

Inter-American Press  
Association (IAPA)  
report  
Subcommittee on the  
Western Hemisphere



House Committee on  
Foreign Affairs

Washington, D.C.

July 29, 2015

## **INTRODUCTION**

Freedom of the press and of expression in the hemisphere underwent a marked deterioration in recent months due to a significant increase in direct and indirect censorship and physical attacks on journalists.

Violence carried out by organized crime, drug traffic hitmen and police-style groups on the orders of several governments of the region left a balance of more than 20 journalists murdered during the past 12 months in Honduras, Paraguay, Mexico, El Salvador, Colombia and Peru.

In Cuba three journalists remain behind bars with sentences of up to seven and 14 years imprisonment, while there continues the massive detention of dissidents for the simple act of expressing their political opinions.

Two journalists, one in Mexico and another in Argentina, have had to go into exile as a result of threat to their lives, thereby adding to a long list headed by Venezuelan journalists, with more than 400 of them currently spread out across 34 countries.

The censorship was also applied to media in Ecuador through a ruling of the Constitutional Court that ratified what is established in the Communication Law turning the work of the press into a public service. As part of this crude censorship an agency for the control of content punished more than 30 media, four newspapers had to stop publishing and a couple of radio stations have been closed down.

In Venezuela the government of President Nicolás Maduro continues to deny foreign exchange for the purchase of supplies for print media. More than 30 newspapers are hit by the lack of newsprint and more than a dozen have already ceased publishing.

With the same regulatory spirit as that which prevails in Venezuela and Ecuador, parts of these censorship or restrictive methods have been applied in other countries throughout the continent, constituting obstacles on the free broadcast of printed or television news, as well as on social media, and we have observed an

increase in the shutting down of Twitter accounts and the prosecution or harassment of bloggers or internet users.

Various countries have increased the fiscal persecution of, and imposition of heavy fines on, communications media as a result of their criticism of government activities or denunciation of administrative corruption.

The lack of transparency and access to public information continues to be an obstacle to the free practice of journalism in Argentina, Bolivia, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Peru and Dominican Republic. Perhaps the most positive news last year has been the enactment of the Law on Access to Public Information and Transparency in Paraguay.

As a result of their desire to control the communications spectrum, some governments such as the ones of Argentina, Ecuador and Venezuela, employ the strategy of purchasing news companies using front men, or of controlling radio and television space from which they can launch attack on their critics, placing in question the reputation of communicators and encouraging harassment and persecution. The case of Nicaragua is notorious, as the government has increased its monopoly of its own media and where there is only one independent television channel.

This report focus on Argentina, Bolivia, Cuba, Ecuador, Nicaragua and Venezuela; countries where freedom of expression and of the press continues to deteriorate.

## **ARGENTINA**

The climate of press freedom continues to be adverse. There has been no end to official and semi-official attacks on those who engage in criticism, abuse in the placement of official advertising, lack of access to public information and regulatory and administrative bias.

The scenario is increasingly complex for the press. The discovery of the body of prosecutor Alberto Nisman with a bullet in the head one day before going to Congress to give details of a denouncement of Argentina's President has been unsettling citizens this year. The prosecutor's indictment involved the President with a secret agreement with the government of Iran to prevent the prosecution of senior Iranian officials, responsible for the largest act of terrorism in Argentina's history when the July 18, 1994 blew up a car bomb in front of a Jewish medical institution called AMIA, which left 85 dead and over 300 wounded.

Meanwhile the scourge of drug trafficking continues to extend in Argentina and is beginning to seriously hinder the work of the press.

The government reacted by accusing sectors of the judiciary and news media of engaging in political destabilization maneuvers. President Cristina Kirchner railed against the media for its coverage of the mass march that took place on the one-month anniversary of the prosecutor's death, referring once more to the "national chain of hatred and pessimism", accusing newspapers Clarín and La Nación of having appropriated the newsprint company Papel Prensa and describing freedom of expression as an apparently exclusive privilege of those newspapers.

The stigmatization and indictment by the government of certain media for reporting on questions that are uncomfortable for those in power continues to be common practice. President Cristina Kirchner and senior public officials, such as the Chief of Cabinet, constantly suggest that some media, along with other sectors of society, are concocting destabilizing maneuvers. These are accusations that involve risks for the physical integrity of journalists. Encroachment is another of the tools used to go after dissidents and it has reached the point that the official organization La Cámpora, with funds that are presumed to be public ones, finances unauthentic editions of media such as Clarín to attack the newspaper itself and opposition political leaders.

Although some media excluded from placement of official advertising today are receiving a portion of it, the levels of a discretionary nature in its award and the disproportion regarding any objective basis continue to be very high. This pertains to the federal government and to provincial governments.

The levels of official advertising continued to grow in the last six months. In February the government announced a decreed increase of the equivalent of \$ 21 million dollars at the official rate of exchange destined for the dissemination of national official acts. This left the amount used by the federal government during 2014 above \$ 200 million, which is practically double what was approved at the due time by the federal Congress. If there are added the advertisements of decentralized bodies and state-owned companies, the Fútbol para Todos (Soccer for All) program and the maintenance of public media, the total figure is tripled.

Beyond the exponential growth that official advertising has had in recent years of no less concern is the discretionary nature with which it is distributed. This continues to be used as a tool of editorial restriction, in open contradiction to what has been established by the Supreme Court in its rulings and by the recommendations made by the OAS Office of Special Rapporteur for Freedom of Expression among other international bodies.

This practice is not exclusive to the federal government. The government of the city of Buenos Aires has increased the level of official advertising in an exponential manner since it took office. And that of the province of Buenos Aires, to mention the other of the two big Argentine districts, has flooded the streets with announcements that carry the color which distinguishes the governor, fully launched, and ahead of the legal times, for his campaign for president.

Five years after the enactment of the Audiovisual Communication Services Law there are noted to be suggestive lacks of definition and delays in its application. Throughout all this time there has not been an equitable treatment of companies that must comply with what has been established by law. A new chapter was added early in October when the application authority rejected the plan of voluntary adherence to the law by the Grupo Clarín, initiating a transfer of function of the audiovisual media that it consists of. On declaring the constitutionality of the articles of the law that had been questioned by Clarín the Argentine Supreme Court said that the application authority must respect the equality of treatment and act with independence of the government and of any pressure group. The application authority is not complying with the Court's demands in delaying the review of the

adaptation plans presented by other media on granting new deadlines to some of them and on promptly resolving the discretionary splitting up of a group of media.

On December, Judge Horacio Alfonso issued a precautionary measure that suspended the forced break-up of the Grupo Clarín group's media, previously ordered by the AFSCA (Federal Audiovisual Communication Services Authority), in an action that amounts to discriminatory and instrumental use of the law, contrary to the ruling of the Supreme Court that requires equal treatment in the application of the media law. Two weeks earlier an appeals court ruling upheld Judge Alfonso's decision. At the same time, 10 leading Grupo Clarín journalists obtained a writ issued by Judge Pablo Cayssials which suspended the termination of those media due to the certain risk to their sources of income and their freedom of expression.

The law on access to public information continues to be pending.

## **BOLIVIA**

Already underway is a political model stated to be socialist and communal, presented once more by Vice President Álvaro García Linera at the official start of the current government's third consecutive term of office. The model, according to official explanations, seeks the definitive takeover of power with total control of the economy and means of production, which presupposes control over the transmission of ideas, opinions and messages through mass media.

During the last Presidential election, the case of the state-owned channel put in evidence a conduct of total contempt for public opinion when the Communication Minister justified the absence of that broadcast media outlet from the debate among presidential candidates, claiming to "not know" who defines its policies, she being the one who is chair of the board of directors of that company.

Official pressure on independent media also included ruling on the interview with government candidates. A journalist with the privately-owned network TV Uno complained that in order to do an interview with the candidate for Vice President imposed were the subjects while others were vetoed, such as links with the illicit drug trade.

Also of concern was the indiscriminate use of public funds during the electoral campaign, with enormous advertising expenditures and coverage by state-owned media of the governing party candidates. In this case there was no questioning of those in power as they had been co-opted by the government.

Since taking office in January 2006 President Morales has accused the press of having become a political player opposed to his regime for denouncing situations of abuse of power and corruption in the government.

The government is continuing with the creation of a network of government and pro-government media that compete with privately-owned media. It strengthened the television network Bolivia TV and radio Patria Nueva with the creation of a network of indigenous radio stations and the purchase of shares in privately-owned media, turning them into pro-government media, as is the case of some newspapers and TV channels. These state-owned media receive official advertising to the detriment of the privately-owned media.

Following the denunciation of cases of corruption or matters of public interest the government filed lawsuits against the La Paz newspapers La Prensa and Página Siete. After the publication of a report on Bolivia's maritime claim legal proceedings were begun against La Razón journalists.

Despite a protest by media organizations the government has ordered a life insurance for journalists which could hit the media's limited budgets. The law requires media to spend 1% of real and effective revenues, prior to deduction of VAT and taxes on the transactions.

The Anti-Racial Law, passed in 2010, makes such journalistic work a criminal offense and allows for the possibility of imprisonment of a journalist or shutdown of a news media outlet, while the Electoral Regime Law also contains restrictions on the coverage of special electoral processes such as election of members of the judicial branch of government.

The government threat of most concern is the plan for a Communication Law that could open the door to the takeover and control of social organizations in the work of the media.

Between 2013 and 2014 there was recorded a methodical prosecution of independent news companies for alleged tax debts, and at the same time a policy of discrimination in the placement of official advertising, with the intent to lessen

the independence of editorial stances. This was evidenced in the recent electoral campaign in which media supporting the government benefitted.

In addition there are being imposed rules that require media to publish free of charge big announcements of support for state campaigns of the people's security or the mandatory nature of paying for a life insurance for media workers.

Independent media are having financial difficulties that are making unsustainable their operations and the payment of salaries and social security.

Tax pressure, lack of official advertising - the government does give official advertising to media outlets and journalists are not critical - and the new life insurance requirement are leading some media into a situation of survival.

The new modality combines traditional pressures against freedom of expression with those against freedom to do business.

Several newspapers have suffered ongoing harassment by officials responsible for enforcing payment of taxes. Some cases are anecdotal. Officials of the Internal Revenue Service (SIN) visited a newspaper and requested archived information dated prior to the launch of the paper, in a vain attempt to impose a fine for failure to comply with payment.

This kind of case occurs systematically every time a media outlet publishes some news that is disagreeable for the government. The response of the officials is immediate; they visit the media outlet and request documentation.

The officials also go to advertisers, warning them that the contracting of space in the newspaper concerned will imply tax reprisals for the person or company that ignores the warning.

The government already controls, directly or indirectly, several news media, both print and audiovisual. Under the Communication Ministry there operates a network of more than 130 community radio stations in rural towns.

According to the policy laid down by the Communication Ministry state-owned media must be at the service of the political needs and watchwords of the Government. Canal 7, Televisión Boliviana, radio network Patria Nueva and the newspaper Cambio reflect that policy.

The eagerness for state control in 2014 affected the Foundation for Journalism set up in 2007 by common agreement of the National Press Association (ANP) and the La Paz Journalists Association as the academic arm of those two groups.

The directors of the Foundation for Journalism, whose five-year term ended in 2014, drew up formal cooperation and joint work agreements with the Communication Ministry without consulting the ANP. Due to that the ANP decided not to recognize those agreements and leave in status quo its institutional relationship with the Foundation.

This year 2015 will be the seventh year with no news about the death of radio broadcaster Carlos Quispe. Neither has there been any progress in the cases of murdered journalists Víctor Hugo and Verónica Peñasco in the town of El Alto, nor of that of Eugenio Aduviri at government headquarters.

## **CUBA**

In spite of the important reestablishment of relations between the governments of Cuba and the United States, and the opening of embassies last week, no improvements have been noticed in the practice of journalism or access of the population to new channels of information. Recently, more than half a hundred activists and numerous independent journalists, bloggers, and alternative reporters have been arrested. On the other hand, continues censorship of digital sites that cover Cuban matters from a critical point of view. Access to the Internet by the population is virtually nonexistent.

In this period, as has it always happened, persisted the practices of beatings, detentions, intimidation, acts of vandalism and harassment of opponents and independent journalists. Typical totalitarian instrument, official press continues to be a vehicle of propaganda, hiding and distorting what is happening inside and outside the country. The profession of journalist continues to be one of the most dangerous in the country. At present there are three imprisoned journalists: Danilo Maldonado, José Antonio Torres and Yoennis de Jesús Guerra.

Journalist and former correspondent of the official newspaper Granma, José Antonio Torres, is still in the Boniato prison in Santiago de Cuba after being sentenced to fifteen years for supposed crimes of espionage. The reporter finally decided to make contact with independent media on the island and provided testimony about his case, revealing irregularities during the trial that led to a disproportionate sentence.

Also, reporter Yoennnis de Jesús Guerra is still carrying out a sentence of seven years for a supposed crime of theft and illegal sacrifice of cattle. Jailhouse violence and serious health issues have led this correspondent of the independent press agency Yayabo Press to live a real Calvary of suffering behind bars.

The independent journalism movement has gone through moments of great tension and repression. Among the most critical of these came at the end of December when artist Tania Bruguera, who had planned a performance in the Plaza de la Revolución, with the idea of opening up the microphones for “one minute of freedom of expression” to any Cuban who wanted to participate. The official response was a disproportionate and extensive wave of repression.

The government of Raúl Castro continues the trend toward “paramilitarization” of repression, with great physical and verbal violence, but attempting not to leave legal footprints. Short-term detentions increased considerably according to a report published in February by Amnesty International. The group recorded a 27% increase in short-term detentions in 2014, based on data from the Cuban Commission on Human Rights and National Conciliation, which counted 9,000 short-term arrests during the year.

More than half a hundred activists and numerous independent journalists, bloggers, and alternative reporters were arrested. The IAPA condemned the events and pointed out the arbitrariness of the arrests of reporter Victor Ariel González, photographer Claudio Fuentes, activists Antonio González Rodiles and Eliécer Ávila, as well as the house arrest of members of the editorial staff of the digital newspaper 14ymedio, led by the famous journalist and blogger Yoani Sánchez, regional vice president of the IAPA Committee on Freedom of the Press and Information.

Among those detained were also reporters from the news sites Cubanet, HablemosPress and Diario de Cuba. Even today Bruguera is prevented from leaving the country, since authorities have taken away his passport and he is under police investigation.

The turning of the screws of repression against artistic creators has also been felt against Danilo Maldonado, better known as El Sexto. The graffiti artist and sketcher prepared a performance for December 26 and was arrested as he drove a car toward Central Park with two pigs that had their backs painted with the names “Fidel” and “Raúl”. El Sexto continues in detention at the Valle Grande Prison without yet being taken to court.

Writer and blogger Ángel Santiesteban, Casa de las Américas Prize winner in 2006, has been in prison since December 2012. He was sentenced to five years for supposed common crimes. He received the benefits of a reduction of his sentence. The irregularities in the Santiesteban case have been denounced repeatedly by various non-governmental legal organizations.

In February 2014 the Empresa de Telecomunicaciones de Cuba (Etecsa) implemented e-mail service on mobile telephones. In just one year, the service has grown to half a million users among the two million four hundred thousand active cell telephones, one of the lowest figures on the planet. The new modality of e-mail by cellphone joins the opening, since 2013, of new Internet access points, now totaling 154. Under the name of Nauta, the service includes electronic mail and navigation at prices that vary between 1.50 CUC and 4.50 CUC per hour of connection. In recent weeks there has been a reduction of prices by half, but they continue to be excessively high for an average wage of 20 CUC per month.

Between January 7 and 8, 39 activists were released from prison, completing a total of 53 names revealed by the government of the United States in conversations between Washington and Havana. For most of the cases, it was not a process of liberation, but rather a change of injunction since no sentence was commuted, nor any document issued that proves the status of freedom.

On December 9, activists Sonia Garro, Ramón Alejandro Muñoz, and Eugenio Hernández had also been released. Independent reporter Juliet Michelena Díaz, arrested on April 7, was also released on November 14.

Alternative information and illegal connections to networks have also gained strength over recent months. Official figures such as Vice President Miguel Díaz-Canel Bermúdez and former Minister of Culture Abel Prieto have spoken up against the so-called “package”, a compilation of audio-visual material transmitted by alternative means and which constitutes a sort of “Internet without Internet” for Cubans.

Wireless networks for exchange of files have continued growing in number and users. SNET, the most extensive in the western part of the island, could have more than eight thousand computers connected, although it is speculated that there may be more than twenty thousand. These are connections between terminals, for the primary purpose of exchange of files and games on line. In spite of the apparent non-political nature, these clandestine networks are pursued and interrupted frequently. Some of their administrators have been arrested, with confiscation of their technical equipment, and receipt of heavy fines.

After an attempt to renew themes and point criticism toward daily problems, the official press has not been able to create genuine space for debate nor capture the interest of younger Cubans. Programs such as the emblematic Cuba Dice [Cuba Says], which is transmitted within the framework of the primary television news program, seem to be trapped in a vise of blaming bureaucrats and pointing out the poor work of lower-level functionaries, while throwing a good part of the responsibility onto a “lack of social discipline”. It continues to be taboo to question the political system or its leadership, or to comment on the electoral process or operations of the National Assembly, as well as to ask questions about the judicial structure and the Ministry of the Interior itself.

As a glimmer of hope we saw the release of contractor Allan Gross, who was completing a sentence of fifteen years after being accused of committing crimes against State Security by delivering communications equipment to people considered to be of the opposition. However, with his departure from the country, there has been no change in regulations regarding the transport or sale of such equipment to individuals, which are prohibited.

In the middle of last year, Google authorized the use of several of its services that had been blocked on the island, such as the free downloading of Android apps and

some functionalities of Google Analytics. Netflix, the company that provides streaming of series, also reported that it will begin to operate in the Cuban market, and a few weeks ago Apple joined the wave, with the creation of a department which it called Support of the Cuban People through which it will be able to distribute both hardware and software. The government still has not taken steps in increase connectivity.

On the other hand, censorship of digital sites continues, such as the case of the portals Cubanet, Cubaencuentro, 14ymedio, and many other websites that cover Cuban matters from a point of view critical of the government. Along with these technological filters, pressure against independent journalists continues unabated. At the beginning of 2015 historian and Diario de Cuba collaborator Boris González Arena was expelled from his job at the International Cinema School of San Antonio, an evident reprisal for his political activities and his opinion columns. Juan Carlos Fernández, a correspondent for Revista Convivencia, has also received a number of threats from the police due to his work.

The Pro-Freedom of the Press Association (APLP), a group made up of some 80 independent communicators from around the country, has also suffered pressure from state security agents, who have called in several of its reporters for interrogations. The organization has not received a reply to its request for registration of associations with the Ministry of Justice that it made on March 6, 2006, which sought legalization of the entity.

All those reporters who work without wanting to become part of the docile official press are in a similar situation of illegality. Thus it is that, given the lack of legal support, continuous arrests, and frequent confiscation of work material and censorship, the profession of journalist continues to be one of the most dangerous in the country.

## **ECUADOR**

The government, with frankly populist roots, has developed a campaign of hostility and disparagement against the media, journalists and citizens who hold different opinions. The legal instrument for this attack on freedom of the press and

expression is the Communications Act of June 2013 and by an award of the Constitutional Court dated September of this year. The Communication Act is the most perfect and effective gag law that exists today in Latin America.

President Rafael Correa has enforced the silencing of all those that dissent from the “official truth”, whether they be news media, social and political organizations, journalists, members of the public in general, members of the opposition, or dissidents. Using propaganda as a battering ram and the Communication Law as an instrument of censorship, he has shut down and punished the media and has imposed a culture of fear which has cut off public debate and the right to freedom of expression for members of the public.

In order to rule and to control this public service, two entities exist and are fully operational: the Council for Information and Communication Regulation and Development (Cordicom) and the Superintendence of Information and Communication (Supercom), which employ about 300 officials to control and track newspapers, TV channels and radios in search for non-compliances with the law. They also retain private companies to fulfill this task. In June, the results of the first monitoring were published after reviewing every news or commercial ad to determine whether it contains any discriminatory, violent message or if it encouraged any sexual, work crime or others.

Direct attacks by the President Rafael Correa against media and journalists are added. The presidential criticisms are also aimed at the Inter-American Press Association (IAPA) and at the Inter-American Commission on Human Rights (IACHR) for accepting the requests of various local social organizations. Another means of criticizing independent media are the publicly-owned media.

An example of this was the note in the newspaper of the Ecuadorean Presidency, El Ciudadano, headlined “The Guayaquil press was silent and justified the 1922 massacre”, in which were accused the newspapers El Universo and El Comercio of being silent and justifying the deaths occurring after the workers’ march of November 15 that year. The information was repeated in the government newspaper El Telégrafo, on the television channel Gamatv appropriated by the government and mentioned on several occasions by President Correa in his Saturday hookups.

The Superintendence of Information and Communication (Supercom) and the Communication Council (Cordicom) are the governmental bodies from which the media are watched. The work of these control bodies is translated into five warnings, seven pecuniary fines, four rectifications, four obligatory responses, four required apologies, seven written warnings, two suspensions of radio frequencies and three ordered responses to be broadcast during specific radio programs.

Of the 37 disciplinary measures imposed in these last five months, the majority of them were taken on radio news media outlets (16), the press (11) and television (8) and on a cartoonist and a mayor.

As a product of this control the television channel Teleamazonas decided to take off the air the comic programs “La Pareja Feliz” (The Happy Couple) and “Vivos” (Alive). Acting in the same way was radio station Exa, taking a questioned program off the air.

The Supercom also sanctioned the first case of “media lynching” brought by sports leader Luis Chiriboga of the Ecuadorean Football Federation, requiring the channel to apologize for comments aired in a sports program. One of the frequencies cut out was that of the radio of the National Journalists Union (UNP), a station with 34 years’ history.

Since November last year both the newspaper *El Universo* and its cartoonist, Xavier Bonilla, known as Bonil, faced trial over the allegation that a cartoon published had discriminatory content. On February 13 Supercom punished *El Universo* with the publication, in the same space, of a public apology to the groups that felt affected by the allegedly discriminatory content and reprimanded Bonilla in writing, warning him to correct his practice and abstain from acts at odds with current legal norms.

The silencing of the humor had its corollary in the going on air of the Facebook page “Crudo Ecuador” (Raw Ecuador) on February 19 after his owner received a bouquet with threats to his life and family. The incident began after the page, specializing in making jokes that go viral on the Web, published a photo of the president shopping in a European mall.

Journalists who are frequently discredited in the presidential hookups are: Alfredo Pinoargote, Diego Oquendo, Alfonso Espinoza de los Monteros, Gonzalo Rosero and cartoonist Bonil.

Four activists' Twitter accounts critical of the regime were shut down at the request of the Spanish company Ares Right, the same one that on previous occasions in the name of the public television channel Ecuador Tv has managed to shut down YouTube videos uncomfortable for the government.

The interventions of President Correa to silence the humor have had an international echo. On two occasions the host of the program "Last Week Tonight" on the HBO channel, John Oliver, satirized the president.

Mery Zamora, former head of the National Teachers Union, was the victim of harassment on social media with the sowing of intimate photo montages of her. She denounced these actions as part "of the hatred and persecution" of which she is victim in order to discredit her. She stressed that the persecution of her during more than five years had arisen from President Correa's Saturday hookups and in television networks.

In another area, Ecuavisa reporter Teo Posso and his news team were physically and verbally attacked by supposed supporters of a soccer team when it reported on a possible standstill of the Ecuadorean Championship.

One of latest development, the newspaper La Hora maintained its constitutional right to resist paying a fine of \$3,540 imposed by the Superintendency of Information and Communication (Supercom), the entity enforcing the Communications Organic Law, for not having covered and published declarations by the mayor of Loja city on February 23.

IAPA President Gustavo Mohme, editor of the Lima, Peru, newspaper La República, declared, "The argument for this fine provides us the rationale for what we have been saying about this law, it being a weapon that the government uses to intervene in content and overrule the editorial criteria of the media". He added that the Ecuadorean government "once again is showing how it uses regulations to control public discourse".

Claudio Paolillo, chairman of the IAPA's Committee on Freedom of the Press and Information and editor of the Montevideo, Uruguay, weekly *Búsqueda*, stated that with this "new attack" the government, through its "state interventionism" of communications "comes to the point of defining what is information of public interest, where and when it should be published, and what is the language that the media should use", in order to publish the official texts that the government demands.

The newspaper *El Comercio* was ordered by Supercom to publish on its front page a rectification and public apologies to a minister and the general manager of a state-run hydraulic project as a result of a news item published on April 5. The order was the result of a complaint filed by the minister.

Additionally, the Communication Ministry of the Presidency (SECOM) was not satisfied with the publication of a reply that the newspaper *El Universo* was ordered to provide. SECOM has formally complained about the newspaper to Supercom, demanding that there be published headlines and adjectives attacking the media outlet, as they were sent, despite the fact that the legal framework does not determine it in this way.

## **NICARAGUA**

The state of press freedom has deteriorated with the consolidation of the authoritarian government which is increasingly controlling the branches of government, municipalities, the police and the army.

The government controls public opinion through the "stockpiling" of news media, as was said by the Bishop of Estelí, Monsignor Abelardo Mata. This signifies that it is taking over or neutralizing all the news media that it can. The duopoly denounced in previous IAPA reports had a new chapter. The Ortega-Murillo presidential family controls Canal 2 television which had already passed before into the hands of Ángel González, a Mexican media owner who now kept Canal 7 which previously was a relay station of Canal 2. González does not allow the government to be criticized on his channels. He had channels 9, 10, 11 and 7 and owns the company RATENSA, with at least three FM radio stations.

The presidential family controls channels 2, 4, 6 (state-owned channel), 8, 13 and 47 and cable subscription channel 91. Only channel 12 remains independent.

The government continues to use secrecy. No minister or official is authorized to give information of any kind to media that are not allied to the government. The law on access to information is not being complied with. All ministers and autonomous agencies are prohibited from placing advertisements with media that are not allied with the government. Since he took office eight years ago President Daniel Ortega has not given even one press conference.

The government does not respect the Law on Access to Public Information and is not keeping updated the Web sites of government, bodies which rather are full of partisan political propaganda. On special occasions he gives very lengthy speeches, ordering radio and television hookups, with even international subscription cable channels remaining off the air.

“Partner” Rosario, as the president’s wife is called, Rosario Murillo, coordinator of the Communication and Citizenry Council, is the only person authorized to give information in the government. She does so with a daily report that is transmitted by all the official media and is heard over public loudspeakers in marketplaces. That way she carries out a policy designed by her to not produce “contaminated” information, according to a document that was leaked and which set out the communication lines in the Ortega administration.

The lack of equality in the distribution of official advertising, almost nil for independent media, has caused many small media outlets to disappear, especially on-air papers.

## **VENEZUELA**

The governmental communication hegemony is an indisputable fact. There remain few independent media for whom it costs to survive amid an institutional, social and economic deterioration.

The work of the press —seriously harming the demands of democratic life— is becoming impossible. Almost non-existent is access to information in the hands of the government, as it is reduced to what is declared without questioning, verification or checking by officials of the regime. Prior censorship, whether through the respective legislation of control of contents in force or the most recent and disgraceful acquisition of social news media until yesterday independent, apparently private and hidden following pacts of confidentiality, subdues editorial stances. Criminalized and subject to being taken to court is every form of dissident social and political expression, whether by journalists, neighborhood leaders, students or politicians. The official evangelistic propaganda captures the key hours of radio and television programming, generates through repeated official or presidential networks an effect of informational blackout.

The few independent media that remain are victims of the adverse economic environment caused by the government of Nicolás Maduro.

In May, IAPA condemned a court order in Venezuela that prevents the departure from the country of 22 executives and representatives of news media involved in a lawsuit filed by National Assembly President, Diosdado Cabello, for their having reproduced an article that links him with drug trafficking.

Judge María Eugenia Núñez issued the restriction which prohibits owners and executives of the newspapers El Nacional and Tal Cual and the online publication La Patilla to leave Venezuela, as requested by Cabello in a suit filed on April 23.

Those three media outlets reproduced a report published by the Spanish newspaper ABC based on statements by Leamsy Salazar, a former close collaborator of Cabello (bodyguard of the late Hugo Chavez.) The information, attested to by the Spanish newspaper's editors, declared that Cabello was one of the heads of the Soles drug cartel that engages in cocaine trafficking in Venezuela.

Among the 22 persons subject to the court order are Miguel Henrique Otero, editor of El Nacional, Teodoro Petkoff Malec, editor of Tal Cual, and Alberto Federico Ravell, owner of La Patilla.

In April, IAPA condemned civil and criminal charges filed by the speaker of Venezuela's National Assembly, Diosdado Cabello, against several Venezuelan media for reproducing information published by a Spanish media outlet.

The National Assembly on April 21 approved a report by the People's Power and New Media Permanent Committee that rejected what it said was a campaign by Venezuelan and international media against Cabello. The case refers to statements by Cabello's former Security Chief, Leamsy Salazar, who was said to be collaborating with United States authorities investigating Cabello's alleged involvement with the Soles drug cartel.

IAPA President Gustavo Mohme declared, "We condemn the fact that in Venezuela the government always describes as media campaigns and conspiracies any information that can be critical of that point out wrongdoing". Mohme added: "In these cases the government should investigate and clarify the alleged denunciations, instead of berating the media and suing them for what they reproduce". Cabello filed civil and criminal charges against "shareholders, editors, editorial boards and owners" of the newspaper El Nacional and digital platforms La Platilla and Tal Cual, as well as against Spain's ABC.

The chairman of the IAPA's Committee on Freedom of the Press and Information, Claudio Paolillo, said, "This action is one more demonstration of the ease that the regime has to use an acquiescent judicial body with the intent of accusing the media and journalists and violating press freedom and the people's right to know the facts".

There are two kinds of censorship of information —prohibition of access to official information imposed by government officials or heads of supposedly independent media, and the recent purchase by anonymous shareholders. The censorship by the "new" and unknown owners of recently acquired media have in common the reduction of space for denunciations, not reporting on political leaders, and the suspension of columnists, changes in headlines and modifications of news reports.

In a communiqué signed by noted economists it is said that "chronic shortage at the national level and the scarcity of goods and supplies of all kinds along with a contraction of the economy and loss of jobs are part of the serious consequences

that Venezuelans are facing since last year”. This also affects the written press, radio and television and their sources of work.

Maduro’s government indiscriminately suppresses all dissidence of opinion or protest and also sends to prison, along with politicians or opinion-voicers, those who produce some assets. There is the presence of an economic and media war following the queues that Venezuelans line up in at the doors of the markets and pharmacies affected by rationing.

A part of the opposition made public a document titled Acuerdo Nacional (National Agreement) in which the country and the regime were invited to move towards a different stage that considers in-depth social and institutional corrections. Signing the document, published in the newspaper El Nacional, was political prisoner Leopoldo López, María Corina Machado and Caracas metropolitan mayor Antonio Ledezma.

On February 20, while President Maduro was speaking on the radio and television, strongly armed and hooded officials, without having prior investigation or court order, kidnapped Ledezma, who is the most important and popularly elected government authority in the capital. Maduro made the announcement, arguing that the reason he gave the order to the Attorney General’s Office against Ledezma was because he had signed and made public the National Agreement for Transition towards Democracy. He judged it to be an attempt to destabilize his government.

Similarly, Diosdado Cabello moved to deprive of privilege —as he had done with María Corina Machado— Congressman Julio Andrés Borges, the leading party authority of the opposition Mesa de la Unidad Democrática (Democratic Union Table).

The censorship of all that, except what runs through social media while servers operate under government control and what the international press say, have been constant. The government seeks to set up a wall of silence under fear and threats, while a Navy officer, who was the Chief of Security of late President Hugo Chávez, accused the authorities of the Executive Branch and Congress of having usurped power and being in collusion with drug traffickers.

Between October and December 2014 there were recorded 42 cases of restriction of freedom of expression. Of these 31% were threats and intimidations and 25% acts of censorship. And as regards the victims, they are not only journalists but every dissident person, human rights defenders, authors and political activists.

The year 2014 closed with 64 political prisoners, among them 20 students charged with taking part in public protests. The year 2015 opened with 40 people detained for protesting and reporting on a demonstration or being near one. The majority of them were released. Two of the victims were tortured with electricity, NGOs reported.

On December 2 the Constitutional Tribunal of the Supreme Court denied the request for access to information by the Ombudsman's office on the state of sexual and reproductive health in the country, requested by the NGO Espacio Público (Public Space) and human rights organizations Provea and Acción Solidaria. The Tribunal declared in regard to another Espacio Público petition that information concerning telecommunications is a state secret.

Cencoez, a government body responsible for provision of foreign exchange, similarly has denied providing information to the media about the availability of this. It denied El Nacional information on the use of foreign exchange between July and October 2014.

In February student demonstrators had their mobile phone and Internet service cut off for many hours. Conatel in December prohibited the Senos Ayuda Civil Association from carrying out a television campaign to give the numbers of people who had died from cancer.

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On January 14 journalists with the El Universal newsroom complained that the newspaper print and online editions were censored following a press conference given by presidential candidate Henrique Capriles, Miranda state governor.

The same thing occurred after the visit of former presidents of Chile, Mexico and Colombia. El Universal reporter Reyes Theis complained of censorship ordered by that newspaper's president, Jesús Abreu Anselmi, of statements made by Andrés Pastrana, former President of Colombia, who said that "the political prisoner status of Leopoldo López was confirmed".

Journalists Roberto Deniz and Carmen Rosa Gómez complained of pressures they had received at El Universal and they resigned.

Radio station FM Center fired reporter Ingrid Bravo Balabú. Its executives argued that she was not giving balanced reports on actions by the opposition.

On February 27 the daily newspaper *Tal Cual*, headed by Teodoro Petkoff, ceased circulating, turning itself into a weekly, over newsprint problems and pressured by seven lawsuits made against it by people in the regime. On February 6 the government, through Conatel, decided not to renew the operating license of Radio Infanta 90.9 FM in Barinas, a critic of the regime. On January 26 the Bolivarian National Police seized the photos of news photographers María Gabriela López and Alex Delgado of *El Propio* and *El Nacional* after covering a police operation and threatened them with burning their equipment.

On December 14 the newspaper *El Guayanés* ceased publishing when its newsprint supplies ran out. Its digital version shut down on January 1 after its operation was declared financially unsustainable. The program "Actualidad Informativa" (Current News) moderated by journalist Héctor Caldera and aired by 92.7 FM radio in Monagas was taken off the air in the middle of its broadcast.

In December unidentified persons hurled two fragmentary grenades at the offices of the regional newspaper *El Siglo* in Aragua state.

The persecution extends to social media. Seven tweeters (Lessy Marcano, Ginette Hernández, Inés Margarita González Árraga, Víctor Andrés Ugas, Danieli Benítez, Leonel Sánchez Camero and Abraham David Muñoz Merchan) have been the object of detention and criminal charges.

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## RECOMMENDATIONS

- The IAPA requests the United States government to urge in each meeting of governments of the Inter American community that all countries - particularly those mentioned in this report: Argentina, Bolivia, Cuba, Ecuador, Nicaragua and Venezuela - comply with the principles of the Inter-American Democratic Charter, which states that freedom of expression and of the press and the people's right to information are essential for democratic life and the common good.
- Every government should be asked to ensure, promote and defend freedom of expression as a fundamental human right. All governments should react when someone is persecuted, imprisoned, insulted, attacked or violated for expressing his or her ideas. Certainly no one should remain silent when those abuses and outrages come from the very government.
- The United States government should clearly express that elections alone do not build democracy. This system demands a clear separation of powers, independent judges, transparency in public administration and a respectful environment that empowers diverse and plural ideas, as corresponds to a state of law.
- The IAPA is optimistic that the governments of Cuba and the United States have reestablished diplomatic relations. In the spirit of collaborating in this new climate of reconciliation and of greater freedoms that is looming, the IAPA has asked President Castro to allow a delegation to visit his country.
- The IAPA had stressed the need for free speech and press freedom to be relevant issues on the agenda of the new diplomatic relations between both

countries and urged the government of Cuba to release José Antonio Torres from prison, and those of independent journalists Ángel Santiesteban, in jail since December 2012, and Yoennis de Jesús Guerra, since October 2013.

Report submitted by: **Claudio Paolillo**, IAPA Chairman of the Freedom of the Press and Information Committee; and, **Ricardo Trotti**, IAPA Executive Director.