic news. Prior to the September 20 elections, as in the past, its reporting was heavily biased in favor of the government and against the opposition. In July, the Law Society of Zambia threatened legal action against the ZNBC, accusing it of violating its mandate by offering only biased news in favor of government. This threat was dropped after the new Sata government announced a policy of noninterference with public media outlets. A growing number of private radio stations, including dozens of community radio stations, and four television stations broadcast alongside state-owned outlets, and international services are not restricted. Some local private stations, including Radio Phoenix and SkyFM, carry call-in shows on which diverse and critical viewpoints are freely expressed.

Radio remains the medium of choice in most of the country because of its relatively low cost of access, but many stations face financial difficulties due to their dependence on sponsored programming and a small advertising market. Reception of both state and private television signals throughout the country remains poor. The costs of newsprint and ink (including high import duties and taxes), printing, and distribution remain very high, hampering print outlets' ability to increase their readership. Advertising is sometimes used as a tool by the government to influence media content and coverage.

The government does not restrict internet access, though costs are prohibitive; only 11.5 percent of the population used the medium in 2011. In September, President Sata sued the *Zambian Watchdog* for libel after the online news website published an e-mail in July in which a local politician discussed a \$45 million donation that the PF party had allegedly received from Taiwanese and Afghan businessmen. In October, an investigation was launched into the source of the e-mail, which the politician, Given Lubinda, who had become Sata’s information minister, claimed was fabricated. Police raided the website’s headquarters in an attempt to find the news editor, Lloyd Himaambo, and the alleged author of the article, journalist George Nelson Zulu. Sata also directed the police to close the website’s offices and arrest all people connected to it. While this did not occur, staff and reporters at the *Zambian Watchdog* claimed to have been subjected to repeated acts of intimidation by the police. This included threats against Himaambo’s family by half a dozen police who stated they would receive beatings if they did not reveal Himaambo’s whereabouts. In late October, Zulu appeared before police for questioning, but no charges had been filed by year’s end, and the case was still pending.

Zimbabwe

Status: Not Free

Legal Environment: 25

Political Environment: 29

Economic Environment: 26

Total Score: 80

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	89,NF	89,NF	88,NF	84,NF	81,NF

Press freedom in Zimbabwe remained restricted in 2011, as promised reforms to liberalize the legal and regulatory environment after years of authoritarian abuse were stalled by President Robert Mugabe’s Zimbabwe African National Union–Patriotic Front (ZANU-PF) party, which was still entrenched in the executive branch and exercised control over the nominally inclusive government of national unity formed in 2009. Legal harassment of journalists, particularly those who work for the few independent print media outlets, remained a primary concern.

Despite constitutional provisions for freedom of expression, a draconian legal framework continues to inhibit the activities of journalists and media outlets. The 2002 Access to Information and Protection of Privacy Act (AIPPA) required all journalists and media companies to register, and gave the information minister sweeping powers to decide which publications could operate legally and who is able to work as a journalist. Unlicensed journalists can face criminal charges and a sentence of up to two years in prison. In addition, the Official Secrets Act, the Public Order and Security Act (POSA), and the Criminal Law (Codification and Reform) Act severely limit what journalists may publish and mandate harsh penalties—including long prison sentences—for violators. Authorities continued to exploit these laws to harass and punish journalists, with an increase in defamation charges brought by police or prominent political figures noted in 2011. In July, Nevanji Madanhire, editor of the weekly *Standard*, and two other staff at the paper were charged with criminal defamation following the publication of a story regarding the police’s detention of a government minister; previous cases filed against the

paper's employees in 2010 remained pending. Madanhire faced repeated instances of detention and questioning later in the year on a number of other stories. Meanwhile, politician and former information minister Jonathan Moyo continued to file defamation cases against the independent *Daily News*, in one case for publishing information contained in the publicly available WikiLeaks cables. Several of the civil defamation cases filed by Moyo and others demanded steep monetary damages of US\$100,000 or more. Although many cases are dismissed by the courts, charges can remain pending for months and lead to inconvenience and restrictions for the journalists involved.

The new Zimbabwe Media Commission (ZMC), mandated in 2008 as part of the power-sharing Global Political Agreement (GPA) between ZANU-PF and the two factions of the opposition Movement for Democratic Change (MDC) to regulate the licensing of publications and journalists, was finally formed in February 2010. The inclusion of several well-respected industry representatives as commissioners raised hopes that the new body would be somewhat more independent than its predecessor, and in a positive step, the ZMC proceeded to license five new publications in May, including the *Daily News*, which had been Zimbabwe's only independent daily until it was shuttered in 2003, and the new private daily *NewsDay*. However, in August 2011, the ZMC instructed all foreign newspapers to register with the commission under AIPPA or risk being banned or confiscated, a move that local monitors described as potentially limiting people's ability to access diverse sources of news.

Broadcasting licenses continue to be consistently denied to independent and community radio stations, despite the fact that liberalization of the airwaves was also mandated by the GPA. Critics allege that the board of the Broadcasting Authority of Zimbabwe (BAZ), which is responsible for granting radio and television licenses, was illegally appointed in 2009 by the information minister and stacked with pro-ZANU-PF loyalists, thus compromising its independence and decision making, and have called for it to be reconstituted. After issuing a call for radio license applications and receiving 15 submissions, BAZ awarded two national commercial licenses to companies aligned with the ruling party in November in a process that was deemed untransparent and politically biased.

Journalists faced verbal intimidation, physical attacks, arbitrary arrest and detention, interception of communications, and financial pressure at the hands of the police, government officials, and supporters of ZANU-PF during the year. Many were harassed while attempting to cover news events or sensitive political issues such as the constitutional reform process, parliamentary hearings, or the ongoing investigation into abuses at diamond mines. Freelance journalist Sidney Saize was arrested in February 2011 as he attempted to cover a court case in Mutare and was detained, questioned for seven hours, and fined under the Criminal Nuisance Act. Media offices were also targeted during the year. The offices of the private weekly *Mirror* were raided in Masvingo in June, while computer hard drives of key editorial staff were stolen from *NewsDay* in April; both break-ins remained unsolved, but it was suspected that they were committed by official actors. During the past decade, dozens of Zimbabwean journalists have fled the country, mostly to South Africa and Britain; according to the Committee to Protect Journalists (CPJ), Zimbabwe still has one of the largest numbers of exiled journalists in the world.

Professional and media-monitoring organizations such as the Zimbabwe Union of Journalists, the Media Monitoring Project of Zimbabwe (MMPZ), and the local chapter of the Media Institute of Southern Africa (MISA) are also subject to official harassment. In December 2011, three MMPZ staff were arrested in the city of Gwanda and charged under POSA and the

criminal code after they distributed a DVD, while the MMPZ offices in Harare were raided and additional staff were detained and questioned; the case was ongoing at year's end. Faced with legal restrictions as well as the threat of extralegal intimidation, many journalists practice extensive self-censorship, particularly regarding stories on corruption or factional fighting within ZANU-PF.

Foreign journalists can encounter restrictions on residing full-time in the country and are sometimes denied visas to file stories from Zimbabwe, though an outright ban on two major international news organizations, the British Broadcasting Corporation and the U.S.-based Cable News Network, was lifted in 2009. Locally based correspondents for foreign publications, particularly those whose reporting has portrayed the regime in an unfavorable light, have been refused accreditation or threatened with lawsuits and deportation. In 2010, the ZMC lowered the accreditation fees for foreign journalists, foreign outlets, and local reporters working for foreign outlets. However, a new amendment to AIPPA that came into effect on January 1, 2011, dramatically hiked accreditation fees for foreign media bureaus and their local correspondents, a move protested by local press freedom advocacy groups.

The government, through the Mass Media Trust holding company, controls the two main daily newspapers, the *Chronicle* and the *Herald*. After undergoing a modest shift toward more politically balanced coverage in 2009, state media returned to slavishly supporting Mugabe and ZANU-PF while attacking the MDC in 2010, and this trend continued in 2011 as the country waited for possible elections to be scheduled. The private Alpha Media Holdings group publishes a number of the country's independent papers, including *NewsDay*, the *Standard*, and the *Zimbabwe Independent*, while the independent *Daily News*, published by Associated Newspapers of Zimbabwe, restarted publishing in March 2011. The *Zimbabwean* is produced in South Africa for the Zimbabwean market, and some foreign newspapers, most of them also from South Africa, are available.

Newspapers typically have poor distribution networks outside urban areas, and they have been buffeted by soaring prices for newsprint. Vendors of the *Mirror* were threatened by soldiers in Masvingo in January 2011 after the independent paper ran a story concerning the army, while vendors of *NewsDay* were harassed by ruling party supporters in Harare in February; readers seen buying independent papers were also harassed. According to MISA's African Media Barometer, state-run companies do not advertise in private papers, and state-run media outlets do not accept advertising from companies thought to be aligned with the opposition. Owing to poor economic conditions and salaries that do not keep pace with inflation, journalistic corruption and cash incentives for coverage have become rampant.

The state-controlled Zimbabwe Broadcasting Corporation (ZBC) runs all broadcast media, which are subject to overt political interference and censorship. ZBC coverage, particularly before and during elections, overwhelmingly favors ZANU-PF. In 2009, retired military and intelligence officers loyal to Mugabe were appointed to the boards of state-owned newspapers, the ZBC, and the NewZiana news agency. The Broadcasting Services Act bans foreign funding and investment in this capital-intensive sector, making it very difficult for private players to enter the market. Radio broadcasts are currently the predominant source of information in rural areas. However, access to broadcast media in these areas is hampered by deteriorating equipment and a lack of transmission sites, although the government has reached an agreement with China to help upgrade transmission infrastructure. Meanwhile, officials have used Chinese technology to jam the signals of increasingly popular foreign-based radio stations that broadcast into Zimbabwe, including SW Radio Africa, a station run by exiled Zimbabwean

journalists in London; the Voice of America's Studio 7 service; and the Voice of the People. Authorities have on occasion also raided homes in rural areas and confiscated the shortwave radios used to access these broadcasts. Although satellite television services that provide international news programming remain largely uncensored, their cost places them out of reach for most of the population.

Access to the internet is limited by the high costs at internet cafés and service disruptions caused by frequent power outages. Nonetheless, Zimbabwe has a relatively high rate of internet penetration for Africa, at 16 percent of the population in 2011. Online newspapers, news portals, and blogs run by Zimbabweans living abroad are popular among those with internet access, and diaspora media also distribute news and information via SMS. The 2007 Interception of Communications Act allows officials to intercept telephonic and electronic communications and to monitor content to prevent a "serious offense" or a "threat to national security." According to CPJ, journalists and opposition activists are regularly subject to such surveillance.