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Freedom of the Press 2008

Draft Country Reports

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Afghanistan

Status: Not Free

Legal Environment: 21

Political Environment: 30

Economic Environment: 20

Total Score: 71

As the media environment has continued to grow and diversify, journalists faced rising threats in 2007, mostly in the form of physical attacks and intimidation. Article 34 of the new constitution, passed in January 2004, provides for freedom of the press and of expression. A revised 2005 Press Law guarantees the right of citizens to obtain information and prohibits censorship. However, it retains broad restrictions on content that is “contrary to the principles of Islam or offensive to other religions and sects” and “matters leading to dishonoring and defaming individuals.” It also establishes five commissions intended to regulate media agencies and investigate complaints of misconduct; one of the commissions has the power to decide if journalists who contravene the law should face court prosecution or a fine. Critics of the law have alleged that its prohibition of “anti-Islamic” writings is overly vague and has led to considerable confusion within the journalistic community on what constitutes permissible content. Amendments to the media law proposed in May 2007 could give authorities greater control over content and include vague prohibitions on defamation; these were opposed by local journalists and the proposal had been withdrawn by the government by year’s end.

Media outlets are occasionally fined or given warnings for broadcasting “un-Islamic” material or offending local culture. Cases of journalists and others being arrested on blasphemy charges have had a chilling effect on press freedom, with an accompanying rise in self-censorship. Many avoid writing about sensitive issues such as Islam, national unity, or crimes committed by specific warlords. In 2006, intelligence officials at the National Security Directorate issued “guidelines” to a number of news media outlets to restrict their coverage of security issues, terrorist incidents or groups, the conduct of foreign troops, or other subjects perceived to harm the national interest or erode the people’s morale. The concept received support from other government officials, providing an indication to some observers that an atmosphere of official support for press freedom has diminished in the years following Taliban rule.

A growing number of journalists were threatened or harassed by government ministers, politicians, police and security services, U.S. forces, and others in positions of power as a result of their reporting, while others have been arrested and detained. Kamran Mir Hazar, editor of a popular online news website, was detained several times during the year by national security forces following several critical stories. Staff of the outspoken Tolo network have been particularly targeted. In an April 2007 incident, Tolo’s main offices were raided by dozens of police officers, who detained seven staff and took them to be questioned at the Attorney General’s office regarding a news report that he had complained about; a similar case occurred in August, leading some commentators to point to a trend of growing official intolerance for critical news reports and abuse of government power to suppress the media. Reporters have also faced difficulties in

covering proceedings at the newly established Parliament, with several being assaulted and many more denied access on various occasions. In general, according to the Committee to Protect Journalists, official information is not readily available to members of the press. Media diversity and freedom are markedly higher in the capital, Kabul, and some warlords and provincial governors exercise authority over media in the areas under their control.

Journalists were also increasingly targeted by insurgents in 2007. In a horrific case, the Taliban kidnapped Italian journalist Daniele Mastrogiacomo, along with his Afghan driver and his fixer and interpreter Ajmal Naqshbandi on March 6. The driver was immediately beheaded, while Mastrogiacomo was released two weeks later after a deal was struck involving the release of five Taliban fighters. However, when authorities refused to accede to further Taliban demands, Naqshbandi was also killed. A prominent female radio journalist, Zakia Zaki, was murdered by unknown gunmen in June, while a female TV presenter was killed in the same week. Others went into hiding as a result of threats from extremists or narcotraffickers. In addition, radio stations faced attacks from insurgents intended to destroy their equipment and limiting their ability to broadcast. However, Reza Khan, sentenced to death for the murder of four journalists in 2001, was executed in October.

Although registration requirements remain in place, authorities have granted more than 400 publication licenses, and over 60 radio stations and 8 television stations are now broadcasting, providing an expanding diversity of views. National and local governments own or control several dozen newspapers and many electronic media outlets, including Radio Television Afghanistan. In the country's underdeveloped economic environment, the majority of media outlets remain dependent on the state, political parties, or international donors for financial support. One prominent exception is the popular and progressive Tolo network of television and radio stations, which provides dynamic coverage and scrutiny of current events and politics in a format that has proved to be financially viable. International radio broadcasts in Dari or Pashto, such as those from the BBC, Voice of America, Radio Liberty, and Radio Free Afghanistan, remain a key source of information for many Afghans. Access to the internet and to satellite TV dishes remains largely unrestricted, although their use is confined predominantly to Kabul and other major cities (only 1 percent of the total population was able to access the internet in 2006). The use of the internet and mobile phones continues to grow rapidly and has broadened the flow of news and other information, particularly for urban Afghans. In October, journalism student Sayed Perwiz Kambaksh was arrested for distributing information he downloaded from the Internet regarding the role of women in Islamic societies; the case was ongoing at year's end.

Albania

Status: Partly Free

Legal Environment: 16

Political Environment: 16

Economic Environment: 18

Total Score: 50

The constitution guarantees freedom of the press, and it is generally respected by the authorities. Press freedom advocates in 2007 continued to urge the government to decriminalize defamation, which could incur a maximum sentence of two years in prison under existing statutes. Although the parliament failed to act on draft amendments introduced in 2005, Prime Minister Sali Berisha in October of that year ordered government officials to use the right of reply rather than defamation suits to address perceived bias or inaccuracy in the media. No major libel cases were reported in 2007. Freedom of information is also guaranteed in the constitution, but officials often resist media requests. Journalists in turn fail to pursue such queries and are generally unaware of their legal rights. The country's parliament-appointed broadcast regulator, the National Council for Radio and Television, continued to face accusations of political bias in favor of the government, and its staff levels and funding remained inadequate. However, appointees nominated by the parliamentary opposition were added to the council as provided for in a 2006 agreement.

The media continued to reflect a diversity of viewpoints in 2007, but key outlets tended to support one political faction or another. Journalists practiced self-censorship to support the political or economic interests of their employers. The Organization for Security and Cooperation in Europe (OSCE) reported that broadcast media curbed their usual bias to provide balanced coverage ahead of local elections in February, although smaller parties did not receive their fair share of airtime, and reporting focused on personalities rather than policy issues. Rules on allocation of advertisement sales and media silence immediately before voting were not respected. The Berisha government put selective pressure on opposition-oriented media throughout the year, accusing unidentified outlets of receiving funding from organized crime groups. The parliament passed a digital broadcasting law in May that was seen as damaging the interests of Top Media, a firm whose popular stations were consistently critical of Berisha. In July, authorities sought to impose a 12 million euro (\$16.6 million) fine on Top Media for unpaid taxes, prompting objections and demonstrations by civil rights and press freedom groups.

In addition to public television and radio broadcasters, Albania has dozens of private television stations, radio stations, and print publications. A lack of transparency on ownership and funding leaves the media open to unsubstantiated accusations of criminal influence or ulterior motives. Public broadcasters are typically biased in favor of the authorities and suffer personnel changes under each new government. Print outlets often have explicit ties to political parties or other interest groups, and virtually none are able to survive on advertising and subscription revenue alone. Larger private television stations are more profitable, but they are subject to pressure from major advertisers. The radio market is dominated by music and entertainment, with only four of about 40 stations producing original news content. Most journalists in Albania work without contracts, adding to job insecurity and encouraging self-censorship. All media have difficulty reaching rural areas due to poor infrastructure and economic considerations. This particularly affects the internet, which is accessed by roughly 13 percent of the population on a regular basis.

Algeria

Status: Not Free

Legal Environment: 22

Political Environment: 23

Economic Environment: 17

Total Score: 62

While the Constitution guarantees freedom of expression, the government used legal and extralegal means to harass and restrict the media. A state of emergency decreed in 1992 remained in effect, authorizing the government to legally penalize any speech deemed as threatening to state or public order. In addition, a February 2006 presidential decree provides up to five years imprisonment for any criticism of the conduct of the security forces during the country's civil conflict of the 1990s. Laws from the 1990 communication law were amended in 2001 to criminalize defamation of the president, parliament, judiciary, or the military, while the penal code imposes penalties ranging from fines to prison terms of up to two years for defamation of high government posts or any authority of public order. In May 2006, President Abdelaziz Bouteflika pardoned journalists sentenced to prison terms; however, no efforts have been made to decriminalize press offenses. While the number of defamation and legal charges brought against journalists declined from previous years, the government continued to use these laws to threaten and arrest journalists, promoting self-censorship among members of the press and media owners. Since 2002, Yasser Abdelhai of the daily *Echourok el-Youmi* has faced 26 defamation cases for his critical reporting. In 2007, he was ordered to pay 4 million dinars (US\$56,000) before the 15th of March for damages relating to four separate cases. Managing editor Ali Fodil and journalist Naïla Berrahal for *Echourok el-Youmi* lost an appeal on April 4 and received suspended sentences of six months imprisonment and fines of 500,000 dinars (US\$7,400) for 2006 convictions of defaming Libyan leader Muammar al-Qadhafi and endangering the security of the Algerian and Libyan states. On May 27, Omar Belhouchet, editor of the daily *El Watan*, and columnist Chawki Amari were sentenced to two months in jail and fined one million dinars (US\$14,000) in a case of libel brought by the region's prefect for comments published in *El Watan* in June 2006. Anis Rahmani, editor of *Echourok el-Youmi*, and journalist Naïla Berrahal were the target of death threats in June from individuals claiming to be affiliated with al-Qaeda who objected to reporting considered to be against al-Qaeda and Islam. In August, Rahmani was informed by state security services that a "terrorist" in custody confirmed that the editor was indeed a target. Noureddine Boukraa of the daily *Ennahar* was arrested on November 14 after publishing an article alleging corruption within the local security services of Annaba, and less than a week later, Ouahid Oussama, correspondent for the daily *Al Bilad* faced defamation charges brought by the Department of Education of Djelfa for an article criticizing the education system.

Despite such persistent government harassment, Algerian journalists aggressively cover government and international affairs and offer diverse opinions and political commentary. Some topics, however, are more sensitive and subject to censorship and legal repercussions. Coverage of issues relating to national security and terrorism is still highly restricted. Journalists were pressured not to report on the 2007 bomb attacks in the

country, and *El Watan* correspondent Jamal Belkadi was charged with “crossing a security barrier” in May for taking photos of the site of the attacks in Constantine. Political parties and candidates reportedly received equal access to broadcast media in the campaign periods leading up to both the multiparty parliamentary elections of May 17th and the November 29th multiparty local elections. However, outside of election periods, opposition parties are rarely permitted access to radio or television.

Algeria allowed for the licensing of private newspapers in 1990, and there are currently more than 100 private daily and weekly newspapers, presenting a variety of political perspectives. The government uses its control over the country’s printing presses and a state advertising agency to influence the independent print media. On several occasions, authorities have punished critical newspapers by suddenly demanding payment for debts owed to the state printer. While radio and television are completely government-owned, widespread satellite dishes provide alternate sources of information such as popular Pan-Arab stations like Al-Jazeera and European-based channels. Non-Berber language channels increasingly introduced programming in Tamazight (the Amazigh or Berber language), including television and radio advertisements. The government exercises little control over the Internet, but online news is not a major source of information for most Algerians. In 2007, 7.4 percent of Algeria’s population accessed the Internet, which reflected a 4,820 percent increase since the year 2000. The government, however, does monitor email and Internet chat rooms. Internet service providers are legally liable for website content on their sites and bloggers are not immune to defamation charges. On June 11, blog administrator Abdulsalam Baroudi was fined 10,000 dinars (US\$148) for charges brought by the Director of Religious Affairs for posting defamatory material on his blog in February.

Andorra

Status: Free

Legal Environment: 1

Political Environment: 4

Economic Environment: 8

Total Score: 13

Freedom of expression is protected under Article 12 of the Andorran constitution, which also allows for laws that regulate the right of reply, correction, and professional confidentiality. The Universal Declaration of Human Rights is binding in Andorra and also ensures media freedom. No major incidents relating to press freedom were reported in 2007. Due to Andorra’s size, neighboring France and Spain heavily influence the media landscape. The majority of television transmissions are provided through technical accords with the Spanish and French government networks. Domestically, there are two daily papers, *Diari d’Andorra* and *El Periodic*, as well as two major weekly newspapers, *Informacions* and *7 Dies*. The public service broadcaster, Radio i Televisió d’Andorra, operates one radio station and one television station, both of which broadcast in Catalan. The government also releases a daily news bulletin. Internet access is open and unrestricted, and 32 percent of the population had access in 2007.

Angola

Status: Not Free

Legal Environment: 19

Political Environment: 23

Economic Environment: 21

Total Score: 63

Despite constitutional guarantees, freedom of the press is restricted in Angola. A 2006 Press Law ends the state monopoly on television broadcasting; partially opens the FM bandwidth to independent broadcasters; calls for the creation of an independent public broadcaster; rescinds travel restrictions on journalists; and allows journalists to use the truth defense in libel and defamation trials. However, the law also includes several restrictive provisions concerning journalists' access to information, the right to practice journalism and to establish new media outlets, and the registration of both journalists and media outlets with the government. Moreover, the government has yet to implement legislation required for the execution of the more positive reforms (including application for independent television and radio licenses). Libel of the president or his representatives remains a criminal offense, punishable by high fines and imprisonment. In September, Graça Campos--the director of the private weekly *Semanário Angolense*—was found guilty of criminally defaming a former minister of justice, Paulo Chipilica. Campos was sentenced to an eight-month jail term and fined 18.7 million kwanza (US\$250,000); he was released in November pending an appeal.

Authorities can suspend a publication for up to a year if it has published three articles that lead to defamation convictions within a three-year period. Particularly in the interior of the country, the judicial system has little independence to enforce legislation guaranteeing press freedom. The Law on State Secrecy permits the government to classify information, at times unnecessarily, and prosecute those who publish classified information. Private media are often denied access to official information or events.

Although generally tolerant of criticism from private media, officials often pressure independent media to cover the government in a more favorable light. While less common than in previous years, arbitrary detention, harassment, and attacks on journalists continue to take place. For fear of reprisals, many journalists practice self-censorship, particularly outside of Luanda. In late December, a reporter for Radio Ecclesia—an outspoken Roman Catholic radio station—was sentenced to 30-days in prison for covering a street vendor protest in Namibe. Foreign media are able to operate with fewer government restrictions. However, journalists must first secure work visas to enter the country and then must receive authorization from the Ministry of the Interior to meet government officials or travel within Angola.

The government continues to dominate both print and broadcast media. While private media do routinely criticize the government, the largest media sources are state run and allow very little criticism of government officials. The official Radio Nacional de Angola is the only radio station with national coverage; other radio stations may broadcast only in their home province. The state also controls the only non-satellite

television station. While the new Press Law opens television broadcasting to the private sector, the effective promulgation and implementation of the law is another matter. Four private radio stations operate under government license from Luanda, the capital. The country's seven private weeklies have low circulation and face financial constraints as well as high costs of production and distribution. Few outside the capital can afford private newspapers. Internet access is generally unrestricted and is available in several provincial capitals, though less than 1 percent of the population was able to make use of this new medium do to cost constraints.

Antigua and Barbuda

Status: Partly Free

Legal Environment: 10

Political Environment: 16

Economic Environment: 13

Total Score: 39

Although the constitution provides for freedom of speech and of the press, relations between the United Progressive Party (UPP) government and the privately-owned media remained strained. In June, the detention and expulsion of two prominent Caribbean journalists brought a storm of protest at home and across the region. Prime Minister Baldwin Spencer said that Vernon Khelawan, a Trinidadian, and Lennox Linton, a Dominican, had failed to comply with immigration laws, and specifically lacked the necessary work permits. Protests against the deportations focused on the fact that Antigua and Barbuda is one of the signatories to the CARICOM Single Market and Economy which allows for the free movement of goods, skills, labor, and services across the Caribbean, and specifies that journalists are among the categories of workers allowed free movement within the region. In November, the government announced forthcoming legislation to remedy what it labeled irresponsible media. The governor-general, Dame Louise Lake-Tack, told Parliament that a broadcasting act will set, monitor, and enforce standards of conduct by which the print and electronic media will be expected to be governed. The Antigua and Barbuda Media Congress expressed its concerns that the planned legislation would result in media censorship.

The case against ZDK Radio announcer James "Tanny" Rose finally came to court in June, and was promptly dismissed. Rose was arrested in 2005, and the following year had been charged with "misbehavior in public office" in connection with his job as chief information office for the state-owned radio and television stations under the previous government in 1994.

There are 2 daily newspapers, 1 weekly paper, and 10 radio stations, including the state-owned Antigua and Barbuda Network (ABN), the UPP's Crusader Radio, and the opposition Antigua Labour Party's ZDK Radio. ABN runs the islands' only freely available television service, and there is one cable television company. There are no government restrictions on the internet which was accessed by over 44 percent of the population in 2007.

Argentina

Status: Partly Free

Legal Environment: 11

Political Environment: 21

Economic Environment: 15

Total Score: 47

President Néstor Kirchner's four-year term ended in December with his particular "news management" style intact. The "*estilo K*" was based on strategic use of government advertising money, reduced access to the president, and intimidating calls to critical news directors. There was hope, but still little evidence, that new President Cristina Fernández would improve press relations. Fernández, a former senator and Kirchner's wife, also benefited from the ex-president's press strategy. In a development that improved the prospects for press freedom, the courts indicated they may intercede to change federal advertising practices. Although there were fewer reports this year, bullying of reporters with authoritarian press laws and physical harassment continued, especially in the provinces.

Argentina no longer has criminal punishments in its federal press statutes, but state-level laws are more problematic. Radio journalists Néstor Pasquini and Hugo Francischelli in Cordoba province were released in March after spending more than three months in jail on charges that were finally dropped for lack of evidence. A judge in the northwestern Salta province convicted an Argentine radio journalist of criminal slander, or "injurias," for calling Gov. Juan Carlos Romero "a crook of the worst kind." The judge suspended the one-year prison term, but barred radio station owner Sergio Poma from working for one year. The Inter-American Press Association called on Argentina to use civil penalties to settle such disputes. Poma's lawyers said they would appeal. In another case, state authorities in Santa Fe province ordered the closure of printing facilities at the city's only newspaper, citing a permit dispute. *El Observador* owner Andrés Sharretta told CPJ he was operating on a provisional permit while awaiting a previously requested new permit. Sharretta said he was never asked for documentation or notified of the pending closure. He obtained an injunction from a local appeals court. The Argentine Journalists Forum (FOPEA) accused authorities of ignoring a provincial constitutional ban against shuttering presses.

Reporters Without Borders noted 20 complaints of physical harassment of reporters in 2007, down from 34 in 2006. Among them, police shot Santa Cruz radio reporter Adela Gómez with rubber bullets as she covered a protest blocking the route of Kirchner supporters heading to a presidential rally. Gómez said she was shot in the foot even after identifying herself as a journalist. A commander said the operation's leader and the border guard who shot the journalist were fired. Darío Illanes of the Salta province daily *El Tribuno* was arrested and beaten after he went into a juvenile detention center for a story. Charges were later dropped and officers involved suspended. Police in Entre Ríos province beat up radio reporter Carlos Furman after he accused them of downplaying the desecration of a cemetery.

There are more than 150 daily newspapers, hundreds of radio stations, and dozens of television channels in Argentina. The country's print media are all privately owned, while the numerous privately owned radio and television stations are able to broadcast without restrictions. The political use of state advertising seemed to increase as the October presidential election neared. The federal government increased advertising spending 63 percent in the first half of 2007 as compared to 2006, according to a study by the non-governmental Civil Rights Association. National publications have been hampered by discretionary use of state ad budgets, but provincial publications are more vulnerable because local private sectors are weak or politically cautious. In Kirchner and Fernández's home of Santa Cruz, for example, investigative journalist María O'Donnell reported that media owner Rudy Ullos Igor received almost US\$1 million in state advertising. The group consistently featured Kirchner, and later Fernández, prominently and favorably. Igor was once Kirchner's chauffeur. The group Poder Ciudadano found that national government Channel 7 favored Fernández in their electoral coverage.

Media groups that feel harmed by state advertising practices have sued on constitutional grounds. In an important decision, the Argentine Supreme Court ruled that while media do not have a right to state advertising, "the government may not manipulate advertising by giving it to or taking it away from media outlets on the basis of discriminatory criteria." The ruling, in a case filed by Editorial Río Negro, ordered Neuquén authorities to re-write its regulations and may indicate a willingness to rule in a federal case filed by Editorial Perfil. Pressed by NGOs, several lawmakers have filed bills to clarify federal rules.

Also in 2007, the Argentine Community Radio Forum celebrated the first five broadcasting licenses granted to non-commercial radio since the broadcasting law was enacted 25 years ago under the Videla dictatorship, but vowed to continue to pressure Congress to re-write the law altogether. The licenses included an AM station for the famous Mothers of the Plaza de Mayo. The great majority of radio stations continue to operate in legal limbo two years after the law's provision prohibiting non-commercial radio was declared unconstitutional. Foreign news broadcasts are available in Argentina, and the internet was unrestricted by the government and used by nearly 40 percent of the population.

Armenia

Status: Not Free

Legal Environment: 21

Political Environment: 25

Economic Environment: 20

Total Score: 66

Despite constitutional and legal protection for freedom of the press, in practice these rights were threatened. Incidents of violence, legal intimidation and financial pressure all damaged media freedom and led to self-censorship. Libel remains a criminal offense. Despite legislation that provides access to public information, in practice journalists were frequently denied access. In February, the government adopted amendments to the Law

on the Rules of Procedure of National Commission on Television and Radio, which defined the commission as an independent body. This independence is jeopardized with half the members appointed by the government and the other half by the president. Two government-sponsored draft laws threatened to effectively ban foreign broadcast on Armenian public television and radio by imposing heavy taxes on private companies that aired foreign broadcasts. After strong international pressure, the amendments were not adopted. However, in July, Radio Free Europe/Radio Liberty (RFE/RL) was informed it would no longer be broadcast on Armenian public radio. A1 Plus, which has engaged in a legal battle with the government since it was shut down in 2003, remained without a license during 2007. Broadcasting is by far the most important source of information in Armenia. As a result, most government efforts to control the flow of information are aimed at the broadcast media.

There is a wide variety of views expressed in broadcast and print media, but the environment was highly politicized and government pressure at a high ahead of the May parliamentary elections and again at the end of the year ahead of the February 2008 presidential election. During the campaign period, media watch groups reported that broadcast media outlets were generally more pro-government inclined in their coverage, although more coverage was allocated to opposition politicians than during previous election cycles. Monitoring report of broadcast media indicate that there was a strong bias in coverage for the two top presidential candidates, Prime Minister Serzh Sarkisian, the government-backed candidate, and the former President Lev Ter-Petrossian. Sarkisian, backed by President Robert Kocharian, received mostly positive coverage, while coverage of Ter-Petrossian was highly critical. The media were under pressure not to broadcast opposition candidates after the independent Gala TV, based in the second-largest city, came under intense pressure after it aired a speech by Ter-Petrossian. In what appeared to be a government-backed effort to shut down the station, tax authorities launched an audit investigation into the company and eventually charges were filed against the station's parent company and its assets were frozen. Authorities also charged that the station was illegally using a state-owned television tower. As a result of its troubles, Gala lost a significant amount of its advertising revenues. The office of the opposition newspaper *Chorrord Ishkanutyun* was damaged due to an explosion in December, which observers linked to the that papers' critical coverage of the government. Journalists reported facing verbal and physical attacks throughout the year. Most physical attacks took place at election-related rallies or during government functions that the media was trying to cover. In October, police filed criminal charges against two opposition editors, Nikol Pashinyan of *Hayakakan Zhamanak* and Shogher Matevosyan of *Chorrord Ishkhanutyun*. Both were charged with inciting violence for their attending an opposition rally. In June, the journalist Gagik Shamshia, a victim of an attack in 2006, was convicted of fraud and embezzlement. Observers believe that the trial and 30-month jail sentence were politically motivated. Journalist Arman Babajanian, who was convicted in 2006 of document forgery and evasion of military service, remained in jail at the end of the year. Photojournalists typically face a more hostile reporting environment than journalists. In September, the editor in chief of the opposition *Iskakan Iravuk* was attacked by unidentified assailants and hospitalized as a result. No perpetrators were identified or arrested.

Most newspapers were privately owned, with the exception of government-sponsored *Hayastani Hanrepatutyun* and the Russian-language version, *Respublika Armenia*. Few of these private newspapers are self-sustainable and most are dependent on business groups with government ties. Public media receive funding from the state budget. Distribution networks are private-owned, but not effective in distributing newspapers across the country. Ahead of the elections, opposition newspapers were frequently confiscated. Most TV stations were owned either by pro-government politicians or businessmen with ties to the ruling party. There are no formal restrictions for Internet access, though regular usage is limited to an estimated 6% of the population.

Australia

Status: Free

Legal Environment: 6

Political Environment: 8

Economic Environment: 7

Total Score: 21

Press freedom in Australia operates 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 Australian Press Council and the Media, Entertainment, and Arts Alliance (MEAA) monitor journalistic freedom and access to information. In 2007, several top media companies and press freedom groups allied to form the Australia's Right to Know coalition. The group published a comprehensive report into the state of free speech in Australia in response to concerns over declining press freedom.

Restrictive legislation has been introduced over the past several years including the Antiterrorism Act of 2005 and the Telecommunications (Interception) Amendment Act of 2006. In 2007 the Communications Legislation Amendment (Crime or Terrorism Related Internet Content) was introduced which gives federal police direct discretionary authority to censor websites considered to contain material that "encourages, incites or induces" offense against the commonwealth. In May, the Evidence Amendment (Journalists' Privilege) Bill 2007 was proposed which would allow for judicial discretion concerning court orders for journalists to reveal their source. Although the amendment would be a welcome acknowledgment of the need for shield laws, press freedom groups are calling for greater legislative protection for whistleblowers.

On March 26, Allan Kessing, a former Australian Customs Service employee, was sentenced to nine months in prison (suspended on entering a \$1000 good behavior bond) for leaking information to the press concerning lax security in Australian airports which ultimately led to US\$200 million in security improvements. Authorities backed down under public pressure from pursuing *The Australian* reporters who published the story. In June, two journalists from the *Herald Sun* were convicted of contempt for refusing to reveal a source before a judge in Melbourne in 2005 and were fined US\$7,000 each. According to Australia's Right to Know, a newsroom in Sydney was raided twice in 2007 as federal agents tried to identify the source of an official leak. Reporters

Without Borders expressed concern in May over authorities' threats of withdrawing state funding from the newspaper *The West Australian* if they did not fire editor Paul Armstrong. Freedom of Information is protected in Australia though lengthy delays and high costs impede access to information. Several documents were denied to journalists in 2007 because they were "contrary to the public interest."

Australia has a strong tradition of public broadcasting, though the Australian Broadcasting Corporation has faced dramatic funding cuts. Private media ownership is concentrated, with the majority of ownership by Rupert Murdoch's News Ltd. and Fairfax Group. In 2007, the Australian Competition and Consumer Commission okayed a merger between Fairfax Group and Rural Press. The internet is a vibrant medium in Australia, accessed by 70 percent of the population.

Austria

Status: Free

Legal Environment: 8

Political Environment: 8

Economic Environment: 5

Total Score: 21

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 the government generally respects these provisions in practice. Libel and slander laws protect politicians and other government officials and in some cases lead to self-censorship. In 2007, six cases were taken to the European Court of Human Rights; most of the 15 cases taken to the ECHR in the last 8 years have been defamation cases. Previously, in November 2006, the ECHR overturned decisions in three cases brought to trial by public figures on defamation charges related to articles published in the daily *Der Standard*.

Any form of pro-Nazism or anti-Semitism is prohibited by law, as is Holocaust denial. After two high profile cases in 2006, including the sentencing of British author David Irving to three years in prison, there was only one Holocaust denial conviction in 2007. Gerd Honsik, who had published books in the late 1980s questioning the Holocaust, was sentenced in December 2007 to eighteen months in jail. A Danish artist, Jan Egesborg, was arrested in a Vienna subway station while putting up posters criticizing Russian president Vladimir Putin prior to Putin's visit. The posters, which questioned Putin's involvement in the shooting of journalists, were designed so that the words "shoot" and "Putin" were prominent. He was charged with possible incitement but the charges were later dropped.

Since 2004's Broadcasting Law amendments, Austria's public broadcaster, which operates two television stations and four radio channels, faces growing competition for audiences from private broadcasters. Cable and satellite are widely available and are often used to watch German stations, some of which tailor programming for the Austrian audience. Daily newspapers, both national and regional, are very popular and contest fiercely for readers. Foreign investors have a solid presence in the predominantly privately owned print market, and ownership concentration is high. Many radio stations

have ties to print outlets, and additionally there is cross-ownership of daily and weekly newspapers. Press subsidies help newspapers survive and are designed to encourage pluralism. Internet access is unrestricted and was made use of by more than 56 percent of the population in 2007.

Azerbaijan

Status: Not Free

Legal Environment: 25

Political Environment: 30

Economic Environment: 22

Total Score: 77

Despite constitutional and legal protection for freedom of speech and of the press, media freedom in Azerbaijan continued to decline in 2007. Libel suits, unfair trials, physical attacks and financial pressure were all used to limit media freedom. Huge oil and gas revenues allow President Ilham Aliyev to maintain a firm grip on power. Fearful of a “color revolution” scenario, the government continues to clamp down on all opposition media and has no tolerance for criticism. A draft law on defamation has yet to be adopted. As a result, libel remained a criminal offense, punishable with high fines and up to three years’ imprisonment. Nine journalists imprisoned in 2007 and one remained in jail since 2006, making Azerbaijan the fifth-leading jailer of journalists, according to the Committee to Protect Journalists. Three journalists remained in jail at the end of the year.

In January, Faramaz Allahverdiyev, a *Nota Bene* journalist, was convicted of libeling the minister of internal affairs and sentenced to two years’ imprisonment. In May, *Sanat* journalist Rafiq Taghi and editor-in-chief Samir Sadagatoglu were convicted of inciting religious hatred and sentenced to three and four years imprisonment, respectively. In May, *Mukhalifet* journalist Yashar Aghazade and Editor-in-chief Rovshan Kabirli, were convicted of libel and sentenced to 30 months’ imprisonment as a result of a lawsuit filed by a member of parliament. These five journalists were released by a December presidential pardon. In July, police arrested a *Bizim Yol* journalist Mushvig Huseynov on charges of accepting a bribe, which the newspaper alleges was a setup. He remained in prison awaiting trial at the end of the year. In October, a Baku court sentenced the already-jailed editor-in-chief of *Realny Azerbaijan* and *Gundelik Azerbaijan*, Eynulla Fatullayev, to eight and a half years imprisonment and a €64,000 fine on charges of supporting terrorism, inciting ethnic hatred and tax evasion. The charges stem from an article criticizing Azerbaijan’s relations with Iran. He remained in jail at the end of the year. The two newspapers that Fatullayev operated were evicted from their premises in May. In November, a Baku court convicted *Ideal* newspaper editor-in-chief Nazim Guliyev of libel and sentenced him to 30 months’ imprisonment. Guliyev was released from prison in December after an appeals court overturned his sentence. Also in November, police arrested *Azadliq* newspaper Editor-in-chief Ganimat Zahid on charges of hooliganism and inflicting minor bodily harm, charges which Guliyev maintains were a conjured up. He remained in pretrial detention at the end of the year. In December, RFE/RL correspondent Ilgar Nasibov was convicted of libel and

sentenced to three months in jail. The ruling was overturned. The same court also convicted Nasibov of libel on separate charges and sentences him to one-year probation. There is an overwhelmingly sense of impunity, as crimes perpetrated against journalists go almost entirely unpunished. There were several reports of violence against journalists in 2007. There were no developments or arrests made in relation to any of the crimes committed against journalists this year or in previous years, including the 2006 kidnapping of *Azadliq* journalist Fikret Huseynli and the 2005 murder of founder and editor of *The Monitor*, Elmar Huseynov.

The government wields significant control over the National Radio and Television Council (NRTC), the broadcast watchdog and licensor. The Frequency Commission provides the NRTC with a list of available frequencies to assign, although only two licenses were granted in 2007. ANS TV received a six-year broadcast license in April after being shut down for several months in 2006 by the NRTC. Two Russian-language newspapers were suspended in May due to safety violations, according to the Ministry of Emergency Situations. The Ministry of Emergency Situations and the Finance Ministry are the main tools for government-backed political intimidation of media and businesses. In May, 15 journalists working for two daily newspapers, *Gundelik Azerbaijan* and the Russian-language *Realny Azerbaijan*, sought political asylum when the papers were closed.

Despite the intimidation, there remains a relatively large number of opposition and independent media. However, with distribution channels run by pro-government companies and most newspapers having to print in government-owned publishing houses, the print media is not readily available across the country. The government continued to pressure independent newspaper vendors who distributed independent and opposition newspapers. State-owned newspapers were distributed widely. In January, the government blocked two websites that criticized economic policy. The editor of one of the websites was sentenced to 12 days in jail. In May, the government cut all ties with the media rights group Reporters Without Borders (RSF) following numerous reports by the organizations detailing violations of press freedom. Internet usage remains low, with only an estimated 12% of the population accessing online information on a regular basis.

Bahamas

Status: Free

Legal Environment: 3

Political Environment: 10

Economic Environment: 7

Total Score: 20

The constitution provides for freedom of speech and of the press, and although there is no freedom of information legislation, the government does generally support the public's right to access to information. The media is generally free to criticize the government and its policies, although in the run-up to May's general election, the incumbent Progressive Liberal Party (PLP) repeated earlier criticism of newspaper coverage. A particular source of tension was *The Tribune* newspaper's publication of photographs showing the Immigration Minister, Shane Gibson, and the former model, Anna Nicole Smith,

embracing on a bed. Gibson eventually resigned from his position as minister. Prime Minister Perry Christie denounced *The Tribune*, accusing it of serving the interests of the opposition. The scandal probably contributed to the PLP's defeat in the election. Meanwhile, state-owned media were accused of discrepancies in campaign coverage that favored the government, while partisanship increased throughout the media as the election approached.

In July, the announcement that three of the country's four daily newspapers - *The Tribune*, *The Nassau Guardian* and *The Freeport News* - had agreed to a partnership for sales, purchases and printing production raised concerns about a looming media monopoly. Although the merger partners assured the public that the editorial departments will function independently, critics claimed that the move could only be to the detriment of media independence and diversity in the Bahamas. The state-owned Broadcasting Corporation of the Bahamas operates a television station and the ZNS Radio Bahamas network. There are also numerous privately owned radio stations. The internet was unrestricted and was accessed by 30 percent of the population.

Bahrain

Status: Not Free

Legal Environment: 24

Political Environment: 27

Economic Environment: 20

Total Score: 71

Despite constitutional protections guaranteeing freedom of expression and of the press, the government continued to enforce the 2002 Press Law to restrict the rights of the media. Bahrain's Press Law contains 17 categories of offences and allows for up to five years imprisonment for publishing material criticizing Islam or the king, inciting actions that undermine state security, or advocating for change in the government. Journalists may be fined up to 2,000 dinars (US\$5,300) for an additional 14 offenses. The press can also be prosecuted under the penal code. On May 28, the upper house of the parliament passed a revised draft press law that would decriminalize press offences, protect the confidentiality of sources, ensure access to official information, and end criminal responsibility for publishers. Nevertheless, the draft law still needs to be passed by the lower house, an elected body heavily influenced by conservative religious perspectives, which rejected a similar bill three years prior.

While no journalist has been imprisoned since 1999, many have been harassed, censored, detained, and prosecuted. A total of 47 complaints were filed against journalists and publishing houses in the courts in 2007; many were filed by private individuals. Dr. Mohammed Saeed Al-Sahlawi and Hussain Abdul Aziz Al Hebshi, who were arrested in November 2006 for possessing 1500 leaflets of literature deemed to be "subversive", were sentenced on January 31 to one year and six months in prison respectively, but were pardoned by the King on February 25th. The two had spent three months in detention. In February, the editor-in-chief of *Akhbar Al-Khaleej* and the *Gulf Daily News* wrote an editorial accusing 'Abd al-Hadi Khawaja, the president of the Bahrain Center for Human

Rights, of conspiracy and treason based on his participation in a seminar sponsored by the American Enterprise Institute. Bahrain's prime minister commended the editorial, stating, "Forums, TV Satellites and external activities should be used to exhibit the achievements that have been acquired in the Kingdom of Bahrain...not to undermine it." However, journalists that insult government officials or individuals are easily subject to libel or defamation charges. A supposed media "black out" was issued against longtime women's rights activist Ghada Jamsheer, who in April, sent a letter to the King criticizing the effectiveness of the Supreme Council for Women, which is chaired by the King's wife. Ms. Jamsheer informed human rights organization Article 19 in October that she had not been published or referenced in any print or broadcast media since April. On October 21, three journalists were convicted and fined for defaming the director of an elderly-care center in an article published in the electronic newspaper *Al-Saheefa*, one of Bahrain's numerous banned websites. Internet bloggers were also prosecuted. In February, the Municipalities and Agricultural Affairs Minister filed a criminal libel complaint against blogger Mahmood al-Yousif who had criticized the Minister's praise of the government's handling of the 2007 flood. Three journalists from newspapers *Al-Ayam*, *Al Waqt* and *Al Wasat* were physically assaulted and had their mobile phones confiscated by members of the Bahraini Security Forces on December 25 while trying to cover a peaceful protest outside the public prosecutor's office. The protest was being held by family members of those who had been arrested for participating in demonstrations over the unnecessarily violent dispersal of a December 17 protest. A continued ban on any media discussion of the 2006 "Bandargate" scandal was reaffirmed by the Higher Criminal Court on November 27. Numerous websites shut down in 2006 for mentioning the report remained blocked. The "Al Bandar report," written by Sudanese-born British citizen Salah Al Bandar, alleged election fraud and the involvement of members of the royal family and high-level politicians in fomenting anti-Shi'a sectarian strife. On April 19, 2007, Dr. Al Bandar, who was deported in 2006, was convicted in absentia and sentenced to four years in prison and a 100 dinar fine.

The Ministry of Information may censor and prevent the distribution of local and foreign publications, close newspapers through court proceedings, ban books and films, block websites, and prosecute individuals. Bahrain's conservative populations also act as independent censors, reporting to the authorities material considered to be indecent or against religious principles. Despite legal restrictions, the Bahraini press still offers a more diverse and critical perspective of news and politics than other Gulf countries. However, newspapers tend to avoid reporting on "sensitive" issues such as religious sectarian tensions, foreign relations with surrounding Gulf countries, governmental corruption, demonstrations, and human rights violations. There is also a dearth of critical coverage of local issues such as land distribution and demographic distribution, as well as problems confronting the large immigrant worker population. This is in part due to the lack of a private news agency, as well as the high degree of self-censorship practiced by journalists.

There are six privately-owned daily newspapers, four in Arabic and two in English, several of which are critical of the government. While there are no state-owned papers, the government has a monopoly on all broadcast media. The country's first private radio station—*Sawt al-Ghad*—launched in 2005, but the authorities shut it down in 2006, alleging irregularities. A few international radio stations are allowed to broadcast and

foreign satellite television provides the public with their main source of news. Bahrain was the highest ranked Arab country on the Digital Opportunity Index (DOI), which measures progress in relation to infrastructure, opportunity, and usage of digital media. Of Bahrain's population, 22.2 percent used the Internet, reflecting a growth rate of 293.3 percent since 2000. In addition to the 2002 Telecommunications law that imposes civil and criminal penalties for violations, the term "electronic media" was inserted into the 2002 press law, allowing the government to regulate this sector under vague legislation. Website administrators may be prosecuted under the same libel laws as journalists and are responsible for all content posted on their sites. The government is a major shareholder in Batelco, the country's principal telecommunications company. Batelco monitors email and filters Internet content by routing Internet activity through proxy/cache servers. All websites are required to register with the Information Ministry. Bahrain has a very active online community with about 200 blogs, however religious and political content is heavily censored. At least 22 local and international websites were blocked during the year including the website of the Arabic Network for Human Right Information, the Bahrain Center for Human Rights, and the HAQ Movement of Liberties and Democratic Bahrain.

Bangladesh

Status: Not Free

Legal Environment: 22

Political Environment: 30

Economic Environment: 16

Total Score: 68

Following worsening political violence and instability in late 2006, which culminated in the postponement of planned elections, the imposition of a state of emergency, and installation of a new military-backed interim government on January 11, 2007, the environment for media freedom changed considerably, with additional legal restrictions balanced by a decline in murders and violence against members of the press. Although the constitution provides for freedom of expression subject to "reasonable restrictions," the press is constrained by national security legislation as well as sedition and criminal libel laws. Journalists can be slapped with contempt of court and defamation charges or arrested under the 1974 Special Powers Act (which allows detentions of up to 90 days without trial) in reprisal for filing stories critical of government officials or policies. In February and March, a number of journalists were detained or charged with defamation. Sedition charges were dropped against seven journalists in May, but Salah Uddin Shoab Choudhury, who was first arrested in 2003, still faces sedition, treason, and blasphemy charges. In September, cartoonist Arifur Rahman was jailed, ostensibly for 30 days, for allegedly insulting Islam through a cartoon depicting a cat named Mohammad. The newspaper that published the cartoon faced protests and temporary suspension, its editors were forced to issue an apology, and Rahman remained in prison at year's end.

Overt censorship and other instances of heightened restriction on the media were imposed in the context of the political turmoil early in the year. Immediately following

the emergency declaration, television channels were asked to broadcast news produced by the state-run BTV, and all media were requested to refrain from any criticism of the authorities. The Emergency Powers Rules, announced in late January, restricted coverage of sensitive topics, allowed censorship of print and broadcast outlets, criminalized “provocative” criticism of the government, and imposed penalties, including up to five years in prison and hefty fines, for violations. The government was sensitive to international scrutiny; according to the U.S. State Department, on several occasions during the year authorities banned or delayed distribution of foreign magazines such as *The Economist*, *Time*, and the regional journal *Himal Southasian*, or removed pages containing articles about Bangladesh before releasing them. Local media content was also monitored, and in general the print media were allowed more leeway than broadcasters and new media, particularly private television channels that provide 24-hour news coverage. During and following the student-led protests in August, authorities asked television channels not to broadcast images of the riots or air live talk shows, and assaulted and detained dozens of journalists. In September, the new 24-hour news channel CSB, owned by a former lawmaker and businessman who was detained as part of the government’s anticorruption crackdown, was shut down altogether on a technicality after airing coverage of the August unrest. Other stations were allowed to resume airing talk shows only after repeated appeals by senior journalists and after agreeing to abide by informal guidelines circulated the information minister that included bans on live, unedited shows, phone-in and interactive segments, and any statements that could create resentment of the government.

Numerous journalists reported an increase in threatening phone calls from intelligence agencies seeking to prevent critical coverage of the new government or military, or encouraging editors to file positive stories on certain topics. Some who refused to comply were targeted with reprisal; in March, Atiqullah Khan Masud, editor and publisher of the popular *Janakantha* daily, was arrested during a high-profile raid on his office and was subsequently accused of corruption, criminal activities, and “tarnishing the country’s image abroad.” The fear of negative repercussions caused many journalists to practice increasing self-censorship when covering sensitive topics.

Journalists continue to be harassed and attacked by a range of actors, including organized crime groups, political parties and their supporters, and leftist and Islamist militant groups, although no journalists were killed in 2007 and the overall level of violence declined. Most commonly, they are subjected to such attacks as a result of their coverage of corruption, criminal activity, Islamic fundamentalism, or human rights abuses. Police brutality toward photographers attempting to document protests or other political events also remained a concern. In August, security forces assaulted and injured several journalists who were covering protests at Dhaka University, temporarily taking several dozen into custody. On a number of other occasions, journalists were threatened or detained by authorities or the security forces. Cases include that of *Daily Star* reporter E. A. M. Asaduzzaman Tipu, arrested in Nilphamari in March, and Jahangir Alam Akash, a CSB reporter in the northwestern city of Rajshahi, who was arrested and beaten in custody in October. In a high-profile case that was extensively documented by Human Rights Watch (HRW), Tasneem Khalil, who worked as a journalist for the *Daily Star* and U.S.-based CNN as well as a researcher for HRW, was detained, tortured, and threatened by the Directorate General of Forces Intelligence (DGFI) in May 2007, primarily

regarding his news reporting as well as a HRW report he contributed to that focused on extrajudicial killings by the security forces. After international pressure helped secure his release, Khalil sought asylum in Sweden. Impunity for those who perpetrate crimes against journalists is the norm, and investigations into the cases of reporters killed in previous years generally proceeded slowly, if at all.

With hundreds of daily and weekly publications, the privately owned print media continue to present an array of views, although political coverage at a number of newspapers is highly partisan and those outlets that presented views critical of the new government faced sustained pressure. Private broadcasting has expanded in recent years, with eight satellite television stations and three radio stations now broadcasting. The state owns or influences several broadcast media outlets, and private outlets are required to air selected government-produced news segments as a condition of their operation. Political considerations influence the distribution of government advertising revenue and subsidized newsprint, upon which many publications depend. According to the Committee to Protect Journalists, the arrest of several media owners and executives as part of an overarching anti-corruption drive served to weaken several outlets financially as it deprived them of their major backers.

Access to the internet, although generally unrestricted, is limited to less than 1 percent of the population, and some journalists' e-mail is reportedly monitored by police. During and following the August protests, authorities switched off mobile-phone networks and routed all internet traffic through the state telecommunications company (leading to a temporary slowdown or shutdown of the internet).

Barbados

Status: Free

Legal Environment: 3

Political Environment: 10

Economic Environment: 6

Total Score: 19

Freedom of the press is constitutionally guaranteed, and media are generally able to operate without restriction. However, Barbados has not yet passed freedom of information legislation. In the run-up to the general election due in January 2008, the media environment became increasingly polarized. In addition, both the ruling Barbados Labour Party (BLP) and the main opposition party, the Democratic Labour Party, made increasing use of the internet in the context of the widespread access to computers and the internet in Barbados. Political blogs also grew in popularity and two of them in particular, Barbados Free Press and Barbados Underground, drew large numbers of visitors for their exposés of government misdemeanours and hypocrisy. In late December, one contributor to these two blogs, hotelier Adrian Loveridge, informed the police that he and his wife had been subjected to repeated death threats, including promises to burn down their hotel. The threats appeared to be politically motivated on behalf of the ruling BLP. There are two daily newspapers and two weeklies, all privately-owned. A new weekly was launched in January but soon folded. Of the 11 radio

frequencies, 3 are run by the state-owned Caribbean Broadcasting Corporation, which also operates the sole television station. There are no government restrictions on the internet which was accessed by nearly 60 percent of the population in 2007.

Belarus

Status: Not Free

Legal Environment: 28

Political Environment: 35

Economic Environment: 28

Total Score: 91

Belarus's limited level of press freedom deteriorated further in 2007 as President Aleksandr Lukashenko's government suppressed the few remaining independent media outlets and strengthened restrictions on the Internet. In an April news conference, President Lukashenko restated his government's goal of maintaining a monopoly over the broadcast media.

Despite constitutional provisions for freedom of the press, criticism of the president and his government is considered a criminal offense, and libel convictions can result in prison sentences or high fines. Judges and police officers regularly used politicized court rulings and obscure regulations to harass independent newspapers. In August, officials from the Lenin district court of Minsk used an allegedly unpaid fine from the previous year to raid the editorial office of opposition newspaper *Narodnaya Volya* and confiscate computers and publishing equipment. In September, police officers in Minsk raided the editorial office of the Communist Party's newspaper, *Tovarishch*, and confiscated 10,000 copies of the current edition, claiming they failed to properly identify the newspaper printer on the front page. In October, a court in Minsk fined *Narodnaya Volya* 25 million Belarusian rubles (\$11,650) in retaliation for allegedly defaming the head of Lukashenko's Main Ideological Office.

The government subjected the independent media to systematic political intimidation while the state media consistently glorified Lukashenko and vilified the political opposition. In March, police in Minsk arrested Valery Shchukin, a journalist for *Narodnaya Volya*, in order to prevent him from covering an unsanctioned opposition rally. Local reporters working for foreign media with Belarusian language programs-like Radio Free Europe/Radio Liberty, Deutsche Welle and the Warsaw-based Radio Polonia-as well as for local Polish-language publications, faced aggressive harassment from the police and security services in retaliation for their independent editorial policies. During 2007, authorities failed to make any progress in investigating the deaths of two journalists who had reported extensively on government corruption and human rights abuses: the October 2004 murder of Veronika Cherkasova, a journalist with the Minsk-based opposition weekly *Solidarnost*, and the July 2000 disappearance and presumed murder of Dmitry Zavadsky, a cameraman for ORT Russian television.

The state maintains a virtual monopoly over the domestic broadcast media; only several news programs broadcast on radio in Belarusian from neighboring countries remained outside the government's control. Broadcasting officials continued to block the

transmission of Belarus-related news reports by a small number of foreign broadcasters-Euronews and the Russian stations RTR, NTV and TV Center. In 2007, the government did not issue any permits to new independent or opposition newspapers and used a range of economic pressures to weaken the country's remaining independent media. Much of Belarus' independent press has been forced to close because managers of state companies are banned from advertising in them and banks refuse to deposit subscriptions from readers into their accounts. The state newspaper distributor Soyuzpechat, postal service Belpochta and state printing presses regularly deny non-state media contracts. For years, opposition newspapers relied on printing houses in neighboring Smolensk, Russia, but those printing contracts were terminated in 2006. Independent papers responded by selling directly from the newsroom and using volunteers to deliver copies, but regional authorities have harassed and arrested some of those private distributors.

Because the internet is widely used (accessed by 35 percent of the population in 2006) and Belarusian websites are not yet obliged to register with the authorities, many print publications have moved online. But the state-owned telecommunications company Beltelecom controls all Belarusian servers and blocks access to some critical websites, while the security services reportedly monitor internet communication. In February, the Council of Ministers approved new regulations requiring Internet café owners to keep records of their customers' identity and the Web sites they visited for inspection by the security services. In March, Beltelecom blocked access to several independent websites, including the newspapers *Solidarnost*, *Nasha Niva* and the human rights group Charter 97, prior to the opposition's annual Freedom Day rally. In April, writer and political activist Andrei Kilmau was arrested and charged with inciting the regime's overthrow in an article posted on the Internet, marking the first time a journalist has been arrested in Belarus for content published online. As a result of these abuses, some media websites have moved to domains in neighboring countries

Belgium

Status: Free

Legal Environment: 2

Political Environment: 4

Economic Environment: 5

Total Score: 11

The constitution guarantees freedom of speech and of the press, which are generally respected by the government. The Belgian Chamber of Deputies voted unanimously in March 2005 to approve a law that protects journalists' sources. The new law protects reporters from home searches and seizures and gives them the right to silence if called as a witness. The vote came after police raids in 2004 on the home and office of a Brussels-based German reporter, Hans Martin Tillack, which shocked the community of international journalists. In October 2006, Tillack brought his case before the European Court of First Instance, where he argued that the action against him by Belgian police violated his rights. Although the court recognized that his complaints of mistreatment were legitimate, in the end it ruled that the case was out of its jurisdiction. In November

2007, however, the European Court of Human Rights ordered Belgium to pay Tillack 40,000 Euros in damages.

After being physically attacked, threatened, insulted and having his family threatened, journalist Mehmet Koksak shut down his blog in October 2007. The blog had reported on events in the Turkish community in Belgium, and Koksak's opinions had angered local politicians as well as the extremist Turkish group Grey Wolves, who attacked Koksak in front of the police who did little to protect him. Koksak had been filming a riot instigated by the Grey Wolves. No further action was reported.

Newspaper ownership concentration has increased since the 1960s as corporations have steadily been buying up papers. As a result, today a handful of corporations run most of the country's newspapers. As for the broadcasting sector, unlike most other European nations, Belgium has two separate public broadcasting organizations (one operating in French and the other in Flemish), each with its own domestic and international broadcasting network. The government does not limit access to the internet, which was used by just over 52 percent of the population in 2007.

Belize

Status: Free

Legal Environment: 8

Political Environment: 9

Economic Environment: 5

Total Score: 22

The constitution of Belize protects the right to freedom of expression, although there are several legal limitations to that right. The government may fine up to US\$2,500 and imprison for up to three years those who question the financial disclosures of public officials, though there were no reports of this law being exercised in 2007. Newspapers are subject to libel laws; furthermore, the Belize Broadcasting Authority (BBA) holds the right to preview broadcasts with political content and remove libelous material, but this right was not exercised during the year. Some isolated attacks against journalists were reported in 2007. Two homemade bombs were found in the car of Evan Hyde, host of the popular "Wake Up Belize" program on Krem Radio. Upon investigation, authorities indicated that an attempt was made to ignite one of the explosive devices. In October, Rufus X, co-host of the politically charged "Kremandala Show" on local Krem TV and Radio, was assaulted with a metal rod, breaking his arm in two places. The journalist claimed the attack was in response to his expression of political views on the airwaves.

There are 8 television and 33 licensed radio stations, including 1 affiliated directly with the United Democratic Party. There are no daily newspapers in Belize, though 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. Belize has close to 40,000 registered internet users (approximately 12 percent of the population), and the internet is unrestricted by the government.

Benin

Status: Partly Free

Legal Environment: 11

Political Environment: 10

Economic Environment: 10

Total Score: 31

Status change explanation: Benin's status declined from Free to Partly Free owing to the continuation of criminal libel cases and the increased polarization in the growing number of politically-funded media outlets.

Benin has typically been one of the best performing African countries for press freedom—freedom of speech is protected by the constitution and normally respected by the government. However, a number of worrying trends that began in the 2006 election year continued to plague the press in 2007. The country's 1997 Press Law that criminalizes libel has traditionally been used more as a warning than as actual punishment. Yet, it was implemented in December 2006 against a private newspaper for refusing to retract a story accusing a court bailiff of rape. The paper's editor and one of its journalists were sentenced to six months in prison, though both only served three in the end. In February 2007 the trend continued when a court sentenced four top officials from the prominent Golfe Media Group to six months in prison and an exorbitant US\$10,000 fine each on charges of criminal defamation. Golfe Media has appealed, but the case had yet to be heard in court before the end of the year. In December, Golfe Media was also subject to government harassment when one of its cameramen was arrested while covering a public demonstration. He was subsequently beaten at a police camp and his camera confiscated.

Leading up to the presidential election in 2006, the number of media outlets grew with the number of competing political parties and politicians. Many of these media groups were paid from the pockets of politicians and represented distinctly partisan positions. Yet even into 2007, many of these new outlets did not disappear leading to the polarization of media content and, to a certain extent, the corrosion of impartial reporting. Yet the benefit of having such a multitude of media outlets is the diversity of content and the willingness of outlets to criticize both the government and opposition politicians, typically without reprisal. Yet, the inability of most of Benin's media operators to garner a consistent profit also limits accuracy and fairness in reporting by making poorly paid reporters susceptible to bribes. The High Authority for Audio-Visual Media and Communications is also requiring media outlets to provide a list of planned programs and publications, but it claims that the material is used primarily for administrative purposes. Nonetheless, most media practitioners consider this to be an attempt at censorship and refuse to comply without penalty.

While internet access is still primarily available through slow dial-up internet cafes, the number of users has almost doubled from the previous year to 700,000—nearly 9 percent of the population.

Bhutan

Status: Not Free

Legal Environment: 19

Political Environment: 23

Economic Environment: 19

Total Score: 61

Freedom of expression and of the press, as well as media diversity, continued to be limited in Bhutan in 2007, despite some improvements during the previous year. The Bhutan Information, Communications, and Media Act, passed in July 2006, was designed to regulate the information, communications, and media industries and contains general provisions for freedom of expression and of the press. However, many observers have expressed concerns that it does not provide adequate protection for journalists or guarantee freedom of information. The 1992 National Security Act prohibits criticism of the king and the political system.

Physical attacks on the press in Bhutan are rare, and there were no reported cases of attacks occurring in 2007. Bhutan's main print publication, the state-owned biweekly *Kuensel*—now funded entirely by advertising and subscription revenues—generally report news that puts the kingdom in a favorable light but has increasingly been highlighting societal problems and carrying stories critical of the government. In 2006, two private newspapers began operating, *Bhutan Times* and *Bhutan Observer*, which occasionally publish articles critical of the government in spite of their general pro-government content. In November 2006, *Bhutan Now*, a monthly periodical, was launched. According to the U.S. State Department, the government abandoned its proposal to impose restrictions on advertising in May 2007 following editorials critical of the proposal. State-owned broadcast media, which consist of a radio and a television station operated by the Bhutan Broadcasting Service, carry broadly pro-government programming and do not air opposition positions and statements. The July 2006 Media Act led to the establishment of two independent radio stations, and in April 2007, another private radio station, Radio Valley FM, began broadcasting. 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. Internet access is growing in Bhutan, but was accessed by less than four percent of the population in 2007. The government occasionally restricts certain websites considered to be offensive to the government or pornographic. In June 2007, authorities blocked the *Bhutan Times* website for about two months due to antigovernment comments. According to the International Federation of Journalists, authorities also blocked the website of the now defunct *Bhutan News* website in 2007 following critical coverage of the government.

Bolivia

Status: Partly Free

Legal Environment: 10

Political Environment: 18
Economic Environment: 11
Total Score: 39

Heightened political tensions in 2007 resulted in a climate of increased hostility toward the press among both government and opposition supporters. Freedom of the press remains compromised by inadequate legal guarantees. The constitution provides for freedom of speech and of the press, but Bolivia's penal code stipulates that journalists can be jailed for one month to two years if found guilty of slandering, insulting, or defaming public officials. When the infractions involve the president, vice president, or a minister, the sentence may be increased by half. Few have been prosecuted in recent years. In May 2006, several journalists groups combined to form a National Ethics Council to act as a self-regulator, but it has so far proved ineffective. The legal norms that journalists will be subject to under the new constitution – should it enter into force – remained unclear at year's end; draft articles included strong language protecting press freedom but also used ambiguous terms such as "truthfulness and responsibility" when describing the media's responsibilities. At several points during the year the ruling MAS party also called for an ombudsman to monitor media content.

Bolivia's journalists continued to face the challenges of reporting on their country's volatile politics. President Evo Morales repeatedly criticized opposition media outlets during the year, contributing to a permissive atmosphere for attacks against journalists. In a continuation of the previous year's trends, 2007 began poorly as nearly a dozen reporters were attacked during unrest in Cochabamba in January. Indeed, many of the year's most serious confrontations featured aggression against journalists. In October at least 6 journalists were beaten by police and soldiers while retaking Santa Cruz's main airport, which had been occupied by opposition protesters. In late November rioting in Sucre accompanied the controversial preliminary approval of the draft constitution; 5 journalists faced aggression by the police during the turmoil. The opposition, meanwhile, was responsible for several incidents of violence, including in Cobija on November 27 during a protest against the draft constitution. Impunity for such attacks is the norm. In September Minister of the Presidency Juan Ramon Quintana suggested that some opposition journalists were in the pay of the US government, though no proof was provided.

Print media are privately owned and diverse in their editorial views, though many newspapers follow a strongly anti-government editorial stance. The television industry is privately owned except for one government-run TV network. Broadcast outlets express a variety of political views, but stations have been criticized for their overt partisanship in news coverage, with outlets from the eastern department of Santa Cruz among the most hostile to the new president; some media owners in the department are active in the political opposition. The government has been criticized for allegedly withholding advertising from pro-opposition media. Radio is the major news disseminator to the countryside, with an estimated 800 stations nationwide. With Venezuelan financial support, the government established a new set of over two dozen community radio networks. One of the largest national networks is Radio Erbol, operated by a consortium of 70 churches. In recent years, Bolivia has experienced a growth in alternative media that includes radio along with new internet news operations, but very few media of any

type are profitable. The internet is not restricted by the government, but less than 7 percent of the population was able to access it in 2006.

Bosnia-Herzegovina

Status: Partly Free

Legal Environment: 8

Political Environment: 21

Economic Environment: 16

Total Score: 45

Freedom of the press in Bosnia and Herzegovina (BiH) is guaranteed by the constitution as well as the human rights annex to the Dayton Peace Accords, which ended the country's 1992–95 civil war. Bosnia has one of the most liberal legal environments in the world for media freedom, but effective enforcement of these laws is largely absent owing to an overburdened judiciary. Libel and defamation have been decriminalized, leaving civil suits as the main remedy. Government officials have filed lawsuits against journalists, but instances of journalists suing their colleagues are more common. While freedom of information is protected by law, institutions are often slow to respond to journalists' requests. Legislation that would reorganize and unify the country's public broadcasting system has been held up by Croat leaders who argue that it would not serve their community's interests. An independent Communications Regulatory Agency (CRA) licenses and monitors broadcast media. The Press Council, a self-regulatory body for print outlets, responds to alleged violations of the Press Code.

Journalism in both of the country's state entities—the Federation, made up of Bosniak (Muslim) and Croat cantons; and the Serb-dominated Republika Srpska (RS)—continues to be plagued by a relatively low standard of professionalism and a tendency to appeal only to narrow ethnic constituencies. Although attacks are fairly uncommon, journalists throughout BiH remain subject to political pressure and threats of violence, and there is concern over the influence of organized crime on the media. The current RS Prime Minister, Milorad Dodik, has been accused of tightening control over the Bosnian Serb media. His government replaced the leadership of the official SRNA news agency and the semiofficial daily *Glas Srpske* in 2006, and the opposition has alleged that the RS public broadcaster, RTRS, shows a pro-government bias. In January 2007, the RS government initiated a boycott of BHT-1, the BiH public television station, over perceived disrespect for the RS and Bosnian Serb leaders. RS officials refused to give interviews or statements to BHT-1, and the station's reporters were barred from RS press conferences. The boycott was lifted at the end of the month, after the general director of BHT-1 was replaced. The Organization for Security and Cooperation in Europe (OSCE) criticized the RS government's actions, noting that it could have simply filed a complaint with the CRA if it was dissatisfied with BHT-1's coverage. Media in the RS generally supported or remained silent on the boycott, while journalists in the Federation were critical.

In addition to the separate public broadcasters for the RS, the Federation, and BiH as a whole, three major private television stations operate in the country. There is also

competition from outlets based in Serbia and Croatia, as well as a glut of more than 40 small television and 140 minor radio stations, many of them supported by municipal governments. Print publications include half a dozen dailies and more than 40 weeklies and monthlies. The crowded media market survives on limited advertising revenue, increasing outlets' dependence on economic and political patronage. Self-censorship is further encouraged by journalists' relatively low salaries and high national unemployment rates; a majority of journalists work without contracts. Internet access is unrestricted, and although the number of users in BiH has increased dramatically in recent years, it remains at about 20 percent of the population

Botswana

Status: Partly Free

Legal Environment: 8

Political Environment: 17

Economic Environment: 11

Total Score: 36

Freedom of speech and of the press are provided for in the constitution, and the government generally respects these rights in practice. However, libel is a civil offense, and in past years publications have been charged with defamation and have had to pay large amounts of money in court-ordered damages or as part of a settlement. The 1986 National Security Act (NSA) has been used to restrict reporting on government activities. A 2006 draft version of the Botswana Broadcasting Bill is being debated by the National Assembly. The bill includes plans to establish a new community broadcasting sector as well as a public entity to monitor the quality and objectivity of state-owned media. Botswana does not have a freedom of information law, and critics accuse the government of excessive secrecy.

Journalists are occasionally threatened, harassed, or attacked in retaliation for their reporting. In 2005, the government employed immigration legislation to deport two Zimbabwean journalists who had criticized state policies and used the NSA to deport an Australian-born academic who criticized the country as undemocratic. In March 2007, seven foreign journalists who had written critically about the government were forced to apply for visas despite being citizens of countries where Botswana visas are not required. The government occasionally censors or otherwise restricts news sources or stories that it finds undesirable, and editorial interference in the state-owned media from the Ministry of Communication, Science, and Technology has increased in recent years. In July, press freedom organizations condemned a ministry announcement that journalists who did not report "correctly" risked losing their licenses. In August, the editor of the independent *Tswana Times* claimed that the state's Botswana Telecommunications Corporation withdrew advertisements from the paper in retaliation for a critical story.

Independent print media and radio stations provide vigorous scrutiny of the government and air a wide range of opinions, mostly without government interference. Several independent newspapers and magazines are published in the capital, Gaborone. However, the state-owned Botswana Press Agency dominates the media landscape via its

(free) *Daily News* newspaper and two nationally broadcast FM radio stations; radio remains the chief source of news for the majority of the population. Botswana Television, also owned by the state, is the country's only source of local television news. Government-controlled media generally confine themselves to coverage that is supportive of official policies and do not adequately cover the activities or viewpoints of opposition parties and other critics. Privately owned radio stations and a private television station have a limited reach, particularly within rural districts; however, Botswana can easily receive broadcasts from neighboring South Africa. Internet access is unrestricted, albeit limited to approximately 3 percent of the population because of income and infrastructural constraints.

Brazil

Status: Partly Free

Legal Environment: 15

Political Environment: 16

Economic Environment: 11

Total Score: 42

Despite important advances since the return of democracy in 1984, freedom of expression in Brazil continues to face significant obstacles. The 1988 Constitution stipulates that freedom of information is a fundamental right. However, several federal courts continue to use the 1967 law, which was passed during a military dictatorship, to prosecute journalists. During its sessions in December 2007, the Congress debated the possibility of scrapping the 1967 law.

Local courts continue to pose problems for the press through cases of prior censorship. Although many cases were overturned after they were appealed, these cases foster intimidation and self-censorship. João Henrique, mayor of city of Salvador in the state of Bahia, successfully petitioned a court to prevent the Metropole media network from mentioning his name. A few days later, an appeal court judge overturned the sentence. Political rivalry was suspected in this case considering that Metropole chairman Mário Ketész was former mayor and a political rival of Henrique. Local courts in the states of Sao Paulo and Santa Catarina also issued preventive censorship rulings. A Sao Paulo local court banned the weekly *Folha de Vinhedo* from publishing an interview in which Paulo Cabral, a former government official, denounced local officials and businessmen of corruption. A Santa Catarina local court banned the *Gazeta de Joinville* from mentioning the names of Joinville mayor Marco Tebaldi, his wife and Taiza Thomsen, a former Miss Brazil, after it referred to an alleged affair between the mayor and the former beauty queen. Also, a judge censored a news story produced by TV Record that implicated Armando Taves Filho, a mayor of Itaquaquecetuba (a city in the metropolitan area of Sao Paulo), in corruption and illicit enrichment.

In a country with huge social disparities, Brazil has made tremendous gains in terms of the expansion of Internet access. Several legal decisions, however, have raised issues about freedom of expression. Altino Machado, a former journalist for the leading dailies *Folha de Sao Paulo* and *Estado do Sao Paulo*, was forced to pay a fine for posting

in his blog an image of a minor sitting on top the statue of local poet. The picture had been copied from the boy's webpage in a social network site. The minor's family has requested Machado to withdraw the picture. Another example that puts in evidence the complexities of freedom for expression in the Internet was the case of blogger Alcinéa Cavalcanti. More than 25 defamation lawsuits have been brought against Cavalcanti. Senator Jose Sarney, who felt personally offended for the content of several postings, was responsible for initiating the majority of the lawsuits. In December 2007, a court in the southern city of Porto Alegre forced journalist Vítor Vieira to withdraw content from an Internet site that compromised a state representative.

Sadly, 2007 was another year when Brazilian journalists were victims of physical attacks. In May, radio journalist Luiz Carlos Barbon Filho was murdered in Porto Ferreira. Barbon was locally known for his reports on corruption involving people close to the local government. He had received a national journalistic award for his work. One of Barbon's best-known investigations dealt with the involvement of local businessmen and city officials in a child prostitution ring. Also in May, it was reported that anchor Domingues Júnior from Rede TV Rondônia was attacked by unidentified individuals. Junior had denounced a money-for-votes scheme by the state government, and had received threats via email. In September, Amaury Ribeiro Jr., a reporter for Correio Brasiliense, was shot. Ribeiro was investigating organized crime in the outskirts of Brasília, Brazil's capital. Also in September, television reporter Ricardo Borges was attacked in the state of Paraná. Borges is known for reporting on controversial issues. In November, radio host João Alckmin was shot twice. Alckmin had reported on corruption in eastern São Paulo state, particularly the participation of the local police illegal gambling. He had suffered verbal intimidation for years and was the suspected target of an attack in July that wounded Rodrigo Duenhas, a lawyer who worked with Alckmin's wife. In addition, several instances of current and former governments officials verbally intimidating journalists were reported in the state of Bahia.

In addition, several cases of verbal intimidation were recorded. In January, the former secretary of communication Luiz Gushiken requested that the Federal Police investigate several reporters from leading news organizations. In his request, which was publicized by journalist Paulo Henrique Amorim in his blog, Gushiken accused reporters of corruption. In the past, Gushiken had been named in the investigation by the Ministerio Publico for improper financial management.

The basic structure of media ownership continues unchanged. The vast majority of broadcast, print, and internet media companies are privately owned by large conglomerates with diversified interests across industries. Globo Organizations, a large media conglomerate, continues to enjoy a dominant position, maintaining ownership of Brazil's primary television network, radio stations, print media, and cable television distribution. Also, close linkages between lawmakers and media ownership remain. This situation is particularly visible in the regions where state and federal representatives also own broadcasting licenses and newspapers. The combination of large media conglomerates and the collusion between media and political interests poses limitations for freedom of expression. Although some news outlets in the main cities continue to practice vigorous investigative journalism, the situation is different in the interior, where legal and physical threats feed a climate of intimidation. There are no restrictions on the internet, which is accessible to 22 percent of the population;

Brunei

Status: Not Free

Legal Environment: 28

Political Environment: 25

Economic Environment: 22

Total Score: 75

The absolute monarchy of Sultan Hassanal Bolkiah and emergency laws—in effect for nearly half a century—continue to restrict journalists and limit the diversity of media content in Brunei. Harsh press legislation has required that newspapers apply for annual publishing permits and that non-citizens obtain government approval to work as journalists since 2001. 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 prominence of the national philosophy, the Malay Islamic monarchy concept. Under the amended law, persons convicted of such crimes, or any publishers, editors, or proprietors of a newspaper publishing matters with seditious intention, face fines of up to B\$5,000 (US\$2,965).

Media are generally not able to convey a diversity of viewpoints and opinions, and criticism of the government is rare. The country’s main English-language daily newspaper, the *Borneo Bulletin*, is controlled by the sultan’s family and generally practices self-censorship to avoid angering the government, though it does publish letters to the editor that criticize government policies. The private press is mostly owned or controlled by the sultan’s family, or practices self-censorship on political and religious matters. A second English-language daily, the *Brunei Times*, was launched in July 2006 by an independent media company run by a group of prominent businessmen, after receiving permission from the sultan. The paper’s global focus is intended to help foster international investment in light of the country’s depleting oil and gas reserves, thus falling in line with current government priorities, yet it covers a wider range of international, finance, and opinion pieces, as well as online polls on government policies. A smaller Malay newspaper and several Chinese newspapers are also published within Brunei. 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. No incidents of attacks on or harassment of the press were reported in 2007. However, in April 2007, the deputy prime minister warned the media not to “play with fire” when reporting on the sultanate, and that disrespect for government decisions to withhold certain information could be interpreted as subversion.

With roughly 47 percent of the population accessing the internet, nearly half of all Bruneians are online and access is reportedly unrestricted. Yet the primary internet service provider is state owned, and the country’s internet practice code stipulates that content must not be subversive, promote illegitimate reform efforts, incite disharmony or

instability, or fall out of line with “Brunei Darussalam’s religious values, social and societal mores.” 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 on conviction 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, to monitor private e-mail and internet chat-room exchanges of citizens believed to be subversive.

Bulgaria

Status: Partly Free

Legal Environment: 10

Political Environment: 12

Economic Environment: 11

Total Score: 33

The constitution provides for freedom of speech and of the press, and the government generally respects these rights in practice. Defamation is punishable by high fines, and many suits have been filed in response to published reports detailing corruption of high-level officials. Although the courts have usually declined to impose fines, the threat of legal action has led to some self-censorship. The law on freedom of information is considered fairly strong, but in some cases state institutions reportedly resist information requests from journalists despite court rulings in their favor. Press freedom and freedom of information advocates expressed concern in May 2007 after the parliament granted initial approval to proposed reforms that would restrict access to information and increase fees and time limits for information requests. In April, an independent commission tasked with opening the Communist-era archives of the state security service began its work, vetting candidates for European Parliament elections the following month. Prior to the 2006 legislation that created the new panel, the files had been at the disposal of the interior minister, which led to selective leaks on politicians and other public figures, including journalists. In September 2007, the commission identified dozens of public figures who had collaborated with the Communist-era security services, including the president and 19 current members of parliament. The files would eventually be open to the public, subject to certain national security restrictions.

Media outlets express a diverse range of public and political views, in most cases without government interference. However, the country’s reporters continue to face pressure and intimidation aimed at protecting economic, political, and criminal interests. The perpetrators often operate with impunity, leading to some self-censorship among journalists. In February 2007, two men entered the offices of the weekly *Politika* and threatened to throw acid at writer Maria Nikolayeva if she continued reporting on possible corruption linked to real estate developments in Strandzha national park. The paper published her follow-up story, but an unidentified buyer purchased all the copies from the distributor in Burgas, the administrative center of the region that includes Strandzha. Nikolayeva’s coauthor in the series was beaten by a group of men in Burgas

later in the year. In another February incident, Ataka party leader Volen Siderov and a mob of supporters entered the offices of the daily *24 Chasa* and the *168 Chasa* weekly to complain about an article alleging that the ultranationalist Ataka had received funding from an ethnic Turkish party, the Movement for Rights and Freedoms. The men physically threatened and verbally abused journalists at the papers, and a pro-Ataka television station aired their names and addresses, leading to more threats. The party staged a protest against “media lies and manipulation” in early March. In May, five police officers used batons to beat photojournalist Emil Ivanov as he attempted to comply with their order to delete photographs he had just taken of unusually tight security surrounding a witness outside a courthouse in Sofia. The assault was recorded by fellow journalists, but the officers were not punished.

Top private and public media outlets are generally free of political affiliations. The popular state-owned Bulgarian National Television and Bulgarian National Radio are often critical of the government, and large foreign media firms play a major role in the private print and television markets. Germany’s Westdeutsche Allgemeine Zeitung (WAZ), for example, owns the two leading dailies, *Trud* and *24 Chasa*. However, smaller regional stations and publications struggle financially, providing low salaries to reporters and weak scrutiny of local officials. Many traditional media outlets have established a presence on the internet, which is unrestricted by the government and used by about 30 percent of the population.

Burkina Faso

Status: Partly Free

Legal Environment: 13

Political Environment: 15

Economic Environment: 13

Total Score: 41

Although freedom of speech is protected by the constitution under Article 8, in practice, journalists occasionally face harassment by public authorities for coverage deemed unfavorable, and many practice self-censorship. Under the 1993 information code, media outlets may be summarily banned if they are accused of distributing false information or endangering national security. Libel laws are unfavorable to the press and put the burden of proof on the defendant. No law exists to guarantee equal access to information. In June 2007, the media came under the control of the newly formed Ministry of Culture, Tourism, Communications, and Spokesman of the Government, which is responsible for developing media policy. The Superior Council of Communication, which is housed in the presidential office and possesses little independence, regulates the media.

The investigation into the 1998 murder of the prominent journalist Norbert Zongo continued to demonstrate in 2007 the limits to press freedom in Burkina Faso. Following the July 2006 dismissal of the case against a presidential guard, the only person ever formally charged in the murder, subsequent efforts in 2006 to reopen the case by Zongo’s family and Reporters Sans Frontieres (RSF) were unsuccessful. In January 2007, a court in Ouagadougou sentenced two journalists with the monthly *L’Evenement*, Germain

Nama and Newton Ahmed Barry, to two-month suspended prison terms on libel charges, associated with a 2006 report connecting President Blaise Compaore's brother with Zongo's murder.

Burkinabe journalists faced other instances of harassment throughout 2007. In April, Karim Sama, the singer and radio host for Radio Ouaga who is also known as Sam's K le Jah, received death threats for publicly criticizing Compaore's government. In September, Sama's parked car was burned, although at year's end, the government had not taken action to investigate the case. In May, Thierry Nabyoure, a journalist with the private paper *San Finna*, was arrested and held for two days in response to an article critical of the head of the national gendarmerie. In June, Abdoul Salam Quarma, a correspondent with the Burkinabe Information Agency (AIB) based in the northern town of Titao, received death threats from a group of youth dissatisfied with a report he had written about a recent drinking-related death in the town.

Although the state-operated media function with a noticeable pro-government bias, the media are generally free of overt censorship. During 2007, several newspapers were openly critical of the government, despite the threat of censure. Radio is the most popular news medium, owing to the country's low literacy rate of only 24 percent and the high cost of newspapers and television sets. There are several private radio stations in addition to the state-run Radio Burkina, and a small number of private television stations broadcast alongside the state run Television Nationale du Burkina. Several private daily and weekly papers circulate in addition to *Sidwaya*, the official daily paper. Access to international print and broadcast media and the internet remain unrestricted by the government, but infrastructure limitations and poverty have held the percentage of the population able to access the internet at less than 1 percent.

Burma

Status: Not Free

Legal Environment: 30

Political Environment: 39

Economic Environment: 28

Total Score: 97

The Burmese media environment remained among the most tightly restricted in the world during 2007, with conditions worsening in August and September due to the authorities' crackdown on pro-democracy demonstrations led by Buddhist monks. Burmese authorities warned local journalists to refrain from covering the protests, and many local publications did not cover the demonstrations fearing retaliation. As a result of the demonstrations, as many as 15 journalists were detained, and a Japanese cameraman was killed. The ruling military junta, which has been in power for over 40 years, zealously implements a 1996 decree banning speech or statements that "undermine national stability," and those who publicly express or disseminate views or images critical of the regime are subject to harsh punishments, including lengthy prison sentences. Other laws require private publications to apply for annual licenses and criminalize the use of unregistered telecommunications equipment, satellite dishes, computers, and software.

Laws also criminalize the possession or distribution of videos that are not approved by state censors.

Private periodicals are subject to prepublication censorship under the 1962 Printers and Publishers Registration Act, which requires that all content be approved by the authorities. As a result, coverage is limited to a small range of permissible topics, publications are sometimes required to carry government-produced articles, and most publications are forced to appear as weeklies or monthlies. With the April 2005 establishment of the Press Scrutiny and Registration Division (PSRD), under the control of the Ministry of Information, all publications were required to reregister and provide staff, ownership, and financial information to the PSRD. Under new censorship rules in effect since July 2005, media are ostensibly allowed to offer “constructive” criticism of government projects and are allowed to report on natural disasters and poverty provided it does not affect the national interest. In recent years, however, there are also reports that the government has pressured private media outlets to publish articles critical of opposition.

Both local and foreign journalists’ ability to cover the news is restricted, with conditions worsening following the eruption of demonstrations in August 2007. At year’s end, nine journalists were still imprisoned, including the well-known journalist U Win Tin, who recently turned 77 and has been in prison since 1989. On August 20, authorities banned journalists from photographing demonstrations, and on September 27, soldiers shot and killed Japanese cameraman Kenji Nagai as he attempted to record the protests. During the year, as many as nine journalists were forced to leave the country due to the repressive media environment. A few foreign reporters are allowed to enter Burma only on special visas; they are generally subject to intense scrutiny while in the country and in past years have occasionally been deported. Foreign journalists were unable to obtain permits to attend the National Convention to cover the drafting of the constitution, and in September, many foreign correspondents found that their telephone lines had been cut. A number of Burmese journalists remain in exile; many work for Burma-focused media outlets in the neighboring countries of India, Bangladesh, and Thailand.

The government owns all broadcast media and daily newspapers, and exercises tight control over a growing number of privately owned weekly and monthly publications. While official media outlets serve solely as mouthpieces of the state, private media generally avoid covering domestic political news, and the vast majority of journalists practice extensive self-censorship. Many nominally private outlets are owned either by government agents or supporters. A stagnant economy, increased prices for newsprint, and a limited market for advertising revenue (following a 2002 ban on advertising Thai products) continue to threaten the financial viability of the private press. Following the publication of a subversive advertisement in a state-run paper in August 2007, the government issued 28 new guidelines designed to tighten censorship of advertising. Authorities restrict the importation of foreign news periodicals; for several weeks after the outbreak of protests, publications such as *Newsweek* and *Time*, as well as several Thai newspapers were not available. Although some people have access to international shortwave radio or satellite television, those caught accessing foreign broadcasts can be arrested, according to the Committee to Protect Journalists. In December, according to Reporters Without Borders, authorities raised the licensing fee for satellites from about US\$ 5 to US\$ 800. Nevertheless, as the only source of

uncensored information, foreign radio programs produced by the Voice of America, Radio Free Asia, and Democratic Voice of Burma are very popular.

The internet, which operates in a limited fashion in cities and is accessible to less than 1 percent of the population, is expensive, tightly regulated, and censored, with the government controlling all of the several dozen domestic internet service providers. Authorities have upgraded filtering and surveillance technologies and actively engage in blocking access to websites run by Burmese exile groups and to international e-mail services such as Yahoo!, Hotmail, and Gmail. Beginning in early 2007, authorities banned a growing number of websites and proxy sites that enabled regime critics to circumvent official censorship, and banned the video website YouTube in September. For a few weeks beginning in late September, the internet was virtually inaccessible due to government controls, and authorities restricted internet usage to only a few hours per day in October and November.

Burundi

Status: Not Free

Legal Environment: 21

Political Environment: 29

Economic Environment: 24

Total Score: 74

While the constitution provides for freedom of expression, this is rarely respected in practice; the government dominates the media and often persecutes those in the private sector who dare to criticize it. Much of the current media legislation is vague about which offenses a journalist may be charged for, a fact that is often taken advantage of by government officials. For example, the 1997 Press Law forbids the dissemination of “information inciting civil disobedience or serving as propaganda for enemies of the Burundian nation during a time of war.” The November 2003 Media Law also 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. In 2006, a new law was proposed that would more accurately define the responsibilities and limitations of journalists in Burundi, but no progress on this legislation was made in 2007.

In 2006, the government abused its consolidated power to implement a crackdown on media outlets that criticize its policies. In fact, according to the Committee to Protect Journalists, Burundi was Africa’s third leading jailer of journalists in 2006. The situation looked particularly bleak when a number of media outlets questioned the government’s allegations that a coup had been attempted against its regime and warranted the arrest and torture of several prominent opposition leaders. The dissenting media outlets—including Radio Publique Africaine (RPA), a frequent government target, and Radio Isanganiro, a station backed by the American NGO Search for Common Ground—were all charged with “violating state secrecy” and a number of their employees were sentenced to prison. However, the situation seems to have improved in 2007. For example, in January a court remarkably acquitted the three journalists who had been imprisoned and rejected the government’s assertion that their behavior compromised public security. Also, unlike the

previous year there were no reports of journalists having been harassed or arrested for being critical of the administration. Nonetheless, the events of 2006 have created a lot of fear within the private media outlets causing many journalists to self-censor.

The government dominates Burundi's media industry; it owns *Le Renouveau*, the country's only daily newspaper, as well as the only television station and the sole nationally broadcasted radio station. However, there are still six private newspapers that are able to publish on a weekly basis but are generally restricted to the Bujumbura area due to financial and infrastructure constraints. The ownership of the private radio stations tends to be highly concentrated, but some, like RPA, are still able to provide diverse and balanced coverage. The government doesn't actively limit the internet, but poverty does prevent the majority of Burundi's citizens from accessing this still very elite media. Less than 1 percent of the population was able to access it in 2007.

Cambodia

Status: Partly Free

Legal Environment: 19

Political Environment: 22

Economic Environment: 19

Total Score: 60

Though still home to a vigorous press, the Cambodian media environment deteriorated in 2007 as censorship and attacks on the press increased, leading at least two journalists to flee the country during the year out of fear for their safety. The constitution guarantees the right to free expression and a free press, and while the 1995 Press Law also theoretically protects press freedom, the government has used it to censor stories deemed to undermine political stability. Under Article 12, the employer, editor, or author of an article may be subject to a fine of 5 million to 15 million riels (US\$1,282 to US\$3,846). The law also gives the Ministries of Information and the Interior the right to confiscate or suspend a publication for 30 days and transfer the case to court. Article 13 states that the press shall not publish or reproduce false information that humiliates or is in contempt of national institutions. According to the U.S. State Dept, in December 2007, the Ministry of Information (MOI) issued a directive reasserting the above limits and prohibiting the running of stories that defame government leaders or institutions. In May 2006, the National Assembly dropped criminal charges for defamation, though civil suits with potentially onerous fines remain in law, as does potential imprisonment for the charge of "spreading disinformation." An estimated seven defamation suits were filed by government officials against journalists during the year, including three against the *Sralanh Khmer* newspaper, though none have been decided yet. In addition, at least one criminal case of disinformation was filed in Phnom Penh against the editor of the *Samleng Yuveachun Khmer*, a paper associated with prince and former Prime Minister Norodom Ranariddh's party, over an article that the municipal governor had sold city hall to developers. The journalist paid \$500 in bail in November, with the case still pending at the end of the year.

Press coverage is vigorous, and journalists regularly expose official corruption and

scrutinize the government. Partly for this reason, attacks against the press and censorship increased in 2007 after a lull in recent years. These were to a large extent related to the publication in May of a report by the London-based organization Global Witness, accusing individuals close to Prime Minister Hun Sen of involvement in illegal logging. In early June, the MOI ordered the confiscation of print copies of the report and directed newspapers to cease reproducing its contents. A news editor of the French-language daily *Cambodge Soir* was fired several days later, after continuing to reprint the report. One of the paper's owners then announced the paper's closure, sparking a strike by its staff and an outcry from international press freedom groups. The situation was somewhat resolved through mediation by the International Francophonie Organization, who partially funds the publication, and it was re-launched in October 2007 as a weekly publication, but with approximately half of the previous staff. Journalists from other publications who sought to further investigate deforestation also reported being harassed. In June, three journalists reported being beaten at gunpoint by a local official's bodyguard's in Pursat province and Lem Piseth, a reporter for Radio Free Asia, fled to Thailand for several weeks after receiving death threats. Several other attacks and acts of censorship were reported during the year, including a verbal attack by the Prime Minister against RFA reporter Um Sarim that was re-broadcast over national television, leading the journalist to flee the country for several weeks. In October, the MOI suspended *Khmer Amatak*, a pro-opposition newspaper, for one month after it refused to publish a "correction" the ministry had requested. In November, the authorities seized 2,000 copies of the debut issue of a foreign-funded magazine called *Free Press*, reportedly because of contents deemed insulting of the king. The publication's editor and distribution director subsequently went into hiding.

Journalists from more than 20 Khmer-language publications aligned with or subsidized by various political factions are unbridled in criticizing their adversaries and public officials but generally do not criticize the king. The ruling Cambodian People's Party, and its alternating coalition partners the royalist party Funcinpec and the Sam Rainsy Party each has its own newspaper. However, the government dominates both radio and television, the main media sources for the two-thirds of the population that are functionally illiterate, and broadcast programming generally reflects official viewpoints. Independent broadcast outlets' operations are constrained by the refusal to allocate radio and television frequencies to stations that are aligned with the opposition. This was evident in September 2007 when the MOI refused to issue a broadcasting license to the Cambodian Center for Human Rights for its Voice of Democracy radio station, though the previous month it had awarded a license to a CPP official to open a new Phnom Penh station. Nevertheless, alternative news sources are available through RFA, Voice of America, and Voice of Democracy programming aired by several local radio stations. According to a 2006 survey by InterMedia, over 30 percent of the population listens regularly to RFA, including 56 percent of those living in proximity to Phnom Penh. The economy is not strong enough to generate sufficient advertising revenues to support truly neutral or independent media. Access to the internet is generally unrestricted, although owing to infrastructure and economic constraints, less than 0.5 percent of the population was able to access the internet in 2007.

Cameroon

Status: Not Free

Legal Environment: 20

Political Environment: 24

Economic Environment: 21

Total Score: 65

The 1996 constitution provides for freedom of the press and of speech, but the government continued to restrict these rights in practice during 2007. There are no legal provisions guaranteeing equal access to information, and libel and defamation remained criminalized contrary to international standards and best practices. Although much of the independent press reports critically about the government, the threat of prosecution leads many, particularly within the broadcast media, to self-censor their material. Laws against libel and publishing allegedly obscene materials were used against journalists in several instances during 2007, including in April when journalist Georges Gilbert Baongla, the managing editor of the private weekly *Le Dementi*, was arrested on charges of publishing obscene material related to a story on a government minister's alleged involvement in a homosexual scandal. In May, Baongla received a six-month suspended sentence and was fined approximately US\$1,000. Among other reported cases, in August, Wirkwa Eric Tayu, publisher of the private weekly *The Nso Voice*, went into hiding and was shortly thereafter sentenced to one year in prison and was fined approximately US\$1,800 on charges of criminal defamation following reports on local government corruption in the northwestern town of Kumbo.

Journalists were also harassed, intimidated, and physically assaulted during 2007, in some instances by state security forces. In January, gendarmes raided the private Kumba-based Ocean City Radio station, assaulting several staff members, in response to a program airing at the time that detailed corruption within the gendarmerie; the gendarmerie commander issued an apology after the incident upon pressure from a local human rights group. Other instances of harassment included the July 23 attack by riot police on journalist Roland Tsapi with the Doula-based private daily *Le Messenger*, who had been covering a protest march by opposition groups against fraudulent legislative and municipal elections that took place earlier in the month.

There are about 25 regularly published newspapers, including the privately-owned *Mutations*, *La Nouvelle Expression*, and *Le Messenger*, as well as the state's *Cameroon Tribune*, which toes the government line in the majority of its coverage. Many of the private papers freely criticize government policies and report on controversial issues, including corruption, human rights abuses, homosexuality, and economic policies. Distribution problems and high government tariffs on production ensure that newspapers remain a uniquely urban phenomenon, although there are approximately 70 privately owned but unofficial radio stations. State-owned Cameroon Radio and Television (CRTV) broadcasts on both television and radio and was the only officially recognized and fully licensed broadcaster in the country until August 30, when the government granted licenses to two private television stations, Spectrum TV and Canal 2 International; one cable television network, TV+; and one private radio station, Sweet FM. Nonetheless, CRTV continues to receive financial assistance from the state, placing

independent broadcasters at a disadvantage. In general, the broadcast media are tightly controlled by the government, and discussion or advocacy of secession is strictly prohibited. Several rural community radio stations were established by UNESCO in 2006, though they are all limited in the range of their broadcast capacity and prohibited from discussing politics at all. Foreign broadcasters, including the British Broadcasting Corporation and Radio France International, are permitted to operate within Cameroon, but they must partner with the state-owned CRTV. Despite the signing into law of the National Anticorruption Commission, corruption is rampant in numerous sectors of the media; many journalists expect and accept payment from politicians for writing articles containing unsubstantiated allegations against their opponents. Access to the internet is not limited by the government, although slow connections and high fees at internet cafés served to restrict access to approximately two percent of the population in 2007.

Canada

Status: Free

Legal Environment: 4

Political Environment: 8

Economic Environment: 6

Total Score: 18

Canada's constitution of 1982 provides protection for freedom of expression, including freedom of the press. Defamatory or blasphemous libel remains a criminal offense under the federal criminal code. In November 2007, the Ontario Court of Appeals issued a groundbreaking decision to allow the new defense of responsible public-interest journalism in a defamation suit filed by a police officer against the *Ottawa Citizen*. Legislation on access to information guarantees journalists' right to information, but in practice access can be hindered by bureaucratic delays, government interference, and numerous exemptions allowing government officials to reject requests. Although a 2006 accountability bill has expanded the number of government entities covered by information laws, the bill has been criticized for including several loopholes that will allow officials to decline information requests. Following trends from past years, cases continued to be brought relating to a 2004 law under which reporters can be forced to present documents to the police if deemed vital for a criminal case. In June 2007, *Ottawa Citizen* reporter Gary Dimmock was ordered to produce his notes regarding allegations of bribery against Mayor Larry O'Brien. The appeal also continued of Ken Peters, a reporter for the *Hamilton Spectator* who was found in contempt of court in 2006 and fined C\$31,600 for refusing to give up a confidential source, though the source later came forward voluntarily. In a positive development, the Ontario Superior Court quashed a subpoena issued against Derek Finkle ordering him to turn over the research materials relating to a recently re-opened murder case. Similarly, the Quebec Labor Relations Board refused to force Karin Gagnon of *Le Journal de Québec* to reveal confidential sources from a story on asbestos in government buildings.

Journalists in Canada are generally free from violence or harassment. Nonetheless, the 1998 murder of journalist Tara Singh Hayer, most likely as a result of

his investigative work into the 1985 Air India bombing, remains unsolved. In addition, in April 2007, Jawaad Faizi, a journalist for *The Pakistan Post*, was injured after being attacked by two men wielding a cricket bat and threatening him to cease writing critically about the Pakistan-based religious organization Idara Minhaj-ul-Quran and its leader. Press freedom advocates also grew concerned over legal cases filed against journalists who wrote critically about Muslims and Islam, fearing the suits would encourage self-censorship. In 2007 the Canadian Islamic Congress filed complaints with human rights commissions in Ontario and British Columbia against *Maclean's* magazine, charging that a 2006 article by columnist Mark Steyn about global demographic trends subjected "Canadian Muslims to hatred and contempt."

Both print and broadcast media, which include the public Canadian Broadcasting Corporation (CBC), are generally free to express diverse views. The CBC broadcasts in French and English and provides television and radio services for indigenous peoples in the north. Broadcasting rules stipulate that 30–35 percent of material must be Canadian. Allegations of self-censorship on the basis of economic interests arose in November 2007, when CBC cancelled at the last minute the showing of a documentary about the Falun Gong spiritual group after coming under pressure from the Chinese authorities. The film was aired several weeks later, but only after certain segments had been removed, including comments by a prominent Canadian lawyer comparing the 2008 Beijing Olympics to the 1936 Berlin Games. The extent of media concentration and the influence of powerful media conglomerates such as CanWest Global Communications continue to limit media pluralism. The internet is generally unrestricted and is used by roughly 22 million Canadians, 65 percent of the population.

Cape Verde

Status: Free

Legal Environment: 6

Political Environment: 10

Economic Environment: 12

Total Score: 28

The constitution directly provides for freedom of the press, as well as confidentiality of sources, access to information, and freedom from arbitrary arrest. In recent years, the government has consistently demonstrated its ability to respect and protect these rights in practice, making Cape Verde among the freest media environments in Africa. 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. There were also no reported cases of intimidation or violence against journalists in 2007.

Much of the media is state operated, although there are a growing number of private publications and broadcast outlets. 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, and two new private newspapers were launched in September. Six independent radio stations broadcast regularly in Cape Verde, and there

are two foreign-owned television stations in addition to the state-owned radio and television stations. The government does not generally restrict access to the media that it controls, although opposition candidates reported difficulty in accessing airtime on the state broadcasters before the February 2006 presidential election. Self-censorship is also widespread among journalists and has been one of the largest obstacles in Cape Verde to the creation of a truly free press. 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, including the internet, which was accessed by just under seven percent of the population in 2007. There were no reports, however, that the government restricted internet access or monitored email messages, and foreign broadcasts are uncensored.

Central African Republic

Status: Not Free

Legal Environment: 19

Political Environment: 23

Economic Environment: 19

Total Score: 61

Status change explanation: Central African Republic's press freedom rating decreased from Partly Free to Not Free as authorities sought to limit commentary on continuing armed conflict in the north of the country.

The 2005 constitution provides for freedom of the press, though authorities have continued to use intimidation and legal harassment to limit reporting, particularly on sensitive topics such as official corruption and ongoing instability due to anti-government insurgencies. An overwhelming majority of voters approved the new constitution in a December 2005 referendum, recognizing the freedom to inform and express opinions as fundamental rights of the country's citizens. In addition, the new Press Law, which decriminalized many press offenses such as defamation and slander, was approved by President François Bozize in early 2005; criminal penalties remain for incitement to ethnic or religious hatred and for the publication or broadcast of false information that could "disturb the peace." Despite the 2005 press reforms, however, authorities demonstrated their willingness to use criminal prosecutions to limit critical reporting with the jailing of a prominent local editor and the banning of a private publication in 2007.

During 2007, the government attempted to restrict local journalists' commentary on ongoing insecurity in the north, where anti-Bozize rebels operate along with militias connected to the ongoing conflicts in neighboring Sudan and Chad. In early March, the government media regulator, known as the High Communications Council (HCC), suspended the Bangui-based private weekly *Centrafriqu'Un* due to an article criticizing alleged human rights abuses by soldiers from Chadian, a regional ally of CAR's government. On March 12, police arrested Michel Alkhaly Ngady, editor of the private weekly *Le Temps* and president of a local association of independent publishers known as GEPPIC. Ngady, one of the journalists who had previously received threats in connection

with his own reporting on the conflict, was charged with obstruction of justice for having criticized the HCC's suspension of *Centrafriqu'Un*; he was sentenced on April 2 to two months in prison and fined approximately \$635.

Several dozen newspapers were published in 2007, though only a handful appeared regularly. Many of these were privately owned, including at least three independent dailies, and most were able to report on political and economic issues. Nonetheless, meager salaries and real or self-imposed censorship in a less than dynamic media market continue to hamper the editorial freedom of news organizations. The private press is restricted almost entirely to the capital, the result of financial constraints and the lack of a reliable postal service as well as the danger of working in the countryside, where armed groups operate with impunity. The state remains dominant in the broadcast sector, and private radio stations, reined in by legal and financial restrictions, are often intimidated by the powerful. A prominent exception is Radio Ndeke Luka, managed by the Switzerland-based Fondation Hironnelle with support from the UN, which broadcasts on FM in the capital and occasionally on shortwave in the rest of the country. At year's end, license applications for two new television stations and one new radio station were pending, according to the U.S. State Department. Internet access is open and unrestricted and there are no reports that the government monitors email. However, the communications infrastructure is almost nonexistent outside of Bangui and less than one percent of the population was able to access this medium in 2007.

Chad

Status: Not Free

Legal Environment: 23

Political Environment: 30

Economic Environment: 21

Total Score: 74

Chad's constitution allows for freedom of expression, but authorities have routinely used threats and legal provisions criminalizing defamation and vaguely defined "incitement" to imprison journalists and censor critical reporting. In Chad's conservative, ethnically polarized society, many subjects are considered off-limits to the press, including the armed rebellion on the border with Sudan and recurring tensions among tribal clans. The High Council of Communication (HCC), the official media regulatory body, has the authority to suspend publications and broadcast outlets for defamation or excessive criticism of the government, particularly President Idriss Deby. The first five months of 2007 were dominated by a nationwide state of emergency, which subjected local newspapers to prior censorship and barred local media coverage of the opposition and the ongoing conflict in the east. Authorities imposed a state of emergency in eastern Chad in October that included blanket restrictions on nationwide media coverage, depriving Chadians of vital sources of information at a time of domestic conflict and instability.

During the year, journalists in Chad faced the threats of harassment and detention. On January 31, Marcel Ngargoto, a journalist with Radio Brakos, a critical station based in the southern town of Moissala, was detained without charge for two days; he was later

accused of “ruthless handling of sensitive news which could harm national cohesion,” according to Reporters Without Borders. In March, Adj Moussa, the director of the bimonthly *Le Mirroir*, received a six-month suspended prison sentence and a fine of approximately US\$50 for allegedly defaming a Catholic priest due to corruption allegations. In October, authorities detained three French journalists in eastern Chad who were traveling with Zoe’s Ark, the French nonprofit charged late in the year with involvement in child trafficking in response to the organization’s attempt to transport over one hundred purported Darfuri orphans to France for adoption. The journalists were held for 10 days on charges of complicity in kidnapping before being released on bail and allowed to leave the country, after intervention from France’s President Nicolas Sarkozy. Following the incident, authorities in eastern Chad tightened travel restrictions on journalists and NGO workers in the region, according to the France-based newspaper *L’Humanité*. In December, authorities arrested the prominent local journalist Nadjikimo Benoudjita, director of the private weekly *Notre Temps*, following an editorial critical of Deby. Benoudjita was charged with inciting ethnic and religious hatred and was detained for three days before leaving the country, according to Reporters Without Borders; the paper, however, remained closed at year’s end.

Private newspapers, some of which publish commentary critical of the government when not operating under prepublication censorship requirements, circulate freely in N’Djamena, but they have little impact on the largely rural and illiterate population; radio is the primary means of mass communication. The only television station, Teletchad, is state owned, and its coverage favors the government. Despite high licensing fees for commercial radio stations, there are over a dozen private and community-run stations on the air, some operated by nonprofit groups, including human rights organizations and the Roman Catholic Church. These broadcasters are subject to close official scrutiny, and those that fail to pay annual fees to the state are threatened with closure. There are no reports that the government restricts internet access, although according to the U.S. State Department, there are reports that the government occasionally monitors email. The intranet infrastructure remains government owned, and less than one percent of the population had access to this resource in 2007.

Chile

Status: Free

Legal Environment: 10

Political Environment: 12

Economic Environment: 8

Total Score: 30

Freedom of expression and the press is generally observed in Chile, but is hampered by a mistrustful judiciary, criminal press laws and military legal prohibitions that apply to civilians, and a concentration of press ownership that impedes political and cultural diversity in content. The Supreme Court in March briefly curtailed journalists’ movements in the courthouse and restricted interviewing, but journalist groups’ outcry prompted the court to rescind the decree after four days. The Supreme Court in August

upheld the conviction of three Chilevisión journalists who used hidden cameras to tape a meeting between a sauna manager and a judge investigating a pedophilia case involving politicians. The journalists each received a three-month suspended jail sentence. The story caused an uproar because the judge was removed from the case after divulging that he frequented gay sex establishments. At least two non-fiction books remain banned in Chile by court order, even though censorship no longer officially exists. On a positive note, the Bachelet government filed legislation in October that if passed would solidify the financial and legal position of the country's 400 licensed community radio stations. While celebrating the bill, the World Association of Community radio broadcasters called for restrictions on the territorial range and power of the stations to be lifted.

While violence against the press is limited in Chile, stories involving the 1973-1990 dictatorship remain sensitive. Argentine freelance TV journalist Benjamín Avila and his Chilean assistants Mario Puerto and Arturo Peraldi were arrested while covering a protest in front of the house of a former military officer suspected in the 1973 killing of foreign journalist Leonardo Henrichsen. They were beaten while in custody, and then released after the journalists association protested. Avila received death threats while in the hospital. Association officers received similar threats.

Press ownership is highly concentrated in the hands of two companies that received preferential treatment during the conservative military dictatorship that left power in 1989. This concentration and politically cautious advertisers are often offered as explanations for press docility. Job insecurity and an oversupply of journalists may also make reporters cautious. A survey of recent journalism graduates for the Superior Education Council, released in December, estimated that journalism schools are graduating nine times more journalists than there are jobs; 33% of recent graduates aren't working in journalism, even part-time, which is three times the national unemployment rate; 40% have a second job; 64% make less than \$400 a month; and less than 15% receive non-salary benefits such as healthcare. More than 44 percent of Chileans accessed the internet during the year.

China

Status: Not Free

Legal Environment: 28

Political Environment: 35

Economic Environment: 21

Total Score: 84

Despite moderate breakthroughs for investigative journalism and regulations providing somewhat greater access to foreign correspondents, the year 2007 was marked by a tightening of media control and internet restrictions in preparation for the 17th Party Congress, as well as the jailing of additional online journalists and bloggers. Article 35 of the Chinese constitution guarantees freedom of speech, assembly, association, and publication. However, other articles subordinate these rights to the national interest, which is defined by party-appointed courts. The Communist Party maintains direct control over the news media through its Central Propaganda Department (CPD),

especially with respect to news deemed politically sensitive. This control is reinforced by an elaborate web of regulations and laws, which are worded vaguely and interpreted according to the wishes of the party leadership. Routinely taboo topics include criticism of Party leaders, violations of minority rights in Tibet and Xinjiang, Taiwanese independence and Falun Gong.

Press freedom was further undermined in 2007 by new legislation aimed at controlling media coverage of unforeseen events. In November 2007, an emergency response law came into effect that allows media outlets' licenses to be revoked if they report "false information" about natural disasters, emergencies or government responses to them without obtaining prior authorization. Throughout 2007, the CPD and its top officials reportedly issued instructions that restricted media coverage of an estimated 20 new topics, including flaws in the legal system, the work of some human rights defenders, a deadly bridge collapse in Hunan Province, and relations with Taiwan surrounding the Olympic torch route. In addition to such pre-emptive restrictions, the Communist Party also implemented post-publication censorship, confiscating publications deemed to have "harmed social stability, endangered national security, or incited ethnic separatism."

Despite such restrictions, some journalists and media outlets were known to push the limits of permissible coverage, particularly in cases of local corruption. In an incident considered by many as a significant step forward for Chinese investigative journalism, in May 2007, Henan Television journalist Fu Zhengzhong exposed slavery in brick kilns in Shanxi Province that forced as many as 1,000 people—including abducted children—to work in inhumane conditions without pay. A wave of subsequent reporting led to raids on more than 2,500 kilns, the liberation of hundreds of workers, and the arrest of many officials with ties to the scandal. Nevertheless, within two weeks, the government imposed a media blackout on the subject and foreign journalists who sought to do follow up reporting on the slavery noted that they were followed by security personnel and harassed.

In general, journalists who attempted to investigate or report on controversial issues, criticized the Communist Party, or presented a perspective contrary to state propaganda continued to suffer harassment, job loss, abuse and detention. Huang Liangtian, editor-in-chief of the monthly *Bai Xing* was removed from his post after investigating harsh living conditions in rural areas. In October, an investigative reporter for the *China Economic Times*, Pang Jiaoming, reported that substandard materials had been used in concrete employed in the construction of the Wuhan-Guangzhou railway. The CPD and the government-sponsored All-China Journalists Association later issued a circular denouncing Pang's reports and barring his employment as a journalist by news organizations nationwide. In an additional pushback against investigative journalism, the government announced a crackdown on "false" news in August 2007 after a report by broadcast journalist Zi Beijia on the use of chemically treated cardboard in pork buns in Beijing; later that month, Zi was sentenced to one year in prison.

According to international media freedom watchdogs, at least 29 journalists and 51 cyber-dissidents were in prison in China at year's end, more than any other country in the world. At least nine journalists and online writers were detained during the year for information they had published on the internet, particularly on U.S.-based, independent Chinese news websites. In March 2007, internet writer Zhang Jianhong was sentenced to

six years in prison for publishing online articles calling for political reform on *Boxun* and *The Epoch Times* websites. In May, journalist Sun Lin and his wife were arrested on questionable charges of illegal weapons possession after Sun contributed several reports to *Boxun*, including one about the outlet's inability to receive accreditation to cover the Beijing Olympics. In August, He Weihua was reported to have been forcibly admitted to a psychiatric hospital, apparently in relation to postings on his *Boxun*-linked blog. During the year, writers Yang Zhengxue and Chen Shuqing were also sentenced to long prison terms on charges of "inciting subversion" after they criticized the government in online postings. At year's end, several other cyberdissidents—including prominent human rights defenders Hu Jia and Gao Zhisheng—remained in police custody, potentially awaiting sentencing. Violence against journalists also remained a concern in 2007. In January, a newly hired journalist at the *China Trade News*, Lan Chengzhang, was beaten to death while going to meet the owner of an illegal coal mine, who allegedly believed Lan sought to extort money in exchange for avoiding mention of the mine. In August, five journalists were reportedly beaten by unidentified assailants when they tried to report on a deadly bridge collapse in Hunan Province. In a positive development, two journalists were released in 2007: *New York Times* researcher Zhao Yan who was imprisoned in 2004, and Li Mingyong, former editor of the Guangzhou-based daily *Nanfang Dushi Bao*, who was released after serving half of his six-year sentence.

Due to technological advancements and efforts of overseas activists, the regime's task of suppressing information has become more difficult in recent years. For Chinese with foreign language ability, some foreign news reports accessible online present an alternate perspective to that available in the official media. A growing number of Chinese use proxy servers to circumvent internet restrictions, receive illegal satellite transmissions, and watch a plethora of pirated media products available in urban areas. However, the government has also taken steps to limit such access to more diverse sources of information, jamming shortwave radio broadcasts by Voice of America, Radio Free Asia, Sound of Hope, and the BBC. In the summer of 2007, the authorities also cracked down on local cable systems illegally transmitting foreign satellite broadcasts, particularly affecting the popular Hong-Kong based Phoenix TV station and reportedly causing the outlet to lose millions of viewers.

Despite official pledges to allow international media full freedom to report ahead of the Olympic Games, foreign journalists' ability to work remained severely restricted. On January 1, 2007, a series of new regulations came into effect removing travel restrictions on foreign media and allowing journalists to interview organizations and individuals without prior government consent. The new regulations, effective through mid-October 2008, include reporters from Hong Kong, Macau, and Taiwan but do not apply to mainland citizens. As correspondents sought to take advantage of looser travel regulations, however, incidents of harassment and intimidation of sources reportedly increased compared to previous years. A survey conducted by the Foreign Correspondents Club of China (FCCC) found that while journalists reported improvements in some areas, forty percent of respondents experienced some form of interference, including intimidation of sources, detention, surveillance, physical violence and death threats. According to the FCCC, it received 180 reports of violations of the new regulations during 2007, compared to 72 reports of harassment received from 2004 to 2006. While covering events in the restive areas of Tibet and Xinjiang remained

particularly difficult, the FCCC received reports of harassment in at least five other provinces, as well as Beijing and Shanghai. Tim Johnson, a reporter for the United States McClatchy newspaper chain, reported being warned by a Foreign Ministry official that the new rules for foreign journalists did not apply to Tibet. Some international press freedom monitors also reported difficulties obtaining visas.

Media outlets are abundant in China, but remain owned by the state as media reforms have allowed for the commercialization of outlets without the privatization of ownership. Most cities have their own newspaper published by the local government or Party branch and, according to the BBC, provincial and municipal stations of the state-run Chinese Central Television offer a total of over 2,000 channels. Though all Chinese media are state-owned, the majority no longer receive state subsidies and now rely on income from advertisements, which some argue has shifted the media's loyalty from the Party to the consumer. Economic incentives have also been known to contribute to self-censorship, however, as publications fear losing advertising revenue should they run afoul of powerful societal actors. Salary schemes generally pay journalists only after their reports are published or broadcast. When a journalist writes a report 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 for reports that are subject to censorship. This has resulted in a few outlets championing popular causes and printing embarrassing exposures of official malfeasance, though media personnel who engage in such journalism can be fired or arrested. Corruption among Chinese journalists remained common in 2007, with many journalists noting that they received payments from public relations firms for attending press conferences. Other journalists mentioned frequent use of bribery by corporations to pressure officials in Beijing to censor news stories considered harmful to corporate interests.

China has the world's second largest population of internet users after the United States, with an estimated 210 million people online, or just under 16 percent of the country's population. Though the government already employed an extensive surveillance and filtering system to prevent Chinese users from accessing material that was considered obscene, harmful to national unity, or politically subversive, efforts to censor and control internet content have increased in recent years. In 2005, the government introduced new regulations that bar websites from distributing information that violates the Chinese constitution, endangers national security, encourages illegal strikes, contains pornographic or violent content, or promotes unrecognized religious groups. In March 2007, the Ministry of Culture and the Ministry of Information Industries banned the opening of new internet cafés (113,000 were in existence at the time). Internet censorship was further increased prior to and during the 17th Party Congress in October 2007, during which the Party leadership for the next five years was endorsed. Between April and September, access to over 18,400 websites was blocked. The Committee to Protect Journalists reported that in September, security agencies in several regions ordered Internet Data Centers (IDCs), which host large numbers of websites and blogs, to suspend their services or disable interactive features—such as bulletin boards and comment sections—during the Congress meeting.

Several other steps were taken by the government to restrict internet access during 2007. In an apparent effort to overcome difficulties monitoring audio-visual content with

automated filtering technology, on December 20, the SAFRT and the Ministry of Information Industry issued a regulation requiring websites with audio-visual content to apply for permits. The regulation, which potentially affects 60,000 sites, also banned audio-visual content deemed to fall into vaguely defined categories such as opposing the principles of the PRC constitution, harming national unity, contributing to ethnic divisions, or disrupting social harmony. In some instances restrictions were imposed on a local level. After bloggers supported a protest against construction of a chemical factory near the southern city of Xiamen, the municipal government adopted measures requiring internet users to provide their real names when posting material on more than 100,000 websites registered in the city. Foreign internet companies have largely cooperated with the Chinese government on censorship enforcement. The Chinese-language search engines of the U.S. firms Yahoo!, MSN, and Google filter search results and restrict access to information about topics deemed sensitive by the Party such as the Falun Gong, Tibetan independence, and human rights. In August 2007, Yahoo! and Microsoft were among a number of internet companies and service providers to sign onto a “self-discipline code” in which they agreed to encourage bloggers to register under their real names, as well as to delete “illegal and unhealthy” postings. The government has also been known to monitor personal communications, including e-mails and cellular telephone text-messaging.

Colombia

Status: Partly Free

Legal Environment: 13

Political Environment: 30

Economic Environment: 16

Total Score: 59

Freedom of the press is guaranteed by the 1991 constitution, but journalists have trouble exercising their rights in a country racked by a complex armed conflict involving left-wing guerrilla organizations, drug traffickers, paramilitary groups, and government security forces. Human rights organizations repeatedly expressed dismay over comments made by high-ranking government officials, including President Alvaro Uribe, who have chastised journalists for their reporting on the war. Journalists believe that such commentary stigmatizes them and puts them at risk for retribution. Though legal actions against journalists have declined in recent years, occasional criminal complaints and civil lawsuits continue to be filed against media outlets and reporters. Colombia’s penal code does not contain provisions allowing journalists to be charged with contempt, but it does allow for slander and libel to be filed as criminal charges. The criminal procedure code also allows prosecutors to execute searches in advance of securing a warrant; this provision could make it easier for prosecutors to seize notes or information kept by journalists. In addition, media watchdogs decried as prior censorship a January court decision in Barranquilla that barred a local newspaper from disseminating further information regarding the results of a corruption investigation. In May, a large telephone-

tapping scandal was uncovered that included at least 13 journalists. Also in May, the new Colombian Federation of Journalists was formed to advocate on reporters' behalf.

Colombia remains the most dangerous country for journalists in South America, and violence and harassment of journalists by state and nonstate actors are the primary impediments to a free media. The Bogota-based watchdog Fundacion para la Libertad de Prensa (FLIP) reported a 16% increase in violations of press freedom in 2007, with a spike in incidents occurring during September and October during the run-up to local and regional elections on October 28. Two journalists were killed during the year in acts potentially related to their occupation. In Choco, reporter Elacio Murillo Mosquero was shot and killed on January 10 in an incident, possibly in retaliation for his reports on the movements of armed groups in the area. Radio reporter Jose Dario Arroyave was killed in September in Cartago; authorities claimed it was unrelated to his work but past run-ins with local functionaries over corruption denunciations caused doubts among colleagues. Numerous threats against journalists occurred throughout the country, forcing at least 16 journalists to go into hiding or exile. Since 2000, the Ministries of Justice and the Interior have operated the Journalist Protection Program to assist with security, transportation, financial aid, and assistance to leave the country if necessary for those journalists who become targets; however, FLIP reported that of the 102 cases in which protection was recommended, in 45 the suggested measures went unimplemented. In sensitive cases, local journalists often consider it safer to leak information to large national outlets for publication or broadcast rather than break the stories themselves.

Paramilitaries and FARC rebels were implicated in the greatest number of threats and attacks against journalists. In August, the FARC threatened broadcasters in Arauca that they would suffer consequences if they refused to air rebel communiqués. Security forces were implicated in over a dozen violations of press freedom, often in the context of protests against state policies. In addition, FLIP reported that 90% of journalists believe that the government manipulates information regarding the armed conflict. Government investigations and prosecutions for crimes against journalists have been slow and inconclusive, contributing to an atmosphere of impunity. In 2005, the government established a special unit in the Office of the Public Prosecutor to deal specifically with cases involving the assassination of journalists, but the unit has been hamstrung by insufficient personnel and budgetary resources. Little progress was reported in the investigations into three murders committed in 2006, but several older cases received new boosts due to information divulged in the courtroom by paramilitaries engaged in a demobilization process. Unfortunately, the press was not allowed to view the testimony of these ex-fighters directly, making them reliant on information from prosecutors and often-intimidated victims.

Politicians, especially at the local level, frequently denounce members of the press as enemies. In 2007, President Uribe again mixed firm rhetoric regarding the need to protect provincial journalists' right to report with a display of anger toward individual reporters. Daniel Coronell of *Semana*, Carlos Lozano of *Voz*, and Gonzalo Guillen of Miami's *El Nuevo Herald* all experienced the wrath of Uribe for what the president considered irresponsible reporting; Guillen was forced to leave the country after receiving two dozen death threats. However, the press continued to play a prominent role investigating the "*parapolitica*" scandal concerning links between paramilitaries and the government.

Most of the country's media outlets are controlled by groups of private investors. The government operates 1 educational and 2 commercial television stations along with a national radio network. Although the Ministry of Communications has been active in promoting the development of community radio station, and over 400 stations are currently in operation, these stations sometimes come under pressure both from the government and from armed actors. Government advertising is an important source of revenue since local media depend heavily on advertising by provincial and municipal agencies in order to stay in business. Low salaries add to this financial dependence, which creates a powerful incentive for collusion among media owners, journalists, and officials that affects editorial views and news coverage. There is a widespread perception that journalists accept bribes in exchange for biased coverage. In August a majority stake in the country's paper of record, *El Tiempo*, was sold to Spanish investors. There were no reported cases of government monitoring or censoring the internet, which was used by roughly 22 percent of the population in 2007.

Comoros

Status: Partly Free

Legal Environment: 14

Political Environment: 25

Economic Environment: 15

Total: 54

Although freedoms of speech and of the press are protected by the 2001 constitution, in practice, journalists are subject to harassment and harsh defamation laws. Conditions for journalists worsened during 2007 following the eruption of tensions between the central government and the semi-autonomous island of Anjouan, where presidential elections were held in June to reelect Mohamed Bacar, despite the central government's opposition. However, the media environment 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 in response to Bacar's attempts to limit criticism of his regime.

On May 16, gendarmes on Anjouan detained four journalists for a day following their attempts to secure transmitters that Bacar's supporters had damaged. On May 30, copies of the independent monthly *L'Archipel* were removed from stores by union police, due to pictures of soldiers who had been captured on Anjouan. In June, Elarifou Minihadji, a reporter with the Grand Comore's regional government station, Radio Ngazidja, was held and subject to mistreatment by gendarmes on Anjouan for covering a demonstration at the island's airport in response to the arrival of African Union (AU) mediators. Furthermore, in early August, two journalists with Djabal Television, a private station based in Grand Comore that was the only station to cover events in Anjouan since June, were barred from purchasing airline tickets to the island to cover Independence Day events. In December, Kamal Ali Yahoudha, the head of the Anjouan branch of the national broadcasting office, was forced into hiding to escape arrest due to his suspected opposition to the Anjouan authorities.

Comoros has several independent newspapers and one state-owned weekly, *Al-Watan*. In addition to the state-owned Radio Comoros and Television Nationale Comorienne, there are several other regional and private stations, which have proliferated in recent years and are funded predominantly by donations from locals as well as from citizens living abroad. Although the Internet is available and unrestricted by the government, poverty, illiteracy, and a poor telecommunications infrastructure have severely limited access, which was used by an estimated 3 percent of the population in 2006.

Congo, Republic of (Brazzaville)

Status: Partly Free

Legal Environment: 17

Political Environment: 17

Economic Environment: 17

Total Score: 51

The constitution provides for freedom of the press, although several types of expression are considered to be criminal offenses, including incitement to ethnic hatred and violence. Following legal reforms in 2001, many press offenses are punishable by fines rather than imprisonment, including libel and publishing “false news.” Nonetheless, these fines are often excessive and quickly handed down to publications critical of the government. Local journalists employed by international media outlets, as well as those employed by the state-run media, have been stripped of accreditation for reporting perceived to be overly critical of the government.

According to the press freedom organization *Journaliste en Danger* (JED), which is based in neighboring Democratic Republic of Congo, no direct attacks on journalists in Congo-Brazzaville were recorded in 2007. However, in June, two local television journalists reported receiving threats in connection with their coverage of the opposition during June legislative elections, according to the U.S. State Department. Self-censorship by journalists in response to subtle intimidation remained a problem.

In 2007, over 15 private weekly newspapers were published in the capital, Brazzaville, and provided some scrutiny of the government, although the print media did not circulate widely beyond major urban centers. There was one state-owned newspaper, *La Nouvelle République*, as well as a number of private publications believed to be allied with the regime of President Denis Sassou-Nguesso. Radio remains the most popular nationwide; although there were three privately owned radio stations and four privately owned television stations, the government has been slow to loosen its grip on the broadcast sector and continues to run three radio stations and one television station. Political parties are not permitted to own radio stations or television channels. Although several private radio and television stations have gained permission to broadcast in recent years, they rarely criticize the government. There are no reports that the government restricts internet usage or monitors email, although less than two percent of the population had access to this resource in 2007, and was concentrated in mainly urban areas.

Congo, Democratic Republic of (Kinshasa)

Status: Not Free

Legal Environment: 25

Political Environment: 32

Economic Environment: 24

Total Score: 81

The law provides for freedom of speech and of the press, but these rights are limited in practice by President Joseph Kabila's government and various non-state actors, including an insurgent movement led by the Rwanda-backed commander Laurent Nkunda. Officials used an array of prohibitive licensing regulations, criminal libel laws, and legal provisions allowing "preventive detention" without due process to restrict free speech and suppress political criticism. At least three local journalists were convicted on criminal defamation charges in 2007 for articles addressing public sector corruption, including editor Rigobert Kwakala Kash of the private weekly newspaper *Le Moniteur*, who was sentenced in January to 11 months in prison for allegedly libeling the transitional governor of Bas-Congo, but was released after serving 35 days. Two other convicted journalists went into hiding for fear of arrest. In October, Information Minister Toussaint Tshilombo banned 22 local private television stations and 16 radio stations for alleged noncompliance with national media laws; most were allowed to resume broadcasting by year's end. Media outlets also remained subject to regulation by the High Authority on Media (HAM), a public agency created under the 2002 peace accord that formally ended the civil war within the Democratic Republic of the Congo (DRC). Some HAM decisions have appeared politically motivated, such as the May closure of the private broadcaster Radio Television Debout Kasai for allegedly defaming the local governor.

Multiparty presidential elections were held in 2006 for the first time since independence from Belgium in 1960. Kabila, who had led the country's transitional government since 2002, won in an October runoff against his main rival, former rebel leader Jean-Pierre Bemba. Subsequent violent clashes between government soldiers and fighters loyal to Bemba led to reprisals against media outlets linked to Bemba and journalists who had covered the violence; Bemba went into exile in April and was charged in absentia with high treason. In March, two television stations and one radio station owned by Bemba were forced to close following a raid by government security forces. Local journalists were vulnerable to violent assault, harassment, and arbitrary imprisonment; during the year, two journalists were killed, ten served time in jail, and as many as 54 were questioned by security forces, according to Reporters Without Borders. In June, Serge Maheshe Kasole, a journalist with the internationally funded Radio Okapi network, was shot dead in the eastern city of Bukavu. Two soldiers and two of Maheshe's friends were convicted of murder and sentenced to death despite a complete lack of evidence against them, according to the local press freedom organization Journaliste en Danger (JED); all four were still in jail and awaiting appeal at year's end. In August, freelance photojournalist Patrick Kikuku Wilungula was killed by gunmen in the eastern

city of Goma. While military tribunals convicted several individuals in 2007 in connection with the 2005 murder of investigative journalist Franck Ngyke Kangundu and his wife and the 2006 murder of journalist Louis Bapuwa Mwamba, JED criticized the official investigations and reported that these cases remained far from resolved. JED staff also received death threats during the year, forcing Secretary-General Tshivis Tshivuadi and President Donat M'baya Tshimanga to go into hiding temporarily during August.

The DRC boasts hundreds of private newspapers, radio stations, and television stations. While not always objective, the private media are often highly critical of the government. As illiteracy rates are high and few newspapers circulate outside of urban centers, the majority of the population relies on radio broadcasts for news. The state operates two radio stations as well as a television station and an official press agency. Journalists in all major media outlets are usually poorly paid and lack sufficient training, leaving them vulnerable to bribery and political manipulation. Together with the Swiss-funded Fondation Hironnelle, the United Nations mission in the DRC (MONUC) operates an independent countrywide radio network, Radio Okapi, which has set new standards for reporting and media objectivity in a volatile political scene. There are no reports that the government restricts internet usage or monitors email, although access was limited to less than one percent of the population, mainly in urban centers.

Costa Rica

Status: Free

Legal Environment: 6

Political Environment: 7

Economic Environment: 6

Total Score: 19

Costa Rica's press environment is considered to be among the freest in Latin America. Freedom of communication is guaranteed under Article 24 of the constitution, which also reserves the government's right to seize private documents. However, strict libel laws provide for penalties of up to three years' imprisonment in cases of insult of a public official, though these have been under review since 2004. Article 7 of the 1902 statute known as the *Ley de Imprenta* imposes a prison sentence of up to 120 days for defamation in print media. A reform proposal regarding press freedom is still pending. The amended law would establish the "actual malice" standard, though it would maintain "crimes against honor" as a criminal matter and would provide the means for journalists charged with such offenses to defend themselves legally. Access to official information remains a challenge for journalists.

There were no major developments threatening press freedom in Costa Rica in 2007, and some pending legal cases were resolved in courts. In April, the Constitutional Chamber issued a ruling which refined the legal definition of both the right to privacy and the right to be informed. At the center of the case was an interview conducted on hidden camera by the television program "Noticias Repretel" which reported on the issues of illegal entry of foreigners and the lax policy of issuing of entry visas. The court's ruling defended civil society by concluding that the right to be informed took

precedence over privacy considerations in this case. In June, a judge awarded restitution to the newspaper *La Nación* for US\$120,000, the amount of damages which the publication was forced to pay former diplomat Félix Pzerdborsky for defamation.

In a positive development against impunity, two men were sentenced in December to 35 years imprisonment for the murder of Parmenio Medina, a popular radio journalist who was killed in July 2001. A court convicted businessman Omar Chaves of sanctioning Medina's murder and Luis Alberto Aguirre Jaime of carrying out the assassination. A third accused plotter, Father Mínor de Jesús Calvo Aguilar, was acquitted in the criminal case but convicted of fraud and sentenced to 15 years, in addition to a second fraud charge carrying 12 year's imprisonment. Six other suspects accused in the Medina murder conspiracy were acquitted.

Costa Rica has a vibrant media scene, although private media ownership is highly concentrated and generally conservative. Radio is the most popular outlet for news dissemination, though several daily newspapers are widely circulated. Access to the internet is unrestricted, and nearly 30 percent of the population made use of this medium in 2006.

Cote d'Ivoire

Status: Not Free

Legal Environment: 20

Political Environment: 27

Economic Environment: 19

Total Score: 66

The constitution provides for freedom of the press, but since the 2002 rebellion that divided the country into government and rebel-held portions, the government has reduced media freedoms in the name of patriotism and national unity. This situation improved slightly in 2007 with the signing of a peace accord between the government and rebels, and the dismantling of the confidence zone that separated the country into north and south. The removal of this internal has made it a bit easier for journalists and others to travel around the country in pursuit of a story. Yet despite these improvements, journalists continued to face the almost constant threat of defamation suits and the possibility of interrogation and imprisonment for articles critical of the president.

Parliament scrapped criminal libel and other punitive laws for press offenses in December 2004. However, the government still retains the power to criminalize any libel suit at its discretion. Although this power was not used in 2007, one journalist with the private daily *Soir Info* was imprisoned for five days in January on contempt of court charges after he published an article accusing the state prosecutor of corruption. In addition, a great number of journalists were charged with defamation in the civil courts, often receiving crippling fines. For example, in September lawyers representing President Laurent Gbagbo himself have demanded financial compensation from five journalists at two pro-opposition newspapers, *Le Jour Plus* and *Le Rebond*, for publishing articles accusing the president of corruption. Gbagbo initially demanded compensation of over US\$300,000 from each defendant. His lawyers have instead requested US\$43,000 from

each—a smaller sum, but still one that would ruin both papers. The cases were undecided at year's end.

Journalists are vulnerable to physical and other abuses by police and extralegal militia, although the situation improved slightly over the previous year. In 2006, the militant progovernment Young Patriots had taken over the state-run Radiotelevision Ivoirienne (RTI) to broadcast hate speech threatening and beating those who resisted. While nothing to such an extreme took place in 2007, extralegal militia did see media houses as easy targets. In August, the progovernment student militia, the Student Federation of Côte d'Ivoire (FESCI), attacked the offices of L'Intelligent d'Abidjan, a private daily newspaper, threatening the staff if they did not publish a protest letter. The letter was in response to an article the paper had published alleging that FESCI had joined the opposition and had been refused three days prior. Similarly, from May four separate media houses—three progovernment and one affiliated with the opposition—were broken into in the middle of the night and robbed of documents, equipment and money. In all cases of attacks on or harassment of journalists in the past two year, no one has yet been prosecuted or even charged with these crimes.

Despite these multiple forms of intimidation of the media, journalists continue to publish aggressive stories that are critical of both the government and opposition politicians. Yet the government maintains control over the state-run media with a heavy hand. It runs two major radio stations, one of which is the only national station and a key source of news throughout the country. It also runs a daily newspaper, *Fraternite Matin*, which has the highest circulation in the country and regularly toes the government line.

Internet access, though severely constrained by poverty and infrastructure limitations (only 1.5 percent of the population was able to access the internet in 2007), is unrestricted by the government.

Croatia

Status: Partly Free

Legal Environment: 9

Political Environment: 13

Economic Environment: 14

Total Score: 36

Freedom of the press is enshrined in the constitution, and it is generally protected in practice. Amendments to the criminal code in 2006 eliminated imprisonment as a punishment for libel, leaving fines as the only sanction. Government officials occasionally use libel laws against the media. Croatian journalists have also faced contempt of court charges at the UN International Criminal Tribunal for the former Yugoslavia. Previous cases have involved the revelation of information on protected witnesses, but in 2007, the tribunal summoned several journalists for questioning on the leak of a confidential annex to the indictment of three high-profile Croatian defendants. The document named senior public officials as unindicted participants in the alleged criminal enterprise at issue in the case. Press freedom advocates argued that the information was revealed in the public interest, and that many of the summoned reporters

had merely picked up the story after it was first broken by state-owned Croatian Radio and Television (HRT). Regulatory agencies, such as the Council for Electronic Media, are seen as politically independent, but critics have complained of poor professional standards and a lack of transparency in regulatory decisions.

State-owned media, which dominate the broadcast market, remain vulnerable to potential political interference. However, they generally operate with independence, and they complied with rules granting equal airtime to candidates and parties during the 2007 parliamentary election campaign. Croatian newspapers displayed their willingness to publish information embarrassing to the government in December, when photographs of Interior Minister Ivica Kirin on a boar-hunting trip with indicted war crimes suspect Mladen Markac led to Kirin's resignation. Markac was supposed to have been confined to his home pending trial at the UN tribunal. Journalists are subject to occasional harassment by the authorities, physical threats, and violence, particularly when their reporting touches on Croatia's role in the 1991–95 Balkan conflict. In January 2007, for the second time in as many months, burglars broke into the home of *Globus* magazine investigative journalist Gordan Malic, who had received death threats in the past. Robert Valdec, host of the television program *Istraga* on the private station Nova TV, received a series of death threats during the first three months of the year. *Istraga* regularly investigated criminal cases, including war crimes. Freelance journalist Zeljko Peratovic was arrested and held for one day in October, apparently as part of a probe into the leaking of state secrets involving war crimes.

HRT benefits from both mandatory subscription fees and revenue from advertising. In addition to the public broadcaster, two privately owned national television stations, more than a dozen smaller stations, and approximately 130 radio outlets compete for audiences. Small broadcasters are often owned or financed by local governments, leaving them open to political influence. Many Croats also have access to various European channels via satellite. Ownership of print outlets is increasingly concentrated in the hands of large media groups, including Europa Press Holdings (EPH), which is half-owned by Germany's Westdeutsche Allgemeine Zeitung (WAZ). Journalists reportedly practice self-censorship to protect the economic interests of owners and major advertisers. In June 2007, the investigative and satirical weekly *Feral Tribune* was temporarily shuttered after the government emptied its bank accounts to recover a tax debt; the paper resumed operations after EPH acquired it and took on the debt. The *Tribune's* supporters noted that authorities had previously forgiven tax debts owed by state-financed outlets, and that top advertisers had essentially boycotted the paper over its critical reports, crippling its finances. Some observers argued that the country's value-added tax of 22 percent should be lowered for the media industry. The state does not restrict the foreign press or internet access, and some 35 percent of the population used the internet in 2007.

Cuba

Status: Not Free

Legal Environment: 30

Political Environment: 36

Economic Environment: 28

Total Score: 94

The transfer of power from President Fidel Castro to his brother, Raúl, has done nothing to alter the fact that Cuba has the most restrictive laws on free speech and press freedom in the hemisphere. However, some independent journalists told the Committee to Protect Journalists that official harassment declined in 2007, with fewer detentions and direct threats.

The constitution prohibits private ownership of media and allows free speech and press only if they “conform to the aims of a socialist society.” Cuba’s legal and institutional structures are firmly under the control of the executive. The country’s criminal code provides the legal basis for the repression of dissent, and under the guise of protecting state security, laws criminalizing “enemy propaganda” and the dissemination of “unauthorized news” are used to restrict freedom of speech. 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 jail sentences of 3 to 10 years for “anyone who, in a direct or indirect form, collaborates with the enemy’s media,” is aimed at the independent news agencies that send their material abroad.

During the year, two journalists were freed from prison, but two more were imprisoned, leaving a total of 24 journalists remaining in long-term detention. Ramón Velázquez Toranzo, of the *Libertad* agency, was sentenced on January 23 to three years in prison under a criminal code provision that allows the Cuban authorities to imprison any citizen as a potential danger to society, even if they have not committed a crime. Oscar Sánchez Madan, a Matanzas province correspondent for the Miami-based Cubanet web site, was arrested on April 13 by members of the State Security police. He was given the maximum sentence of four years in prison for contravening the same criminal code. On September 27, 6 journalists were among some 30 government opponents arrested at a peaceful demonstration to support political prisoners staged in the capital, Havana. They were freed the next day. Three foreign journalists were forced to leave the country in 2007. The Havana correspondent of the US daily, *Chicago Tribune*, Gary Marx, and the correspondent for the Mexican daily, *El Universal*, César González-Calero, had their press cards cancelled in February and were told to leave the country. The following day, the BBC correspondent, Stephen Gibbs, was prevented from re-entering the country, and eventually had to leave his post. In April, the sole legal outlet for critical commentary and analysis first suspended publication, and then reappeared with a much less critical focus.

The government owned all media except for a number of underground newsletters. The government operated four national television stations, six national radio stations, one international radio station, one national magazine, and three national newspapers. None enjoyed editorial independence. More positively, a growing trend is the proliferation of ‘blogs’. According to the US State Department, the Cuban blogs, mostly written under pseudonyms, contain “confident and caustic references about today’s situation in Cuba.” The authors connect to the internet in private cybercafés or using passwords bought on the black market. State control of internet access remained tight. The general population can only log on from hotels or government-controlled internet cafés by means of voucher cards that are expensive and often difficult to find.

Cyprus

Status: Free

Legal Environment: 5

Political Environment: 9

Economic Environment: 8

Total Score: 22

Freedom of speech and expression are guaranteed under Article 19 of the constitution. These rights are generally respected in practice in the Greek part of Cyprus, where the independent press is vibrant and frequently criticizes authorities.

Some laws are in place for freedom of the press in the northern, Turkish part of Cyprus, but authorities are overtly hostile to the independent press, and journalists can be arrested, put on trial, and sentenced under the “unjust actions” section of the criminal code. Although Turkish Cypriot journalists can enter the south, Turkish journalists based in the north are often denied entry across the border. Harassment of Turkish Cypriot journalists by Greek Cypriot border guards and ultranationalist Greek Cypriot groups has been reported by the U.S. State Department. The government has frequently targeted independent newspapers; in December 2006, Dogan Harman, editor of the *Kibrisli* paper, was charged with defamation of the attorney general following the publication of a critical article. The case was later dismissed when the law used to charge Harman was retroactively repealed. The newspaper *Afrika* has been a particular target for attack in Northern Cyprus in recent years. In February 2007, *Afrika* cartoonist Huseyin Chakmak, a vocal supporter of the reunification of Cyprus, was attacked by a group of men throwing stones and tomatoes. *Afrika* journalist Ibrahim Aziz was threatened following the publication of an article criticizing the treatment a Greek Cypriot businessman who died while imprisoned in Northern Cyprus. In October, right wing groups who claimed the newspaper was supporting terrorism gathered outside *Afrika*'s offices and threatened journalists. The demonstrators claimed that the newspaper was serving as the voice of a Kurdish group by publishing photographs of Turkish prisoners which had earlier appeared on a Kurdish website.

Cypriots have access to Greek and Turkish broadcasts. There are eight major dailies, approximately 27 weekly newspapers, and six major magazines available. However, many daily newspapers are closely linked to political parties. The Cyprus Broadcasting Corporation owns two television stations and four radio stations. Several private television and radio stations compete effectively with government-controlled stations. Ownership is highly concentrated. There are several daily newspapers available in Northern Cyprus, although mainland Turkish papers are generally preferred. The broadcasting service is controlled exclusively by the Turkish Cypriot administration. Approximately 33 percent of Cypriots are able to access the internet on a regular basis and are not subject to any known government restrictions.

[The numerical rating for Cyprus is based on conditions on the Greek side of the island.]

Czech Republic

Status: Free

Legal Environment: 4

Political Environment: 7

Economic Environment: 7

Total Score: 18

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 were later bolstered by Constitutional Court and other institutional rulings reinforcing journalistic freedoms.

No major changes took place in 2007, though high government officials did call for stricter regulation of the media. Media freedom advocates have noted a growing number of articles written to serve the needs of commercial interests. While press freedom has long been secure in the Czech Republic, observers continue to raise concerns over the quality and depth of reporting, as well as weak accountability in particular of the tabloids.

Most electronic and print media outlets are privately owned, and they generally represent diverse views without fear of government or partisan pressure. Media advocates point out that while public media are widely respected, their financial sustainability has been undermined by stricter control of public resources and by increasing restrictions on advertising. As a result, recent years have seen a gradual migration of resources from public-sector media to commercial media outlets. The Internet continues to develop rapidly, with over 50 percent of the population enjoying regular and unrestricted access.

Denmark

Status: Free

Legal Environment: 2

Political Environment: 3

Economic Environment: 5

Total Score: 10

Freedom of speech and expression are protected in Section 77 of the constitution, and the government generally respects these rights in practice. However, certain legal restrictions exist for libel, blasphemy, and racism. In July, a group of Danish Muslim organizations was forced to pay Pia Kjaersgaard of the Danish People's Party US \$7,400 after losing a libel case that they brought against her. Kjaersgaard was accused of libeling a group of Muslims by calling their trip to the Middle East in 2006 "treasonous", when they traveled abroad to raise awareness of controversial Mohammad cartoons. In an unprecedented legal move, an Icelandic bank, Kaupthing Bank, is attempting to sue Danish newspaper,

Ekstra Bladet, in a British court for libel, the first time a Danish paper has been sued abroad. In 2006, the paper ran a series of articles accusing bank employees of being ‘tax fiddlers’ for a scheme that involved attempting to avoid paying taxes in Denmark by transferring funds between countries. The newspaper translated the articles into English and posted them on the internet, making them vulnerable to legal action in England. The case was still pending at the year’s end.

The private print press is vibrant, though many papers have political affiliations. Government subsidies are available to the press, as are low-interest loans for struggling newspapers. State-run television and radio broadcasting is financed by an annual license fee. TV2 is a privately-run but government owned television network, and satellite and cable television is also available. In Greenland, a journalist was forced out of her position at public broadcaster KRN after she reported critically on a state-owned tannery. The broadcaster was concerned that her reporting would “put Greenland in a potentially bad light.” In March 2007, reporters at public broadcaster DR forced program cancellations when they walked out in protest over planned workforce cuts. Over 300 employees will lose their jobs to save money for the broadcaster whose budget for a new headquarters building is running 250 percent higher than originally planned. A follow up protest occurred in June, as employees expressed concern that the cuts will cause the quality of programming to suffer. Separately, it was found that over 10 percent of the Danish population does not pay the obligatory annual license fee, costing DR approximately 641,418,158 DKK (US\$138 million) per year. The government does not restrict use of the internet, which was accessed by 70 percent of the population in 2007.

Djibouti

Status: Not Free

Legal Environment: 24

Political Environment: 25

Economic Environment: 23

Total Score: 72

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, and journalists frequently face harassment. The U.S. military presence in Djibouti creates additional pressures for self-censorship, as journalists are encouraged to refrain from reporting on soldiers’ activities.

On February 1, authorities confiscated printing equipment from the Movement for Democratic Revival (MRD), prohibiting the opposition party from printing its newsletter, *Le Renouveau*. The paper’s managing director, Houssein Ahmed Farah and three other staff members were arrested on charges of libel and detained for two days. The arrests followed critical coverage of the governor of the national bank, who is also President Ismael Omar Guelleh’s brother-in-law. Authorities subsequently suspended the paper’s production for three months. Houssein Ahmed Farah was detained again on May 6 for approximately one week. On June 3, authorities arrested Farah Abadid Hildid, a *Le Renouveau* employee and MRD member, and was sentenced to one month imprisonment

on June 14 on charges of disseminating false information. According to the media advocacy group Reporters Without Borders, Djibouti has joined the ranks of Eritrea and Equatorial Guinea as one of the three Sub-Saharan African countries without a private paper, although Djiboutian law technically permits all registered political parties to publish a paper.

Because of high poverty levels, radio is the most popular news medium, as few Djiboutians can afford newspapers or televisions. The government owns the country's only radio and television stations, Radio Djibouti and Djibouti Television, respectively, and monitors satellite usage. The British Broadcasting Corporation, Voice of America Radio, and Radio France International are also available, although the later was temporarily closed in 2005. The country's only newspaper is the government-owned *La Nation*, which is published three times weekly. The only internet service provider is government owned. Although there are no reports that the government monitors email or internet activity, just over 2 percent of the population was able to use this resource in 2007.

Dominica

Status: Free

Legal Environment: 5

Political Environment: 11

Economic Environment: 6

Total Score: 22

The constitution guarantees freedom of the press. The media is often critical of the government, and, as a result, relations with the ruling Dominica Labour Party are fractious. In a potentially inhibiting development for press freedom, in September Prime Minister Roosevelt Skerrit filed libel suits against *The Times of Dominica* weekly newspaper and its editor, Matt Peltier. The lawsuits followed the publication of articles written by Peltier alleging that Skerrit had acquired two pieces of land valued at US\$370,300, and asking for information on how the prime minister's salary could cover such an outlay. The Media Workers' Association of Dominica deplored the prime minister's response, commenting, "It is rare in Dominica that we see such attempts at investigative journalism, and this outcry and threat of legal action is a good illustration of the reason for its rarity." The two suits were before the civil courts at year's end. There is no daily newspaper, but there are several weekly publications. Dominica has four radio stations, including the state-owned Dominica Broadcasting Corporation, and a cable TV network that covers part of the island. The internet, used by around 36 percent of the population, is neither restricted nor censored by the government.

Dominican Republic

Status: Partly Free

Legal Environment: 7

Political Environment: 19
Economic Environment: 13
Total Score: 39

The law provides for freedom of speech and of the press, and the government generally respects these rights in practice, but the troubling deterioration in the state of media freedom experienced in 2006 continued this year. In October, the Inter-American Press Association noted that “there is a persistent trend toward intolerance of the critical function of the press.”

After many years of impunity, the courts at last began to take action against the murderers of journalists. In April, three men, including a retired Army general, were sentenced for the March 1975 murder of Orlando Martínez, editor of *Revista Ahora* magazine. In May, the leader of a drug trafficking gang was sentenced to 30 years in prison for the September 2004 murder of Juan Andújar, the Azua correspondent for *Listín Diario*. In October, the Supreme Court made a landmark ruling ordering the state Transport Reform Office to hand over the documents on the construction of the Santo Domingo Metro demanded by the journalist Huchi Lora. A number of legal experts had doubted the Supreme Court would rule against the government. Although no journalists were killed, the National Union of Press Workers reported that civil, police, and military authorities, criminals and other persons assaulted or threatened more than 40 journalists during the year. Particularly worrying were reports that the police and judicial authorities failed to respond to many of the incidents.

There are eight national daily newspapers and a large number of local publications. The state-owned Radio Television Dominicana operates radio and television services. Private owners operate over 300 AM and FM radio stations and more than 40 television stations, most of them small, regional broadcasters. No government restrictions on internet access were reported in 2007, though the high cost meant that only 23 percent of the population made use of the facility.

East Timor

Status: Partly Free
Legal Environment: 12
Political Environment: 13
Economic Environment: 13
Total Score: 38

A slightly improved security situation and increased access to information under a new coalition government brought a modest improvement in press freedom in the latter part of 2007; nevertheless heightened political tensions surrounding elections yielded some attacks against journalists and criminal defamation provisions remained in law. Although the 2002 constitution contains provisions protecting press freedom, Section 40 states that the rights to freedom of speech and of information “shall be regulated by law,” thereby opening the door to criminal penalties for defamation. In 2005, former Prime Minister Mari Alkatiri signed an executive decree approving a new penal code that provides for

jail terms of up to three years for defaming public officials and doubles the terms of imprisonment when defamation is made through the media. The code sets no limits on fines or other penalties for defamation. In February 2006, the bill was sent back to the Ministry of Justice for reconsideration, where it remains, and neither the new PM nor President Jose Ramos Horta moved to eliminate criminal penalties for defamation. A 2004 Court of Appeals ruling suggested that until a new Timorese Penal Code is passed, the Indonesian law, which contains criminal penalties for defamation, still applies.

Despite some improvement in the political climate, tensions surrounding presidential and parliamentary elections and the formation of a new coalition government yielded attacks against journalists, particularly by individuals affiliated with the Fretilin party, which was removed from power in the elections. In March, militants from the party beat a *Timor Post* journalist when he tried to take their photograph at a security checkpoint. In April, a Fretilin lawmaker threatened two journalists from the public broadcaster National Television of Timor Leste (TVTL) when they tried to record images of empty desks and inactivity at the National Parliament. In July, a non-editorial staffer from the daily *Suara Timor Lorosae*, generally perceived to favor the CNRT party that had recently formed a coalition government, was beaten after his assailants confirmed his employment at the paper. Several days later, the windows of the newspaper's office were broken. On November 17, a coroner in New South Wales, Australia issued a report establishing that the Indonesian Army had “deliberately killed” the British, New Zealand and Australian reporters known as the “Balibo Five” who were in East Timor covering the 1975 invasion.

Although severe economic pressures continued to hamper the free flow of information, there were several promising developments, including a government initiative to distribute East Timor's three daily newspapers to each of its 13 districts. Radio Timor Leste is estimated to reach approximately 68 percent of Timorese, and in May 2007, TVTL became available outside of the capitol via satellite bandwidth leased from Indonesia Telkom. However, a majority of the community radio stations established after independence remain dysfunctional. Infrastructure limitations and poverty severely restricted access to the internet in 2007 to 0.1 percent of the population; nonetheless, the government does not censor websites or limit users' access to diverse content.

Ecuador

Status: Partly Free

Legal Environment: 14

Political Environment: 17

Economic Environment: 10

Total Score: 41

The constitution guarantees freedom of the press. However, given that defamation and slander remain criminal offenses punishable by up to three years in prison, these guarantees are often weak in practice. Concern about the implementation of such restrictive libel laws often results in self-censorship, affecting reporting on public officials and the armed forces. In March journalist Nelson Fueltala received a sixty-day

prison sentence for defamation, though the case remained on appeal at year's end. On May 10, President Rafael Correa, who has a highly combative relationship with the press, filed a libel lawsuit against La Hora publisher Francisco Vivanco for an editorial stating that Correa was governing the country through "tumult, sticks, and stones." In July the administration banned the unauthorized dissemination of clandestinely recorded videos.

Ecuadorian journalists were subject to frequent rhetorical lacerations from the president, though the level of physical attacks was low compared with the regional average. Correa used an array of colorful descriptors, calling the press "savage beasts," mediocre, corrupt, mafiosi, and "more unpleasant than pancreatic cancer." However, the Interamerican Press Association noticed a mild softening of tone following his party's massive win in elections to a constituent assembly.

Broadcast and print media outlets are privately owned except for one government-owned radio station, the newspaper El Telegrafo, which fell into state hands in May following a multi-year legal dispute, and the new Ecuador TV, which premiered in November. Outlets express a broad range of editorial viewpoints, with many critical of the president. However, most media outlets are heavily influenced by their financiers and often reflect the political perspectives of their sponsors, a situation that contributed strongly to Correa's frequent disqualifications of the media. Press issues will be addressed during the drafting of the new constitution; Correa has called for redrawing ownership rules to encourage a "healthy competition" in the media. The broadcast media are required to give the government free airtime; thus stations can be forced to show programs featuring the president and other officials. Access to the internet is not restricted by the government, but the medium is used by only 8 percent of the population.

Egypt

Status: Partly Free

Legal Environment: 21

Political Environment: 20

Economic Environment: 18

Total Score: 59

Status change explanation: Egypt's status improved from Not Free to Partly Free in recognition of the courage of Egyptian journalists to cross "red lines" that previously restricted their work, and in recognition of the greater range of viewpoints represented in the Egyptian media and blogosphere. This progress occurred in spite of the government's ongoing—and in some cases, increasing—harassment, repression, and imprisonment of journalists.

While Egyptian journalists succeeded in expanding the diversity of media coverage by pushing back the "red lines" that previously restricted their work, press freedom continued to suffer due to the government's repressive laws and the extralegal intimidation of journalists. The Emergency Law, the Press Law, and other provisions of the penal code circumscribe the press, despite constitutional guarantees of press freedom. Even after the 2006 amendments to the Press Law, publication of "false news," criticism

of the president and foreign leaders, and publishing material that constitutes “an attack against the dignity and honor of individuals” or an “outrage of the reputation of families” remain criminal offenses opportunistically prosecuted by the authorities. Fines can range from LE 5,000 to LE 20,000 (\$900-\$3600) for press infractions and up to five years imprisonment for criticizing a foreign head of state or the president.

A series of high-profile legal cases against independent and opposition journalists over the course of the year served to threaten and penalize the media for taking journalistic and editorial risks. In January, security officers detained Al-Jazeera journalist Huwaida Taha Mitwalli, who also writes for the London-based *al-Quds al-Arabi*, charged her with “possessing and giving false pictures about the internal situation in Egypt that could undermine the dignity of the country” and confiscated her videotapes and computer in connection with a documentary she was making about torture in Egypt. On May 2, a Cairo criminal court sentenced her to six months in prison for spreading false news that could “harm the national interest” and fined her LE 20,000 (\$3,600) for “possessing TV tapes, with the aim of distributing and broadcasting them, which included events contrary to reality about torture in Egypt, and which are likely to damage the reputation of the country abroad.” At the year’s end, she was free, pending appeal. In September, a State Security prosecutor brought charges against Ibrahim Eissa, editor of the feisty, independent daily *Al-Dustur*, for publishing reports about President Hosni Mubarak’s health “that were likely to harm the public interest”. In a separate case in September, a Cairo court sentenced Eissa and three other editors, ‘Adil Hamuda (*Al-Fagr*), Wael al-Ibrashi (*Sawt al-Umma*), and ‘Abd al-Halim Qandil (*Al-Karama*), to one year in prison and imposed an LE 20,000 (\$3,500) fine for publishing “with malicious intent, false news, statements or rumors likely to disturb public order” based on their criticism of President Hosni Mubarak’s stance on Hezbollah and for criticizing senior members of the ruling National Democratic Party, including the president’s son, Gamal. Also in September, a court sentenced three editors—Anwar al-Hawari, Mahmoud Ghalab, and Amir Salem—of the opposition Wafd party’s eponymous newspaper to two years in prison for publishing false news “liable to disturb public security, spread horror among the people, or cause harm or damage the public interest.” At year’s end, they were free pending appeal.

While there are more than 500 newspapers, magazines, journals, and other periodicals in Egypt, this apparent diversity disguises the government’s role as a media owner and sponsor. The government is a partial owner of Egypt’s three largest newspapers, whose editors are appointed by the president. In recent years, the Shura Council—one-third of whose members are appointed by the president—has granted licenses to opposition parties and private investors to publish newspapers. The Ministry of Information controls the content of state-owned broadcast media, and privately owned domestic broadcasters are not allowed to air news bulletins, focusing instead on music and entertainment. Nevertheless, a new crop of independent newspapers and political talk shows breach topics that would have been unthinkable five years ago. The government did not block foreign satellite channels and permitted the establishment of locally based private satellite television stations.

Thanks in large part to government efforts to aggressively promote internet use, the number of Egyptians with access to the Internet has more than quadrupled over the past several years, and an estimated 10 percent of the population used the Internet in

2007. The government does not engage in widespread online censorship, but occasionally blocks Islamist and secular opposition websites. In February, Alexandrian blogger Abd al-Karim Nabil Sulaiman, better known by his pen name Karim Amer, became the first Egyptian blogger to be imprisoned for his writings. He is currently serving a four-year prison sentence for “insulting Islam” and “insulting the president.” In April, security agents detained Abd al-Moneim Mahmud, a blogger and journalist for the London-based Al-Hiwar satellite television station, as he was boarding a plane for Sudan to work on a documentary about human rights in the Arab world. According to Abd al-Moneim’s lawyers, Egypt’s domestic intelligence service cited his criticism of torture in Egypt on his blog, at conferences in Doha and Cairo, and in conversations with the press and international human rights groups, as justifications for his arrest. He was jailed for several weeks on charges of arming students against the government before a prosecutor dropped the charges as groundless.

El Salvador

Status: Partly Free

Legal Environment: 10

Political Environment: 18

Economic Environment: 14

Total Score: 42

Freedom of the press is protected through the constitution, and Salvadoran journalists are generally able to report freely on the news, including reports critical of the government and opposition parties. At the same time, press freedom is hindered by a lack of public transparency, reflected in the absence of freedom of information legislation. Judges have the right to restrict media access to legal proceedings for cases they deem to be in the public interest or of national security importance. Another provision in the criminal code that allows judges to close court proceedings if they determine that the publicity will prejudice a case is considered by some media groups to limit press freedom, according to the U.S. State Department. In March, the Legislative Assembly introduced a motion to subject staffers to a polygraph test in order to identify individuals who had leaked information to media of a salary increase for legislators, but withdrew the request after vocal public opposition.

Although El Salvador is generally a safe place to practice journalism, one journalist was killed and others suffered physical attacks because of their work in 2007. In September, radio journalist Salvador Sánchez Roque was murdered by a group of unidentified gunmen near his home in the Soyapango. Sánchez Roque, who had been threatened days prior to the killing, had reported on abuses committed by local criminal gangs. In October, three journalists were assaulted during clashes between the police and local residents in Santa Ana department while covering a local rally against the construction of a garbage landfill. In addition, representatives of the San Salvador-based newspaper *El Mundo* said they had received anonymous calls in the newsroom with death threats at the time it published articles on corruption and on presidential candidacies.

In one of the most controversial cases, journalist María Haydee Chicas, a NGO journalist, was arrested along with 13 individuals during a July demonstration in the northeastern city of Suchitoto and charged with committing an "act of terrorism." Chicas traveled to Suchitoto to report on a protest gathering against government plans to privatize water distribution in the region. Although Chicas was granted a provisional release later in the month, the government did not lift the charge of engaging in terrorism.

According to the Journalists' Association of El Salvador (APES), there is a continuing problem with self-censorship in the news media. Furthermore, APES says that the government would not place ads in news organizations with a different "ideology", such as the case of the newspaper *Co Latino*.

There are five daily newspapers that each have a circulation of approximately 250,000, but most of the country depends on privately-owned television and radio networks for the news. 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. There were no reported government restrictions on the internet in 2007, and access has grown in the last five years to just under 10 percent of the population.

Equatorial Guinea

Status: Not Free

Legal Environment: 27

Political Environment: 35

Economic Environment: 27

Total Score: 89

Freedom of expression and of the press are legally guaranteed, but these rights are severely restricted in practice. The 1992 Press Law gives the government unusually extensive authority to restrict press activities through official prepublication censorship. Registration requirements to establish newspapers and periodicals are burdensome. All domestic journalists are required to register with the Ministry of Information, and equally strict accreditation procedures are in place for foreign correspondents. Almost all local coverage is orchestrated or tightly controlled by the government. There are no laws guaranteeing freedom of information, and both local and foreign journalists could not generally access government information. Conditions improved only slightly in 2007 with televised public events that provided some information on public revenues and expenditures.

Local journalists, including the few who work for foreign news outlets, were subject to systematic surveillance and practiced self-censorship. As in 2006, there were no reported cases of physical abuse or imprisonment during the year, a reflection of the government's degree of control over the local press. Mild criticism of infrastructure and public institutions is allowed, but nothing disparaging about the president or security forces is tolerated. In the past, foreign journalists have been monitored closely and occasionally deported if their coverage is deemed to be sensitive. The opposition had little access to domestic media, and political party publications are not permitted to be

publicly distributed. Opposition criticism of the government was televised in September during coverage of a legislative session. During the year, authorities announced that they would boost cooperation with the governments of Zimbabwe and China to enhance the production and transmission of official broadcasts; neither partnership boded well for enhanced media freedom.

Equatorial Guinea is one of the few African countries with virtually no independent media. Given the high level of poverty and illiteracy throughout the country, the most influential form of media is radio, but all domestic radio and television stations are owned directly by the government or by the president's family. State-owned media are dominated by sycophantic coverage of the government and the president. Applications to open private radio stations have been pending for several years but have thus far not been approved. A dozen ostensibly private local newspapers appeared irregularly but functioned mainly as political mouthpieces. According to the U.S. State Department, foreign publications are not permitted to be sold or distributed without government permission, there are no newsstands in the country, and the only bookstores are those affiliated with religious organizations. Foreign broadcasts are available, including those of the British Broadcasting Corporation, Radio France Internationale and Radio Exterior, an international shortwave service from Spain; uncensored satellite broadcasts were increasingly available to those who could afford the service. Through its interviews with opposition politicians, Radio Exterior operates as the only means by which opposition voices can reach rural populations. The government does not restrict internet access, although government operatives are believed to monitor citizens' email and internet use. Due to high poverty levels, less than two percent of the population was able to access the internet in 2007.

Eritrea

Status: Not Free

Legal Environment: 30

Political Environment: 40

Economic Environment: 24

Total Score: 94

Conditions for Eritrean journalists continued to be dismal in 2007, a year that was marked by tragedy, as several journalists who attempted to flee the country were consequently arrested or killed. Eritrean law guarantees freedom of speech and of the press. However, the 1996 Press Law prohibits the establishment of private broadcast media outlets and foreign ownership of media, and requires all newspapers and journalists to be licensed. It also stipulates that publications be submitted for government approval prior to release and prohibits reprinting articles from banned publications.

Since a government ban on all privately owned media was imposed in September 2001, Eritrea remains one of the harshest environments worldwide for the press, and is a leading jailer of journalists in Africa. Following the official ban, an unknown number of government critics were detained, including many journalists. Beginning in November

2006, the government launched a new crackdown, leading to the arrests of at least 9 journalists after several prominent colleagues had defected. According to the Committee to Protect Journalists, at least 14 journalists were imprisoned during 2007, and at least one prisoner, Fessehaye “Joshua” Yohannes, a respected journalist, poet, and playwright, reportedly died in detention. In June, Paulos Kidane, a prominent journalist with Eri-TV, died while attempting to flee across the border to Sudan. Many of the jailed journalists are being held incommunicado in undisclosed locations, without access to their families or the Red Cross. Numerous reports of torture have emerged, suggesting that for many journalists, incarceration is life threatening. Despite Eritrean legal guarantees, journalists are seldom formally charged, and attempting to leave the country is considered treasonous

As bi-lateral relations with many western countries, including the United States, continue to deteriorate, foreign journalists are not able to freely enter the country, and are generally not welcome unless they agree to report favorably about the regime. Local correspondents for international news organizations such as the British Broadcasting Corporation and Voice of America face heavy restrictions; both local and foreign journalists are required to obtain permits to leave the capital, Asmara.

There is currently no independent or privately owned press. Only three newspapers, one television station, and one radio station operate, and they all remain under state control. Journalists working for the state-owned media operate under strict surveillance and severe pressure to report positively on government programs. The importation of foreign periodicals is forbidden, although the purchase of satellite dishes is permitted. The government requires all internet service providers (ISPs) to use government-controlled internet infrastructure and owns a large percentage of them. According to the U.S. State Department, the government restricts the bandwidth available to ISPs, thus hindering their ability to provide services. Authorities are believed to monitor email communication, although internet use is extremely limited, with just under 2 percent of the population able to access this medium in 2007.

Estonia

Status: Free

Legal Environment: 4

Political Environment: 6

Economic Environment: 6

Total Score: 16

The constitution provides for and the government respects freedom of speech and of the press. Criminal libel has been removed from the penal code, and there are no legal penalties for “irresponsible journalism.” Numerous media outlets operate throughout the country, and the independent media express a wide variety of views without government interference. The Public Information Act, which is the primary law governing freedom of information, obliges the authorities to assist the public in accessing public documents.

The country's public broadcasters are Estonian Television (ETV) and Estonian Radio. The two nationwide commercial television stations, Kanal 2 and TV3, are owned by Scandinavian companies. Residents have access to a number of private radio stations and regional television channels, as well as cable and satellite services. Various public and private media outlets provide Russian-language programming to the country's sizable Russian-speaking population. There are nearly 150 newspapers in the country, though most of them are financed not by advertising revenues, but by readers or owners due to the small size of the country's media market. However, according to the market research company TNS Latvia, Estonia's media advertising market volume increased by 28 percent in 2007 compared to 2006, with newspapers accounting for 40 percent of Estonia's total advertising market share; the largest measure of growth year-on-year occurred in the Internet sector. The government allows unrestricted access to the Internet. The country remains among the leading countries in the world regarding Internet penetration, with nearly 60 percent of the population active online. In late April, access to the online versions of the country's two largest newspapers, *Eesti Päevaleht* and *Postimees*, were temporarily disrupted by coordinated large-scale cyber attacks, which also targeted government and other commercial websites. The attacks were widely believed to have been conducted in retaliation for the relocation of a controversial World War II monument, an event which sparked two days of rioting in the capital city, Tallinn.

Ethiopia

Status: Not Free

Legal Environment: 27

Political Environment: 30

Economic Environment: 19

Total Score: 76

Conditions for press freedom in Ethiopia improved slightly in 2007, following the government's November 2005 crackdown on opposition political parties and on civil society groups and media outlets that were perceived to support them. During 2007, in advance of the year long celebrations planned to mark the new millennium on the Ethiopian orthodox calendar, the government acquitted political prisoners and journalists and re-activated the text messaging service that had been shut down after the November 2005 post-election crackdown. In practice, however, press freedom remained limited in 2007, and there were no notable new entrants into the media market to increase diversity.

The constitution guarantees freedom of the press, but this right is often restricted in practice. Authorities frequently invoke the 1992 Press Law regarding publication of false and offensive information, incitement of ethnic hatred, or libel in order to justify the arrest and detainment of journalists. Court cases can continue for years, and journalists often have multiple charges pending against them. A 2003 draft press law, which has been criticized by the private press and press freedom groups for imposing restrictions on the practice of journalism and harsh sanctions for violations of the law, remained under consideration by the parliament in 2007, although certain provisions of the law were included in the new penal code that took effect in May 2005. Kifle Mulat, president of the

Ethiopian Free Press Journalists Association (EFJA), which has been a vocal opponent of the draft Press Law, remained in exile at year's end, although he was acquitted in April on anti-state charges. A major ongoing legal problem for the press has been the absence of judicial independence. Journalists have few guarantees that they will receive a fair trial, and charges are often issued in response to arbitrary events or personal disputes. Laws provide for freedom of information, although access to public information is largely restricted in practice, and the administration has traditionally limited coverage of official events to state-owned media outlets, albeit with slight openings beginning in 2006. In June, the government passed a law prohibiting broadcast organizations from owning broadcast companies that were established or received assistance from outside the country.

The broad political crackdown that began in November 2005, in which several dozen journalists were arrested alongside politicians and were issued charges ranging from treason to subverting the constitution, continued to have negative implications for the media during 2007. Of the 15 journalists who were released during 2007, seven subsequently sought asylum abroad, and the Ministry of Information continued to deny many journalists who were arrested in the 2005 crackdown licenses to resume work on their respective publications, despite previous public assurances they would be granted. Several journalists remained imprisoned at year's end, and journalists continued to be arrested on charges dating back several years. There is little information about the two ETV journalists, Shiferraw Insemmu and Dhabassa Wakjira, who were arrested in 2004 on suspicions of supporting the Oromo Liberation Front. In addition, two Eritrean journalists from Eri-TV who were reportedly arrested by Ethiopian forces in Mogadishu continue to be held at an undisclosed location in Ethiopia. Foreign journalists, and those working for international news organizations, have generally operated with fewer restrictions than their local counterparts; however, they regularly practice self-censorship and face harassment and threats from authorities. In May, three *New York Times* journalists were arrested and detained in the eastern town of Degehabur for five days for reporting on the Ogaden conflict.

The state controls all broadcast media and operates the only television station. A 1999 law permits private radio stations, and the first licenses were finally awarded to two private FM stations in the capital Addis Ababa in 2006. However, by the end of 2007 only one was operational, and is owned by a supporter of the ruling party. Dozens of print outlets publish regularly and offer diverse views, although many are firmly aligned with either the government or the opposition and provide slanted news coverage. Following the November 2005 crackdown, only a limited number of newspapers that do not challenge the federalist constitution or ethnic make-up of the government were allowed to continue publishing without interruption. Authorities largely targeted the Amharic-language private press, banning or shutting down more than a dozen opposition-inclined papers that together accounted for more than 80 percent of total Amharic circulation. Fewer than 10 papers are now publishing in the capital, Addis Ababa, compared to more than 20 in 2005. Most newspapers struggle to remain financially viable and to meet the Ministry of Information requirement of a minimum bank balance in order to renew their annual publishing licenses.

In past years, access to foreign broadcasts has occasionally been restricted, a trend that continued in 2007 with the jamming of Deutsche Welle and Voice of America

signals. Owing to an extremely poor telecommunications infrastructure, internet access is limited primarily to the major urban areas and was accessed by less than 0.5 percent of the population, but is growing in popularity with the proliferation of internet cafés. As more citizens, faced with an increasingly restricted print and broadcast media environment, turned to the internet for information, the government responded accordingly. There are reports that the government monitored email, and starting in 2006, access to some websites and blogs was blocked, including news websites run by members of the Ethiopian diaspora who were critical of the government. The Ethiopian Telecommunications Corporation remained the only internet service provider during 2007.

Fiji

Status: Partly Free

Legal Environment: 11

Political Environment: 18

Economic Environment: 8

Total Score: 37

Press freedom in Fiji recovered somewhat from a major reversal suffered in 2006 as a result of a coup by Commodore Voreqe Bainimarama. Following a significant tightening of the media environment at the end of 2006 and the early part of 2007, the latter part of the year was marked by a reduction of government pressure and an improved legal environment. In December 2006, the country endured its fourth coup in almost two decades when the democratically elected government of Laisenia Qarase's Soqosoqo Duavata ni Lewenivanua (SDL) party was ousted. Immediately following the takeover, the 1999 constitution appeared to have been suspended, removing legal protections for journalists such as provisions in the bill of rights guaranteeing free speech. However, during 2007, the post-coup regime asserted that the constitution had not been suspended, thereby restoring some legal rights. Nevertheless, in August, the Fiji Human Rights Commission, widely regarded as holding a progovernment stance commissioned a report entitled "Freedom and Independence of the Media in Fiji." The report, whose final version had not been publicly released at year's end, was considered by news media and the self-regulatory Fiji Media Council as an attempt to restrict media freedom.

Despite increased security in the legal sphere, there were several reports of soldiers harassing and threatening journalists and activists regarded as overly critical of the government, reportedly contributing to self-censorship. In one incident, Richard Naid, a prominent media lawyer and former journalist who advises Fiji's largest daily newspaper, *The Fiji Times*, was seized by the military and intimidated. Fiji Television's news director, Netani Rika, was also reportedly brought in for questioning by the military in 2007. In June, foreign journalist Michael Field, a correspondent for Fairfax Media in Auckland was reportedly detained and then expelled after seeking to cover the expulsion of New Zealand's high commissioner, apparently for publicly criticizing the coup. The harassment, particularly intense in the months immediately after the country's coup on

December 5, 2006, eased later in the year as the interim administration became more secure in its political and legal control.

In spite of the coup, the economic climate for independently owned media remained stable. The state-run Fiji Broadcasting Corporation operates three main radio stations in English, Fijian, and Hindustani; the state also runs three national newspapers. These compete with two private national newspapers, the *Fiji Times* and the *Fiji Sun*, as well as a privately owned FM broadcaster, Communications Fiji Ltd. The Fijian investment group Yasana Holdings holds a controlling 51 percent stake in Fiji TV, while the government owns 14 percent but plans to sell its stake. According to the U.S. State Department, the government has been known to direct advertising to media outlets in which it has a stake.

In 2007, nearly 9 percent of the population was able to access the internet. Though there were no restrictions on access to the internet, during the year, the authorities attempted to shut down several pro-democracy blogs that emerged in response to the coup. According to the U.S. State department, the military closely monitored communications on the sites and in at least one instance, a businessman accused of contributing to one such blog was detained at an army camp and abused. Several other individuals involved with the blogs were also reportedly threatened or intimidated.

Finland

Status: Free

Legal Environment: 2

Political Environment: 3

Economic Environment: 4

Total Score: 9

Finland maintained its position as one of the most democratic countries in the world, with a government that generally respects freedom of the press in practice. Freedom of expression and access to information is guaranteed under Article 12 of the revised constitution, adopted in March 2000. There were no cases of defamation suits filed against journalists or media outlets during the year, nor were there any attacks on the press.

Finland has an impressive newspaper readership, ranking third in the world for circulation in relation to population. Two hundred newspapers are published, including 31 dailies, according to the Finnish Newspaper Association, and in 2007 it was found that the average Finn reads three newspapers a day. 150 publications have editions available online. Media ownership is concentrated, with Alma Media and SanomaWSOY controlling most newspaper distribution. Broadcasting was once dominated by the public broadcaster Yleisradio OY and commercial MTV, but 2 new broadcasters have since emerged. Included in the 67 commercial radio stations are 3 national public stations in Finnish, 2 in Swedish, and 1 in the Sami (Lapp) language. The internet is open and unrestricted, and more than 62 percent of all citizens have regular access. However, web publications must name a responsible editor in chief and archive published materials for

at least 21 days. In addition, Finnish law, which gives every citizen the right of reply and to have false published information corrected, includes internet publications.

France

Status: Free

Legal Environment: 6

Political Environment: 9

Economic Environment: 7

Total Score: 22

The media environment remained free during 2007, but France continued to struggle to define the rights of journalists concerning the confidentiality of sources and the dissemination of information. The constitution and governing institutions support an open press environment, although certain laws limit aspects of press freedom in practice. There are strict anti-defamation laws in place that impose fines on those found guilty, and the law also punishes efforts to justify war crimes and crimes against humanity as well as incitements to discrimination and violence. Freedom of information legislation exists, but it can be restricted to protect the reputation or rights of a third party, and the majority of requests are regularly denied.

In March, France's constitutional council passed a law banning the dissemination of images that constitute offenses outlined in the criminal code, including acts of torture and other physical attacks, punishable with up to five years imprisonment and fines as high as US\$110,000. Although the new law does not apply to journalists in the performance of their normal duties, free speech advocates argue that it imposes a dangerous distinction between citizen and journalist, and that it could prevent the exposure of abuses by security forces.

Furthermore, during 2007, authorities continued to pressure journalists to reveal their sources and attempted searches of media premises. On May 11, Thomas Cassuto, a judge, attempted to search the office of the satirical weekly *Le Canard Enchaîné*, to obtain information related to the Clearstream case, in which several high-ranking French political and business leaders were falsely accused to have received kickbacks from arms sales channeled through the Luxembourg bank Clearstream, including President Nicolas Sarkozy, then interior minister. Due to the presence of journalists blocking the entrance, the search was not completed (find out whether case dismissed). In July, four journalists were summoned before police authorities for covering the actions taken by the radical Regional Committee of Wine Action against two wineries on July 2 and 3. Authorities attempted to pressure these journalists to reveal the source alerting them of the action. On July 13, authorities detained the photographer Jean-Claude Elassi due to his coverage of a judicial reenactment of a murder near Paris, and seized footage he had taken of the event.

In perhaps the most serious violation of free speech during the year, on December 5, counter-terrorism authorities detained *Le Monde* reporter Guillaume Dasquie for 48 hours after searching his Paris apartment, pressuring him to reveal his sources. Authorities charged that earlier in the year, Dasquie published state secrets pertaining to the terrorist attacks of 2001; if convicted, Dasquie could face up to five years

imprisonment and a fine over US\$100,000. An antiterrorist judge filed preliminary charges on December 6, and the case was still pending at year's end.

Despite these alarming developments in France's media environment, free speech advocates scored a victory in March when a court acquitted Philippe Val, the editor-in-chief of the satirical weekly *Charlie Hebdo*, of a defamation suit brought against him by several Muslim groups, in response to three depictions of the prophet Mohammed that the paper published in 2006. In addition, a suspect was arrested in Morocco in January following a confession that he had made death threats against Robert Redeker, the author of a 2006 piece in *Le Figaro* that was critical of Islam.

Most of France's over 100 newspapers are privately owned and not linked to political parties; however, newspaper circulation continued to decline in 2006. After the consolidation of the newspaper market in 2004, ownership is becoming more concentrated, despite the existence of an anti-media concentration law that prevents any single media group from controlling over 30 percent of press outlets. Many media outlets, however, are owned by companies with close ties to prominent politicians and the defense establishment, leading some to question potential conflicts of interest. This issue has been particularly salient following the election of President Sarkozy in May, given that several of his close associates have recently taken over positions at France's leading television network, TF1, and some of his other supporters were already in leadership positions at prominent newspapers and television stations. There is evidence that pressure from Sarkozy has already biased media content: in 2006, Sarkozy successfully pushed for the dismissal of the editor of the print tabloid *Paris Match* for printing photos of his then-wife Cecilia with her alleged lover. In addition, the editors of the weekly paper *Journal du Dimanche* received pressure from Sarkozy not to print a story alleging that Cecilia had not voted in the second round of the May presidential election; the paper is headed by one of Sarkozy's close associates, Arnaud Lagardere.

The government controls many of the firms that provide advertising revenue to media groups; it also provides direct and indirect subsidies, particularly to regional papers. The French broadcasting market continues to be dominated by TF1, although the growth of satellite and cable and the launch of digital terrestrial television in March 2005 have led to a proliferation of channels. This trend has been accentuated by the approval of the merger between two of the biggest satellite pay-TV operators, CanalSatellite and TPS. France abides by a European Union law that requires 60 percent of broadcast content to be of European origin. The internet is generally unrestricted and used by approximately 55 percent of the population; there are no reports that the government has restricted internet access or monitored email or chat rooms.

Gabon

Status: Not Free

Legal Environment: 24

Political Environment: 23

Economic Environment: 22

Total Score: 69

The media environment remained restricted as the government continued to force journalists to choose between self-censorship and risking reprisal for criticism of its policies. The constitution guarantees freedom of expression and of the press, but authorities used legal harassment, threats, and financial pressure to curb critical reporting. Local media professionals face repressive press laws that allow for harsh penalties for libel—including a minimum sentence of three months for a repeat offense—particularly due to criticism of the president, his relatives, or members of his cabinet. Libel can be treated as either a civil or a criminal offense, and the government is permitted to criminalize civil suits and initiate criminal suits in response to the alleged libel of government officials.

The boundaries of acceptable political commentary in Gabon are ambiguous, frequently leaving journalists and media outlets vulnerable to government retaliation. A government agency charged with upholding journalistic standards, the National Communications Council (CNC), has a history of using intimidation tactics against the independent press and has forcibly shut down more than half a dozen publications since 2003. In March, authorities suspended the bimonthly private *Edzombolo* for three months following an article critical of the authority of President Omar Bongo, Africa's longest-serving head of state. In June, Guy-Christian Mavioga, director of the private *L'Espoir*, was sentenced to one month in jail plus a five month suspended sentence and fine for allegedly "offending the head of state" due to an article critical of Bongo. Mavioga was released after 38 days in a state of poor health, although the paper remained indefinitely suspended because it had allegedly violated a rule prohibiting state employees from controlling news outlets. In October, the Council suspended another bimonthly, *La Nation*, over an article critical of Culture Minister Blandine Marundu. The same month, the CNC blocked the Paris-based satirical paper *Le Gri-Gri* from printing and distributing in Gabon following criticism of a government mining contract.

Gabon has several private radio stations and four private television stations, although private broadcasting tends to be nonpolitical; the government owns two radio stations and two television stations that are able to broadcast nationwide. Approximately nine private weeklies and monthlies circulate in the capital, Libreville, although the state-affiliated *L'Union* is the country's only daily newspaper, and local journalists complain that many nominally private publications are controlled by political factions. Much of the private press appears irregularly because of financial constraints and frequent government censorship. Many Gabonese private newspapers are printed in Cameroon because of the high cost at the only local printing company, and publications printed outside the country are subject to review before distribution. Foreign publications and radio broadcasts are widely available. There are no reports that the government restricts internet access or monitors email, although less than six percent of the population had access to this electronic resource in 2007.

The Gambia

Status: Not Free

Legal Environment: 25

Political Environment: 34

Economic Environment: 20
Total Score: 79

The Gambia followed its deplorable record of press freedom in 2006 with aggressive intimidation of media practitioners in 2007. New cases of flagrant disregard of constitutional guarantees for free expression were coupled with imprisonment, intimidation, and other extralegal measures that further chilled the climate for media practice. Recent prominent legal cases include that of the U.S.-based journalist and political commentator, Fatou Jaw Manneh, who was arrested as she returned to The Gambia for her father's funeral. According to the Committee to Protect Journalists, Manneh was charged with sedition for a 2004 interview published in the defunct bi-weekly, *The Independent*, in which she strongly criticized the government, calling President Jammeh "a bundle of terror" and an "egoistic, frosty imam." She was released after a week on bail but prohibited from leaving the country. Other similar cases include the conviction of Lamin Fatty, a journalist for the *The Independent*, who was fined \$2,500 for a story about a 2006 coup plot. In September, Malick Jones and Mam Sait Ceesay, two workers of the state-owned TV and radio service, were re-arrested shortly after a court freed them after they paid a \$8,970 fine. They were charged with harming the security of the state by giving "false" information to a foreign journalist. In October, two Amnesty International journalists and a local reporter were arrested and detained for three days, accused of spying. The local reporter, Yahya Dampha of the *Foroyaa* newspaper, later went into hiding following a raid on his house by state security agents.

The pace of persecution of media practitioners has quickened since President Jammeh began a third consecutive five-year term following elections in September 2006. Since then, new measures were passed imposing harsh penalties, including mandatory prison sentences for sedition or "false news." A media commission to police media practice was also established. These moves, and the regular harassment of independent reporters has led to wide-spread self-censorship. The 'disappearance' of Chief Ebrimah Manneh, State House correspondent for the state-owned *Daily Observer* who had been missing for 18 months at the end of 2007, remained unresolved. He was arrested by state security agents in 2006 over allegations that he passed damaging information to a foreign journalist who wrote an article critical of the regime prior to an African Union Summit in Banjul. Chief Manneh was later spotted briefly at several prisons and hospitals after his disappearance. The Media Foundation of West Africa filed suit before the Community Court of Justice of the Economic Community of West African States in Nigeria seeking Chief Manneh's release from detention and compensation. The Gambian authorities have so far refused to cooperate and Manneh is now feared dead. Other reports of journalists going into hiding, being physically intimidated, or arbitrarily arrested are too numerous to name. The murder of journalist Deyda Hydara remains unsolved after three years. Hydara was managing editor of the private weekly *The Point* and a correspondent for both Reporters Sans Frontieres and Agence France Presse.

The government owns a daily newspaper, a national radio station, and the only national television station. Political news coverage at these outlets favors the official line. The Gambia has three private newspapers that publish biweekly or thrice weekly and four private FM radio stations. The private outlets were subjected to further pressure from publishing criticism of government and public officials in 2007. A premium television

network operates as a satellite station. Internet usage is growing, rising to 4.9 percent of the population, one of the highest rates in West Africa. Although the government denies it, two US-based websites—Freedom Newspaper and All Gambian—were blocked within The Gambia in June. According to journalists working for the two sites the blockage was linked to their critical reporter about the Gambian government.

Georgia

Status: Partly Free

Legal Environment: 14

Political Environment: 28

Economic Environment: 18

Total Score: 60

The constitution and the Law on Freedom of Speech and Expression guarantee press freedom, but these rights are often restricted. Press laws, as well as most other laws adopted by the Saakashvili government, are very progressive. Libel has been decriminalized and freedom of information legislation has been adopted. However, in practice, the government's willingness to implement this legislation has decreased. As a result, the relationship between the government and the media has deteriorated. While legislation guarantees access to public information, other legislation limits this right. Amendments to judicial legislation banned photo and video records in courtrooms. Media are often forced to go through the court system to uphold the right to access public information when they are denied from public institutions. Throughout the year, media faced illegal searches, closures and unfair and non-transparent license regulations. The members of the media regulatory body, the Georgian National Communications Commission (GNCC) are appointed by the president was criticized by media observers for its non-transparent operations and licensing procedures.

The relationship between the government and the media hit its lowest point during the fall crisis, which was the worst political crisis in Georgia since the 2003 Rose Revolution. Prior to the fall political crisis, which spun into a major blow to Georgia's democratic image, media observers noted a slight improvement in the media environment from the previous year. The government, having secured a strong majority in local elections the previous year, took on a more relaxed attitude towards the media in the first half of the year. Observers marked a decrease in indirect pressure on the media. Strong economic growth was also positively affecting the financial positions of media. But media freedom, along with other political and civil rights, was harmed as a result of the political crisis in the fall of 2007. On 7 November, anti-government protests and increasing tension between the government and the opposition erupted in violence when the government authorized police to use heavy-handed tactics to disperse protestors. During the day of unrest, police illegally raided the independent and pro-opposition Imedi TV station, co-owned by wealthy businessman (and then presidential candidate) Badri Patarkatsishvili and News Corp. Imedi and local Tbilisi independent Kavkasia TV were both suspended, for inciting anti-government protests. The following day, President Mikheil Saakashvili announced he would resign, called a snap presidential election,

announced he would run for reelection and imposed a 10-day state of emergency that banned all local and foreign broadcasts except for public television.. Ineffective newspaper distribution failed to provide access to news for the entire country during this period. While other stations resumed broadcasts once the state of emergency was lifted, Imedi's license remained suspended until 12 December. Throughout the protests during this time, journalists faced a hostile environment and were the victims of intimidation and attacks.

Through the end of the year, the media environment remained highly politicized. Pro-government stations, such as Rustavi-2 and Merz, provided more positive coverage of the incumbent, while independent stations grew more pro-opposition in their editorial positions. In December, six well-known reporters from Imedi and Rustavi-2 resigned in protest over pressure to maintain pro-opposition or pro-government coverage. Imedi was forced to close down again before the end of the year following the resignations. Authorities in the separatist regions of Abkhazia and South Ossetia continued to restrict media freedom. Local and foreign journalists are frequently intimidated and detained and there is little access to local or foreign information.

For a small country, Georgia enjoys a high number of broadcast and print media. Despite the political turmoil, most media continued to operate and express diverse views. There are 200 independent newspapers and at least eight independent or privately-owned television stations, five of which have nationwide coverage. Financially, the print media are not self-sustainable. As of January 2007, print media no longer receive tax benefits. While newspapers are still exempt from the 18% value added tax (VAT), there are often long delays in receiving the refunds. Information about media owners is not transparent and often journalists and reporters do not know the real owner of the media company for which they work. At the end of the year, ahead of the 5 January presidential election, advertising became a political tool with Saakashvili able to dominate free and paid airtime. The opposition, already dealing with a short and surprising campaign period, had poor funding and was left without a major nationwide broadcast platform, first due to the state of emergency and then because of Imedi's suspension. While Internet usage is expanding in Georgia, only 7% of the population regularly accesses information online,

Germany

Status: Free

Legal Environment: 6

Political Environment: 6

Economic Environment: 4

Total Score: 16

Germany's media remained free and vibrant in 2007, despite challenges to source confidentiality. The constitution guarantees freedom of expression and of the press, although there are exceptions for hate speech, Holocaust denial, and Nazi propaganda. Early in 2007, two men were sentenced to prison for denying the Holocaust and inciting racial hatred. Ernst Zündel was sentenced to five years for running a website from Canada which questioned the Holocaust and presented anti-Semitic and neo-Nazi views.

In an unrelated case, Gernar Rudolf was sentenced to 30 months in jail for publishing a book which questioned the used of Zyklon B in the concentration camps. Freedom of information legislation finally went into force in January 2006, containing numerous exemptions and requiring the payment of high fees in advance of every request. In February 2007, the German constitutional court ruled that the raid on the *Cicero* office in 2005 had been illegal. Several months after *Cicero* had published extracts from a confidential report about Al-Qaeda in 2005, police raided the political magazine office and the home of the journalist who had written the article. In November 2007 the German government approved a bill requiring telecommunications firms to store data for up to six months, including emails, text messages, and cell phone conversations. The new law, which will go into effect January 1, 2008, permits the bugging of lawyers, journalists and doctors under certain circumstances while providing a level of protection to religious clerics, members of parliament, and state prosecutors. Journalists are concerned that the law threatens their source confidentiality, and in the process, their freedom.

In August 2007, the German government launched a criminal investigation against 17 journalists from a number of influential publications, including *Der Spiegel*, *Die Welt*, and *Süddeutsche Zeitung*. The journalists were accused of breaking article 353B of the criminal code, “divulging” state secrets. The journalists involved were accused of publishing excerpts from secret government documents related to CIA rendition flights and the possible misconduct of German military personnel during the 2003 Iraq invasion. The cases had all been dropped, however, by the end of the year.

Although it is not a legal requirement that journalists obtain approval from the person whom they have interviewed prior to publication, it has become custom. This relationship was brought into question when lifestyle magazine *U_mag* published an interview with actress Hannah Herzsprung. Journalist Volker Sievert declared himself stunned when the transcript of his interview with Herzsprung came back heavily censored, and so the transcript was published as it was, complete with blacked-out statements, which covered around half the document.

The private media are diverse and independent. Each of the 16 regional governments is in charge of its own public radio and television broadcasters, and there are many private stations as well. The print press is dominated by numerous regional papers. Only a handful of national papers are published. A small number of centralized editorial offices control most content, and only a few commercial groups, which are some of the largest in the world, dominate the media market. The internet is open and largely unrestricted and was accessed regularly by over 64 percent of the population in 2007. However, German law bans internet access to the aforementioned prohibited material. Many search engines in Germany have subscribed to the Voluntary Self-Control for Multimedia Service Providers association, filtering websites based on a list created by Germany’s Federal Department for Media Harmful to Young Persons.

Ghana

Status: Free

Legal Environment: 8

Political Environment: 10

Economic Environment: 9
Total Score: 27

Ghana's reputation as a country with freedom of expression that is "unfettered" was not seriously threatened in 2007. However, there were some worrying signs involving the activities of nonstate actors, the overzealousness of presidential security guards, and clumsiness in managing press access to public events that could all combine to sully Ghana's image. Freedom of the press is guaranteed by law, and the government has a reputation within the region for respecting it in practice. In recent years, President John Kufuor's administration has demonstrated its desire to expand freedom of expression by repealing criminal libel legislation. The spate of civil libel cases brought by former public officials and private citizens against media outlets with crippling high fines in the past did not recur in 2007, partly because government dropped a number of libel suits against journalists. As President Kufuor enters the final year of his last term in office in 2008, a final push is under way by media interest groups to have government pass the promised Freedom of Information Bill. In May, the Freedom of Information Coalition-Ghana launched a campaign to do this under the provision of Article 21(f) of the 1992 constitution. Government ministers have said the bill will be submitted to parliament once reviews of measures to make it enforceable and practicable are complete.

Meanwhile however, a number of disturbing incidents during the year alarmed the Ghana Journalists Association (GJA). These include the April murder of Samuel Kwabena Eninn, editor of Ashh FM and chairman of the GJA in the Ashanti region. The police suspected robbery as a motive and announced a \$2,000 reward for information leading to the arrest of his killers. At the end of the year no one had been arrested and there was still no evidence that the incident was linked to Eninn's work. Charges of rough handling of media personnel were leveled in April against President Kufuor's security detail by journalists who said they were barred from covering the president's visit to flooded areas in the northern region and at a reception in Tamale. And in July, more than 500 local and foreign journalists were barred from the conference hall of the African Union Summit in Accra during the opening session of the summit. Guards providing security for the visiting African heads of state were also accused of roughing up reporters. Protocol officials claimed that restrictions on press access to the summit was because of security concerns. Following protests, the Ghana deputy minister of information apologized for lapses in arrangements for press coverage. Other access restrictions to news sources were made by sports journalists who said they were prevented from getting direct access to football players and coaches at the end of matches. No investigations were conducted during the year into any of the incidents of harassment of journalists that took place in 2006.

As President Kufuor's second four-year term ends in 2008, there are likely to be more reports of harassment and physical intimidation of journalists, mostly by non-state actors and political partisans as the politics of presidential succession heats up. Early posturing in the press suggests that the media will be in the eye of the storm. An indication of this was the statement issued in December by the Ashanti regional chapter of the GJA that condemned as unprofessional the endorsement of a presidential candidate by another group of journalists calling itself "Media Friends of Alan."

More than 135 newspapers, including 2 state-owned dailies, publish in Ghana, and approximately 110 FM radio stations function nationwide, 11 of which are state run; 27 television stations operate in Ghana. Radio remains the most popular medium. Poor pay and unprofessional conduct, including newspapers that invent highly sensationalist news stories, remain problematic. Limited revenue from advertising and reader subscriptions threatens the financial viability of private media outlets. Foreign media presence is highly visible, most notably through broadcasts from the British Broadcasting Corporation, Radio France Internationale, and Voice of America. Access to the internet is growing with 2.7 percent penetration of the population, primarily through internet cafés.

Greece

Status: Free

Legal Environment: 9

Political Environment: 13

Economic Environment: 5

Total Score: 27

The constitution includes provisions for freedom of speech and the press. There are, however, some limits on speech that incites fear, violence, and disharmony among the population, as well as publications that offend religious beliefs, that are obscene, or that advocate the violent overthrow of the political system. Two cases were brought to court for expressing allegedly anti-Semitic or racist ideas: a suit filed by Greek Helsinki Monitor (GHM) against the extreme-rightwing newspaper *Eleftheros Kosmos* for having publicly expressed ideas offensive to Roma because of their ethnic origin, as well as another case brought by GHM and the Central Board of Jewish Communities against the same newspaper and former Popular Orthodox Rally party (LAOS) candidate and author Kostas Plevris for racism and anti-Semitism. In December the court convicted Plevris and sentenced him to a 14-month suspended sentence for inciting hatred and racial violence in his book; meanwhile, the newspaper was acquitted.

A proposed media law currently being discussed in parliament has been criticized for deliberately trying to hinder the development of media in the region and for trying to limit minority group access to media. The proposed law states that the main transmission language of radio stations must be Greek. It also demands that radio stations keep a certain amount of money in reserve as a guarantee and hire a certain number of full-time staff, both factors that would disproportionately hurt smaller, minority owned stations or community radio. In July, the European Court of Human Rights ruled in the case of *Lionarakis v. Greece* that a Greek law that holds journalists responsible for the declarations and opinions of people taking part in controversial programs was a breach of the freedom of expression. In the original case a Greek court ruled that the journalist/coordinator of a radio program was liable for statements made by a guest speaker who criticized certain public personalities during the program. The leader of a journalist union, Dimitris Trimis, was sent to jail in March for his union activities during a 2004 strike.

There are many independent newspapers and magazines, including those that are critical of the government, and many broadcasters are privately owned. Greek law places limits on ownership of broadcast frequencies. The media, both public and private, are largely free from government restrictions, but state-owned stations tend to report along the official line. However, politically sensitive issues—such as the status of Macedonians and other ethnic minorities in the country—still provoke government pressure and lead to self-censorship. Broadcasting is largely unregulated, and many broadcast stations are not licensed. Internet access is not restricted by the government, but the proportion of the population that used this medium in 2006 (33 percent) was one of the lowest in Western Europe.

Grenada

Status: Free

Legal Environment: 8

Political Environment: 11

Economic Environment: 5

Total Score: 24

Although freedom of the press is guaranteed by law, the government is accused of using both the threat of libel laws and its right to grant broadcast licenses to apply pressure on the media. In January, Prime Minister Keith Mitchell threatened to take legal action against sections of the local media, which he claimed had libeled him. At the end of February a suit was filed against the operators of 90.1FM over calls for the re-opening of an inquiry into allegations of corruption against Mitchell - the so-called 'briefcase scandal.' At the end of August, the president of the Media Workers' Association of Grenada (MWAG), Michael Bascombe, denounced "undue pressures" on journalists and media companies in the context of reporting about court documents in the United States dealing with the failed First International Bank of Grenada and alleged bribes made to Mitchell and other Grenadian officials.

There was better news concerning the forthcoming Broadcasting Authority Act. In September, MWAG representatives and government officials met and agreed to scrap a clause suggesting media workers be imprisoned as a form of punishment for violating the rules of the Act. There was also agreement on a method of appointing members of a proposed Broadcasting Commission to regulate the industry, on amendments to protect the media from political interference, and the need for an Access to Information Act. Grenada has 5 television stations, 11 radio stations, 4 newspapers, and 5 periodicals. The government does not place restrictions on the internet, which was accessed by around 20 percent of the population in 2007.

Guatemala

Status: Partly Free

Legal Environment: 17

Political Environment: 25

Economic Environment: 16

Total Score: 58

Guatemalan journalists work under difficult conditions, threatened by rising violence from basic and organized crime as well as premeditated attacks on human rights workers and other critical voices, including independent journalists. In 2006, the government decriminalized press offenses, while the Constitutional Court declared that Articles 411 and 412 of the press code were unconstitutional. However, reporters say that obtaining access to government information is difficult. Nine community radio stations that were closed in 2006 for reportedly having no licenses remained closed in 2007.

While the situation is far better than during the country's protracted civil war, several attacks on journalists in 2007 drew concern from international press advocates. Eleven incidents of intimidation of journalists in 2007 were reported by the Public Ministry in 2007, down from 67 events during 2006. This figure includes the murder of one journalist as well as several physical attacks and assassination attempts against others. In early February, unidentified assailants in Zacapa shot at the automobile of *Nuestro Diario* correspondent Wilder Jordan, reportedly in retaliation for his January 15 report alleging that a bus driver's apprentice was responsible for a public transportation accident. In addition, several journalists received anonymous threats for their coverage of the February 19 murder of three Salvadoran congressmen and their driver. In May, radio producer Mario Rolando López Sánchez was murdered outside his home in Guatemala City. López produced the often contentious political program "Casos y Cosas de la Vida Nacional" and a variety of socially-focused programs on Radio Sonora, a privately-held station with listeners nationwide. On September 4, an unidentified gunman fired at the offices of the Radio Nuevo Mundo in Guatemala City five days before the presidential elections. These attacks were allegedly in response to critical coverage of the government by Radio Nuevo Mundo throughout the presidential campaign.

Newspaper ownership is concentrated in the hands of business elites with centrist or conservative editorial stances, with one company—Prensa Libre—dominating the newspaper market, although facing two weaker national competitors. Electronic media ownership remained concentrated in the hands of Mexican Angel Gonzalez, a politically connected entrepreneur who favors conservative perspectives and holds a monopoly on national television. Only one cable newscast, with a professional (if somewhat cautious) staff, offers a contrasting viewpoint to this on-air news monopoly. In a nation where only 60 percent of the population can speak Spanish, the paucity of indigenous language programming is a severe constraint on freedom of expression and of the press. Indigenous languages are rarely heard in national media. The resolution of their legal status was part of the 1996 peace accords but has not been addressed. There are no reports of government limitations on internet usage, although the internet is accessed by only approximately 10 percent of the population.

Guinea

Status: Not Free

Legal Environment: 21

Political Environment: 29

Economic Environment: 16

Total Score: 66

In power since 1984, pressure on the aging regime of President Lansana Conte to cede authority, liberalize political and civil liberties, and reform the economy increased further in 2007. Although Conte's grip on power was pried slightly open, the habit of the 'wily old fox' bullying the press and intimidating his opponents with brutal suppression was unchanged from prior years. The constitution guarantees freedom of the press, but this right is not respected in practice and has been widely abused in the past, including through the enforcement of restrictive press legislation that considers defamation and slander criminal offenses and permits the authorities to censor publications. Unlike earlier years, the number of criminal prosecutions of journalists declined, but the dreaded criminal libel law was still used with potency. In August, a Conakry court imposed suspended sentences of six months each on two private newspaper directors in connection with articles alleging corruption by a former government minister. The directors, Thiernodjo Diallo of *La Verite* and Abdoul Azziz Camara of *Liberation*, were also fined \$13,000 and ordered to publish the verdict in their newspapers.

The most serious crackdowns against the press took place in January and February during an 18-day national strike called by union leaders protesting rising prices in which security forces killed some 137 people. During the strike, 3 of the 4 private radio stations in the capital Conakry were taken off the air following a presidential decree that authorized the military to muzzle the press, radio, and television which included the shuttering of internet cafes and domestic printing presses. The editor of the private radio station Liberte FM, Mohamed Tondon Camara, was arrested with a staff worker and detained by presidential security guards for two days after the station aired a call-in program where callers asked for the resignation of President Conte. Camara said his release came only after the intervention of the president's brother. Another private radio station, Familia FM, was also forced off the air by presidential guards after a call-in program. The strike was called off after President Conte agreed to transfer most of his powers to an appointed prime minister. Though things have improved for the media since the end of the strike, the crackdown has left the sour taste of self-censorship.

To stem the pressure from the strikes and public disaffection of the Conte regime, Information Minister Boubacar Yacine Diallo ordered all broadcast stations to black out news of the strike on January 15. Soon after, most of the country's private newspapers temporarily ceased operations and two days later, Diallo called Liberte FM to order the station to take off the air its broadcast of an interview of a union leader discussing repression during the demonstrations. Guinea was the last country in West Africa to allow private broadcasting, doing so only in 2006, ending 48 years of state broadcasting monopoly. Once the crisis was over, the new prime minister fired Diallo in May and replaced him with Justin Morel Junior, a popular journalist and communications officer at UNICEF. Diallo had once been a respected independent journalist and newspaper editor and served in 2006 as the founding chairman of the Conseil National de la

Communication which is credited with beginning programs to improve the professionalism of media practitioners.

State-owned media provide extensive, mostly favorable coverage of the government but also criticize local-level officials and increasingly report on opposition activities. In addition to the four private radio stations, there is the state-owned Radio Television Guinea (RTG) which continues to be the only television broadcaster and downplayed the severity of the crisis in its broadcasts. Within the private print media, newspapers openly criticize the president and the government. Ten private weekly newspapers publish regularly in Conakry, while a dozen others publish only sporadically. In 2007, the government gave financial subsidies of US\$105,000 to private newspapers through the Guinea Association of Independent Editors, which divided the money among various press organizations. It was the second year in a row the government had given the grant, rejecting calls by the editors for a doubling of the subsidy in order to support more publications. About 80 of the 350 media organizations received money from the subsidy during the year. International media operate within the country including Radio France Internationale which was forced to suspend its broadcast for 24 hours during the protests due to power cuts. The government does not directly restrict access to the internet but use of the medium is still very low, largely due to illiteracy, limited access points, and high cost of access. The proportion of the population estimated to have access to the internet is 0.5 percent.

Guinea-Bissau

Status: Partly Free

Legal Environment: 15

Political Environment: 23

Economic Environment: 15

Total Score: 53

In 2007, Guinea-Bissau faced significant roadblocks in its efforts to protect media freedoms and build on the gains made in reestablishing civil and political order in 2006. These earlier improvements followed the 2005 return of former military strongman, Joao Bernardo “Nino” Vieira who won democratic elections after returning from a long period of exile. Upon election, president Vieira’s administration quickly passed a law that provided for freedom of speech and of the press. But the gains made in press liberalization were soon followed by troubling cases of intimidation in the wake of the political and economic crises in 2006.

Various acts of intimidation and harassment of media practitioners that have continued throughout 2007 have dampened the initial enthusiasm that accompanied Vieira’s return. Threats faced by journalists attempting to cover the activities of drug traffickers in Guinea-Bissau arguably represent the deadliest threats to press freedom, individual liberties, and personal security in the country since the return of democracy. A fact-finding study by Reporters Without Borders (RSF) concluded that journalists face a “precarious situation,” warning that they now live under a permanent fear of Colombian drug gangs and their local accomplices. Cocaine traffickers have frightened many

journalists into silence and at least two have fled into exile after receiving death threats in connection with stories they were working on linking drug traffickers with local security personnel, especially members of the marine unit. Allen Yero Embalo, a correspondent for Radio France Internationale, was one such reporter. He went into exile in France after unknown persons broke into his home, stole his camera, video footage of a report on drug trafficking, and over \$1,200.

Other acts of intimidation took place in 2007 including the detention of Reuters journalist, Alberto Dabo, who was detained in June for several hours over an error in translating a quote attributed to the interior minister which cited the minister as saying that soldiers were involved in the drug trade. Dabo was threatened with jail but eventually released when he agreed to publicly clarify that the infraction was a translator's error. However, the following month he was again arrested under the orders from the Head of the Navy, who was upset that the British news service, ITN, had cited him as saying that soldiers were involved in drug trafficking. In the end, Dabo was charged with four crimes: defamation, abuse of freedom of the press, violating state secrets, and slander. His case was pending at year's end. In July, four other journalists went into hiding in the wake of police announcement that they should surrender following reports about the connection between the police and drug traffickers. In another act of intimidation, a special police unit, "the Ninjas" seized the camera of a journalist in July because the reporter was accused of taking photographs of the Ninjas as they conducted an operation to clear the streets of hawkers. The camera was later returned after an apology was given by the journalist. Separately, the interior minister ordered Bombolom radio station to close after the station reporter on the murder of a state official and the excessive use of force by the police to stymie riots after his death. The police commissioner refused to enforce the minister's instructions and was later fired. Armed forces similarly failed to close the station which remained open at the end of the year.

The country's only television station continues to be state run, while three private radio stations—Bombolom FM, Radio Pindjiguiti, and Voice of Quelele—compete with the state-run radio broadcaster, Radio Nacional, and the Portuguese-owned public broadcaster, RTP Africa. Three privately run newspapers operate alongside the state-owned weekly *No Pintcha*. The national printing press is the sole printing plant in the country. It prints all the country's newspapers, and because it is poorly funded, there are delays in publishing the newspapers. The impact of such financial constraints has been particularly severe for the state-owned media because of a lack of government ability to earmark adequate operational funding, as well as the fact that private advertising funds are directed primarily toward the private media sector. No government interference with or attempts to censor the internet were reported in 2007, and 2.5 percent of the population had access to the internet.

Guyana

Status: Partly Free

Legal Environment: 6

Political Environment: 14

Economic Environment: 11

Total Score: 31

Status change explanation: Guyana declined from Free to Partly Free due to a government decision to withdraw advertisements from *Stabroek News*, one of the country's leading newspapers, apparently in response to critical reporting, as well as an attack at gunpoint against another leading paper.

The government's decision to withdraw advertisements from *Stabroek News* cast a shadow over the media scene in 2007. The constitution provides for freedom of speech and of the press, and media are generally allowed to operate without interference. However, promised legislation to facilitate the distribution of private radio licenses has not yet been introduced, and although an opposition member of parliament has tabled a Freedom of Information bill, it is apparently unlikely to be passed into law.

Another troubling act occurred in May, when staff at the country's other main newspaper, *Kaieteur News*, were left traumatized after two men entered the editorial department and held several reporters at gunpoint. The intruders demanded to see the newspaper's publisher, Glenn Lall, and when told that he was out of the country, fled on foot. The government said that it viewed the attack as another attempt to undermine press freedom in Guyana. According to the government statement, the gunmen were part of a criminal network seeking to spread panic and fear in society at large.

The government maintains a long-established radio monopoly and operates the country's only 2 radio stations. There are 23 television stations, 6 national newspapers (including the government-owned daily, the *Chronicle*), and 6 periodicals. Following the decision by the Government Information Agency (GINA) to withdraw advertisements from the *Stabroek News*, commencing in December 2006, a number of government agencies and state corporations followed suit, based on directives from the government. GINA cited the newspaper's declining circulation as the reason for the decision, but most observers felt the action was punishment for *Stabroek News*' critical reporting of the government and the People's Progressive Party during the 2006 election campaign. There were no government restrictions on access to the Internet, which is accessed by 20 percent of the population.

Haiti

Status: Partly Free

Legal Environment: 15

Political Environment: 23

Economic Environment: 18

Total Score: 56

The reduction in political tensions following the creation of a coalition government in 2006 continued to have a positive impact, and there was some progress in the struggle against impunity in relation to the murders of journalists in recent years. However, two journalists were killed as a direct result of their work.

The constitution explicitly upholds the rights of journalists to freely exercise their profession and forbids censorship except in the case of war. However, in practice, widespread poverty, a corrupt judiciary, and a tradition of excessively partial media coverage mean that journalists operate in extremely difficult conditions. The judicial system's failure to respond to numerous physical attacks against journalists, including murder, has cast a shadow over the media scene for many years. In this context, in August there was a significant departure from the norm when President René Prével joined forces with the media rights organization, SOS Journalistes, to launch the Independent Commission to Support the Investigations of Assassinations of Journalists. The commission was given access to police and court documents with the aim of re-starting investigations into the murders of at least 10 journalists. Within three weeks, two gang members received life sentences for their part in the July 2005 murder of journalist Jacques Roche. The commission's work bore further fruit on December 12 when two members of a pro-Lavalas Family Party community organization were sentenced to life for the December 2001 murder of journalist Brignol Lindor. The court also issued arrest warrants for five other members of the same organization and instructed a new investigation to be conducted with a view to prosecuting the intellectual authors of the crime.

The UN peacekeeping force, MINUSTAH, together with the national police force, carried out an offensive against armed gangs in late 2006 and early 2007. The subsequent reduction in violence in many parts of the capital, Port-au-Prince, made it easier for journalists to go about their work, but the gangs remained a serious threat. Freelance photo-journalist Jean-Rémy Badiou was shot dead in front of his home in Martissant, in the south of the capital, on January 19. According to his family, he was probably killed because he had taken photographs of gang members. Alix Joseph, station manager and news journalist at Radio-Télé Provinciale in the city of Gonaïves, was shot dead on May 16. A journalist colleague said he had received threatening telephone calls railing against the radio's calls for the disarmament of local gangs. Two gang members were later arrested and charged with involvement in the murder.

In February and March, Robenson Casseus, a journalist at Radio Nouvelle Génération in Port-au-Prince, was badly beaten, had his house burnt down, and received anonymous telephone death threats. He believed that the attacks and threats were in response to his refusal to make favorable broadcasts on behalf of a candidate of an opposition political party. In November, Guy Delva, the Reuters correspondent, reporter for Mélodie FM, and head of SOS Journalistes, left the country for three weeks after he received telephone calls issuing threats and was later followed by men who appeared to be preparing an assassination attempt. Delva suggested that the death threats were in retaliation for his reports about the US citizenship of Senator Rudolph Boulos. According to the Haitian Constitution, someone who holds a foreign passport cannot be a Senator.

There are two newspapers published several times a week and four weeklies, all privately owned. Television Nationale d'Haiti is government owned, and there are several private stations. The illiteracy rate is well over 50 percent, making radio by far the most popular medium. There are more than 30 stations broadcasting to the capital and surrounding areas, and scores more in the provinces. There were no government restrictions on internet access, but usage is low - just under 8 percent of the population.

Honduras

Status: Partly Free

Legal Environment: 15

Political Environment: 22

Economic Environment: 14

Total Score: 51

Freedom of speech and of the press are constitutionally protected; however, the government generally does not respect these rights in practice. Despite the fact that Honduras banned *desacato* (disrespect) or criminal defamation legislation aimed at protecting the honor of public officials, restrictive press laws are still often used to subpoena journalists for reporting on official corruption, drug trafficking, and human rights abuses. In a positive step, the Transparency and Access to Public Information Law approved by Congress in 2006 was improved after complaints by local watchdog groups.

President Manuel Zelaya often criticizes the media when he perceives news reports as being unfriendly to his government. He has accused journalists of exaggerating the government's mistakes and minimizing its accomplishments. In May 2007, President Zelaya announced that all radio and television stations in the country must simultaneously transmit, per a determined schedule, reports by the government and interviews with public officials. These mandatory simultaneous broadcasts seek to "counteract media disinformation" about the government, according to the president. In October, Zelaya criticized the media and characterized their ownership as an oligopoly. In a positive step, a draft law was introduced in Congress in October to protect journalists and media companies from criminal charges stemming from their work, though the measure stopped short of extending similar protections to private individuals.

During the year, journalists faced a number of legal prosecutions from political figures. In September, the manager of the state telecommunications agency, Hondureña de Telecomunicaciones (Hondutel) filed a series of slander lawsuits against journalists for publishing reports about alleged misappropriation and diversion of funds. The criminal court later dismissed the case.

Threats and physical attacks against journalists continued in 2007, especially related to the publication of articles on organized crime or corruption. The Committee for Free Expression reported that by the end of the year, 11 journalists had been subjected to threats and intimidation. In February, two journalists from the daily *La Tribuna* received death threats in connection with their investigative reporting on corruption at the Honduran Institute of Social Security. In October, radio journalist Carlos Salgado was murdered by unidentified assailants near his office at Radio Cadena Voces in Tegucigalpa. Salgado was widely known for his satirical criticism of the Honduran government. The news director of Radio Cadenas Voces, Dagoberto Rodríguez, fled the country after police reports revealed his name on a hit list. In September, radio journalist Hector Geovanny García of channel Hondured also left the country after being fired upon in public. García had implicated officials in the Public Works Department of corruption stemming from road resurfacing contracts. On the same day, journalist Martín Ramírez

was repeatedly threatened after publishing an article in *La Tribuna* suggesting connections between youth gangs and the local police.

Honduras has around nine daily papers, including the popular *El Heraldo* and *El Tiempo*. There are six private television stations and five nationally broadcasting radio stations—one state owned and four independent. Although both print and broadcast outlets are predominantly privately owned, media ownership is concentrated in the hands of a few powerful business conglomerates with intersecting political and economic ties; this has led to self-censorship. Corruption among journalists also has an unfavorable impact on reporting. In addition, the government influences media coverage through bribes, the granting or denial of access to government officials, and selective placement of official advertisements. The government did not restrict access to the internet; however, less than 5 percent of the population used the internet in 2007.

Hong Kong

Status: Free

Legal Environment: 11

Political Environment: 10

Economic Environment: 9

Total Score: 30

Although freedom of expression is provided for under the law and Hong Kong media remain lively, press freedom has been threatened in recent years by an increase in self-censorship. Under Article 27 of the Basic Law, Hong Kong residents enjoy freedoms of speech, press, and publication. Nevertheless, these rights risk being undermined due to the power of the Chinese National People's Congress to interpret Hong Kong laws, Chinese surveillance in the territory, and the chilling effect of the 2005 sentencing of Hong Kong journalist Ching Cheong to a five-year prison sentence in China on charges of spying for Taiwan. In a series of cases that raised concerns over selective application of the Broadcasting Ordinance, several individuals were summoned to court during the year in relation to broadcasts of the pro-democracy pirate radio station Citizens' Radio. Among those charged with "using unlicensed equipment when delivering a political message" was activist Szeto Wah, who had participated as a guest speaker in a May 2007 program on the 1989 crackdown on the pro-democracy movement in Beijing. The station, which has been broadcasting intermittently since 2005, had its license application rejected in December 2006. The cases were pending at year's end.

Outright attacks on the press did not occur in 2007 as they did in March 2006, when four men armed with hammers broke into the office of *The Epoch Times*, a newspaper known for criticizing the Chinese Communist Party and reporting on China's persecution of the Falun Gong spiritual group. Despite the absence of violence, many journalists practice self-censorship. A survey conducted by the Hong Kong University Public Opinion Program found that close to half of respondents believed that news media practiced self-censorship and that nearly 30 percent of journalists admitted to doing so. Another January 2007 survey among local journalists found that 58 percent thought press freedom in Hong Kong had deteriorated since the end of British rule in 1997. The most

common types of self-censorship were reportedly downplaying negative news about the central government in Beijing, downplaying information on issues deemed to be sensitive by the Chinese Communist Party, and downplaying information detrimental to media owners or their interests. International media organizations operate freely in Hong Kong, and foreign reporters do not need government-issued identification to operate.

Despite self-censorship, media remain outspoken and political debate is vigorous in the extremely diverse and partisan press. Hong Kong has 49 daily newspapers (including 23 in Chinese and 13 in English); 4 of them are funded by pro-Beijing interests and follow the Chinese Communist Party's lead on political and social issues. Controversy continued during the year over the future of the government-owned Radio Television Hong Kong (RTHK) after a review panel recommended that a new public broadcaster be established but did not comment on RTHK's future. According to the U.S. State Department, the findings were "widely interpreted as a threat to media freedom," with particular criticism leveled at the absence of public broadcasting experts on the review panel. In the past, RTHK has come under pressure for not defending or promoting government policies, for criticizing Beijing, and for its coverage of Taiwan. There are no restrictions on internet access. Hong Kong has the highest internet usage rate in Asia, with broadband service available in 74 percent of households.

Hungary

Status: Free

Legal Environment: 5

Political Environment: 9

Economic Environment: 7

Total Score: 21

Hungary's constitution protects freedom of speech and of the press. A wide selection of competitive media outlets generally operate without interference from the state. Independent news outlets operate freely in Hungary, and they clearly reflect the divisions of the national political scene. Among the successes of 2007, the media uncovered a number of high profile incidents of corruption. The Media Law of 1996 continues to be widely criticized as insufficient. Libel remains a criminal offense, and the criminal code holds journalists responsible not only for their own words, but also for publicizing insulting or libelous statements made by others. Restrictive state secrecy legislation has also raised concerns, and brought criticism by the OSCE Representative on Freedom of the Media. A regulatory vacuum was created by a Constitutional Court decision to abolish the capacity the regulatory body ORTT to levy fines and sanctions against media outlets.

While most media seem to operate freely, media advocates note a slight pro-governmental bias in most state-owned media. Some individual journalists were also exposed to pressure from state organs including two incidents of detainment and questionings. One TV journalist covering politics was pressured into leaving a morning show after a boycott by several political parties. In several isolated incidents, journalists seem to have been harassed by law enforcement authorities, including the arrest of two

journalists covering an unauthorized demonstration and the questioning of journalists investigating allegedly corrupt public officials.

The media landscape is dominated by private companies, with high levels of foreign investment in both national and local newspapers. Diversity is on the rise in both print and electronic media, most notable is the increase in vibrant and influential domestically-owned electronic media outlets. The internet is widely accessible, and is governed by a voluntary code of conduct introduced by a professional association of internet content and service providers.

Iceland

Status: Free

Legal Environment: 1

Political Environment: 4

Economic Environment: 4

Total Score: 9

Freedom of the press and of expression are protected under Article 72 of the constitution, and the government generally does not interfere in the independent media's expression of a wide variety of views. There are limitations to these rights, including fines or imprisonment for people who belittle the doctrines of officially recognized religious groups. Additionally, people may face fines and up to two years' imprisonment for assaults against race, religion, nationality, or sexual orientation. In March 2007, Icelandic singer Bubbi Morthens won US\$11,000 in a libel case against gossip magazine, *Hér og nú*. In June 2005, the magazine featured a cover image of the singer smoking a cigarette and insinuated falsely that he had recommenced using drugs.

A wide range of publications includes both independent and party-affiliated newspapers. Icelandic National Broadcasting Service (RUV) was re-established as a public corporation in March 2007. RUV runs radio and television stations funded by both a license fee and advertising revenue. According to the British Broadcasting Corporation, RUV is obliged to promote Icelandic history, culture, and language. Media concentration is a concern in Iceland, with the company 365 controlling much of television and radio broadcasting as well as one of the major national newspapers and several magazines. In 2007, 86 percent of the country's population was reported to use the internet, which is unrestricted by the government.

India

Status: Partly Free

Legal Environment: 10

Political Environment: 16

Economic Environment: 9

Total Score: 35

India's media continue to be vigorous and are by far the freest in South Asia, although journalists face a number of constraints. The constitution provides for freedom of speech and of expression, and although there are some legal limitations, these rights are generally upheld. In recent years, the government has occasionally used its power under the Official Secrets Act to censor security-related articles or prosecute members of the press, but no cases were reported during 2007. State and national governments have also on occasion used other security laws, contempt of court charges, and criminal defamation legislation to curb the media and other critical voices. In 2006, parliament had passed an amendment to the Contempt of Courts Act that introduced truth as a defense. However, in a troubling test case that was condemned by local professional groups, in September 2007 a New Delhi court sentenced the publisher of the *Mid-Day* newspaper, as well as two editors and a cartoonist, to 4-month prison terms for contempt of court after they ran an article accusing a former senior judge of issuing a ruling that benefited his son; the four were eventually freed pending an appeal. The Press Council of India (PCI), an independent body composed of journalists, publishers, and politicians, serves as a self-regulatory mechanism for the print press through its investigations of complaints of misconduct or irresponsible reporting. No similar body exists for the broadcast media, which have become known for undercover sting operations conducted as part of investigative reports. A proposed broadcasting services regulation bill, which was first introduced in 2006 and was reintroduced in 2007, could give the government greater power over the media, restrict media cross-ownership, and introduce greater content regulation for news channels—all proposals which have been opposed by broadcasters themselves as well as by journalists' groups.

Intimidation of journalists by a variety of actors continues; on a number of occasions during 2007, reporters were attacked or detained by police or others while attempting to cover the news, and others were abducted or threatened by right-wing groups, insurgents, local-level officials, or criminals. Offices were also targeted during the year: three employees of the Tamil newspaper *Dinakaran* were killed in a May arson attack on the paper's Madurai office by supporters of one of the sons of the state's chief minister, and in August, the Mumbai office of the influential national magazine *Outlook* was attacked by members of the Shiv Sena, a Hindu nationalist group.

Members of the press are particularly vulnerable in rural areas and insurgency-racked states such as Chhattisgarh, Kashmir, Assam, and Manipur. Conditions in Manipur worsened in 2007, according to the Committee to Protect Journalists, as journalists faced threats from competing militant groups as well as a new state government directive banning the publication of any statements made by "unlawful organizations." At least twice during the year, media outlets responded to pressure by temporarily ceasing operations, thus depriving the public of news. In neighboring Assam, Afrida Hussain, a reporter for Northeast Television (NETV), was assaulted in March by hospital security guards in Guwahati when she attempted to interview a group of hospitalized women. NETV, the only private satellite channel in Northeast India, had also faced threats in January from the outlawed ULFA militant group as well as receiving criticism of its reports from official quarters. Conditions are particularly difficult in the state of Jammu and Kashmir, where the fact that militants routinely issue death threats against local media personnel has led to significant levels of self-censorship. Pressure to self-censor has also been reported at smaller media outlets that rely on state government

advertising for the majority of their revenue. Photojournalist Maqbool Sahil has been detained since September 2004 under the Public Safety Act despite repeated high court decisions calling for his release.

Most print media, particularly the national and English-language press, are privately owned, provide diverse coverage, and frequently scrutinize the government. The broadcast media are predominantly in private hands, but the state retains a monopoly on AM radio broadcasting, and private FM radio stations are not allowed to broadcast news content. In November 2006, the government announced a new policy designed to legitimize community radio and enable nonprofit groups and others to apply for station licenses; this improvement has led to a modest increase in the growth of community radio stations, leading to a greater diversity of voices and topics covered. Doordarshan, the state-controlled television station, has been accused of manipulating the news to favor the government, and some private satellite TV channels also provide slanted coverage that reflects the political affiliation of their owners, according to the U.S. State Department. Foreign media are allowed to operate freely. Internet access, which is used by 3.5% of the population, is unrestricted, although some states have proposed legislation that would require the registration of customers at internet cafés, and the government retains the right to censor the internet, particularly on the grounds of morality or national security.

Indonesia

Status: Partly Free

Legal Environment: 17

Political Environment: 22

Economic Environment: 15

Total Score: 54

The media landscape saw both positive and negative turns in 2007, with important court rulings and a vibrant press offset by legal harassment from powerful politicians and businesses, as well as continued attacks against journalists. Freedom of speech and of the press are provided for in the Constitution and the 1999 Press Law; however these rights were at times restricted in practice, particularly under criminal defamation provisions. In July 2007 the Constitutional Court declared unconstitutional articles 154 and 155, which criminalized “public expression of feelings of hostility, hatred or contempt toward the government.” This followed a 2006 landmark ruling that decriminalized insults against the president and vice president. In another important case, in April 2007, a South Jakarta District Court acquitted *Playboy* editor-in-chief Erwin Arnada of publishing indecent material, ruling that any charges against the editor should have been made under the Press Law instead of the Penal Code. The overall legal picture remained mixed, however, with the question of which piece of legislation should be used in criminal defamation cases often depending upon the educational background of the presiding judge. Thus, in September 2007 criminal charges were brought under the penal code against *Koran Tempo* newspaper columnist Bersihar Lubis, who was accused of insulting the Attorney General's office in an article criticizing a ban on a high-school history textbook. Also in September, in a defamation decision criticized by press freedom groups, the Supreme

Court overturned two lower court rulings and ordered *Time* magazine to pay former President Suharto 1 trillion rupiah (US \$106 million) in damages over a 1999 story accusing him and his family of embezzling \$15 billion. A spokesman for the court said it concluded that the story had damaged the former dictator's "reputation and honor."

In 2007 press advocates also expressed concern about what appeared to be a new trend in which powerful corporations tried to obstruct the press through legal harassment, reportedly leading to increased self-censorship. In one such case, the Riau Andalan Pulp & Paper corporation, owned by business tycoon Sukanto Tanoto, filed a defamation suit against *Koran Tempo* newspaper after it reported on illegal logging in Sumatra. The July 2007 story quoted a local police chief as stating that of the 189 cases of illegal logging in the province of Riau, 25 involved Riau Andalan Pulp & Paper. In another corporate-related case, police tapped the private cell phone of a *Tempo* journalist and circulated transcripts of his text messages after he had reported on a corruption scandal involving crude palm oil producer Asian Agri, also owned by Tanoto.

Violence and intimidation of journalists continued to be an issue in 2007. Nevertheless, the Indonesian press remains vibrant, with journalists aggressively reporting on issues such as high-level corruption and environmental degradation. The Alliance of Independent Journalists (AJI), the country's largest journalists' union, recorded 75 cases of press freedom violations in 2007, including incidents of physical violence, verbal threats and legal harassment, an increase over the previous year's 53 cases. According to AJI, the most dangerous province for journalists was Jakarta. While no limitations exist on local news broadcasts, a series of implementing regulations passed in 2005 ban live broadcasts of foreign programs by domestic carriers. In May 2007, the Supreme Court refused a request by the broadcasting commission and a coalition of NGOs to review the regulations. On November 17, a coroner in New South Wales, Australia issued a report establishing that the Indonesian Army had "deliberately killed" the British, New Zealand and Australian reporters known as the "Balibo Five" who were in East Timor covering the 1975 invasion. In March, the court issued an arrest warrant for a former Indonesian army officer, but Indonesia refused to acknowledge the court's findings. The government continued to ban foreign journalists from entering West Papua.

Indonesia is home to a large independent media generally able to provide a wide variety of opinions and perspectives. Obstruction of the press by large corporations and powerful individuals appears to be especially effective at a time of increased media consolidation. With only seven large companies dominating Indonesian mass media, press advocates argued that owners were increasingly cautious about publishing stories that might offend powerful companies or individuals. The broadcast market includes some 60 private radio stations in the Jakarta area alone and 10 private television networks nationwide that operate in competition with the public Televisi Republik Indonesia. Strict licensing laws have created more than 2,000 illegal television and radio stations that operate on a regular basis without a license. In a countrywide survey, half of the journalists questioned revealed that their salaries were too low to cover basic living costs, as more than 60 percent of journalists earn less than US\$200 a month. Widespread corruption in the legal system, as well as the perception that a favorable verdict could be bought, kept most newspaper or television journalists from reporting on stories that were likely to lead to lawsuits. Internet access is on the rise, used by 20 million people—over 8 percent of the population—and there are no reported government restrictions on its

access, though a lack of high-speed internet access outside of major cities limits its use as a news source. In November, Indonesia held its first national bloggers conference attended by some 500 bloggers.

Iran

Status: Not Free

Legal Environment: 29

Political Environment: 34

Economic Environment: 22

Total Score: 85

Press freedom deteriorated in 2007 as the regime's conservative leaders continued to crack down on critical publications, journalists, and bloggers through arrests, detentions, and newspaper closures. The Iranian authorities were especially restrictive on coverage of women's rights issues, anti-government demonstrations, the ailing economy, and the development of nuclear technology. The Constitution provides for limited freedom of opinion and of the press. However, numerous laws restrict press freedom, including the 2000 Press Law, which forbids the publication of ideas that are contrary to Islamic principles or detrimental to public rights. The government regularly invokes vaguely worded legislation to criminalize critical opinions. 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 one year in prison"; the code leaves "propaganda" undefined. Under Article 513, offenses deemed to be an "insult to religion" can be punished by death, or by prison terms of one to five years for lesser offences, with "insult" similarly undefined. Other articles provide sentences of up to two years in prison, up to seventy-four lashes, or a fine, 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. Iran's judiciary frequently denies accused journalists due process by referring their cases to the Islamic Revolutionary Court, an emergency venue intended for those suspected of seeking to overthrow the regime. The Preventive Restraint Act is regularly used without legal proceedings to temporarily ban publications.

Charges against journalists and publications are often arbitrary. Prosecutions and sentences are drawn out, and bail sums for provisional release while awaiting trial are substantial. Editors and publishers are prohibited from hiring journalists who have previously been sentenced, and many journalists are banned from leaving Iran. The successive arrests and closings of media outlets have led to widespread self-censorship among journalists. The government's office of public relations announced the creation of a special team in July whose mandate is to confront publications critical of the government.

In 2007, more than fifty journalists were prosecuted or imprisoned, some without charge, according to Reporters without Borders. At least ten journalists remained in prison at the end of the year. The Iranian authorities accused several other journalists of

having ties to foreign governments, as was the case with Iranian-American journalist Parnaz Azima, who was working for the Persian language services of the U.S.-backed Radio Farda. She was charged with disseminating propaganda against the Islamic Republic and activities against national security. Azima was among four people with dual citizenship who were detained during the year. All were later released on bail or allowed to leave the country. The government continued to intimidate and persecute journalists who covered the country's ethnic minority issues. Kurdish journalists Adnan Hassanpour and Abdolvahed Boutimar were sentenced to death in July 2007 for expressing their views on the Kurdish issue, based on charges of endangering national security and engaging in propaganda against the state. The Supreme Court upheld the death sentence of Hassanpour in December but overturned Boutimar's verdict. At least three other Kurdish journalists and one ethnic Arab journalist were imprisoned for their reports on the government's harsh treatment of minorities. The Iranian authorities also monitored student-run media, shutting down student publications and arresting eight student editors at Amir Kabir University in May 2007 for insulting state leaders and inciting public opinion. Three of the students were prosecuted in July and sentenced to between two to three years in prison. Their sentences were eventually reduced in December to four months in prison and the three were ordered to be released, however, prison authorities refused to release them at year's end. Journalists also fell victim to violent attacks during the year. In November, two journalists were stabbed in separate incidents by unknown assailants.

A report by the Association of Iranian journalists in 2007 stated that the profession has suffered in quality and financial stability since the conservative government crack down on independent newspapers. The Ministry of Culture and Islamic Guidance has banned or closed more than one hundred publications since 2000. The crack down continued in 2007, focusing primarily on reformist media outlets. At least eleven publications were suspended, four of them indefinitely. The pro-reform dailies *Shargh* and *Ham-Mihan* were shut down during the summer, a few months after they had resumed publication following previous suspensions. The deputy interior minister announced a new policy on September 30 forbidding any media from reporting on any party or political group that was not licensed by Commission 10 on Political Parties.

In 2007 there were some twenty major print dailies. The most widely distributed newspaper is the government-supported *Keyhan*, with a circulation of 350,000. Due to limited distribution of print media outside larger cities, radio and television serve as the principal source of news for many citizens, with more than eighty percent of residents receiving their news from television. The government maintains a direct monopoly of all domestic broadcast media and presents only official political and religious viewpoints. Together with the Persian-language channels, the state-run Islamic Republic of Iran Broadcasting (IRIB) targets Arabic speakers in Iraq and the Middle East via the *Al-Alam* and *Al-Kawthar* television networks. A government-run, English-language satellite station, Press TV, was launched in July 2007. President Ahmadinejad said its mission would be "to stand by the oppressed of the world," according to the BBC. Despite being forbidden, an increasing number of people own satellite dishes and access international news sources. Satellite radio stations such as the U.S.-backed Radio Farda and the Dutch-funded Radio Zamaneh also provide international broadcasts to a large part of the population.

Public use of high-speed Internet connections was banned in October 2006. However, Internet usage continued to increase dramatically in 2007, with a 7,100 percent growth rate since 2000—by far the largest in the Middle Eastern region, according to Internet World Stats. In January, the government announced that all websites and blogs needed to register with the authorities before March 1, yet only a very small number of sites actually registered, leading authorities to change the regulation to apply only to sites or blogs with their own domain. The Iranian authorities systematically censor Internet content by forcing Internet service providers (ISPs) to block access to a growing list of “immoral sites and political sites that insult the country’s religious and political leaders.” Since the summer of 2006, the censors have focused their efforts on online publications that deal with women’s rights issues such as *Zanestan*. In November, online journalist and women’s rights activist Maryam Hosseinkhah was charged with disturbing public opinion, engaging in propaganda against the regime, and spreading false news. Hosseinkhah, and a number of other women’s activists who were charged and detained throughout the year, were involved in the web campaign that seeks to gather signatures against Iranian laws that discriminate against women. Several Iranian news websites, such as *Emrouz*, *Ruydad* and *Rooz Online*, were filtered. Conservative news websites were also subject to censorship. In the beginning of the year, the conservative online publication *Baztab* was blocked for publishing reports on Iran’s nuclear industry and on corruption, in which President Ahmadinejad was criticized. Access to international news websites and international organizations is increasingly restricted, and there were contradictory reports on the censoring of YouTube, Facebook, MySpace, and Flickr, indicating that the blocking of websites is occurring at the ISP level and not through an official ban. Nevertheless, websites continue to communicate opinions that the country’s print media would never publish, with both reform advocates and conservatives promoting their political agendas. Iran’s most popular blogs oppose the regime and many bloggers publish anonymously. The Internet has also provided a key platform for international initiatives—such as Article 19’s *Persianimpediment.org*, Freedom House’s *Gozaar*, and *Rooz Online*—that promote freedom of expression and inform the Iranian public on human rights issues.

Iraq

Status: Not Free

Legal Environment: 22

Political Environment: 31

Economic Environment: 16

Total Score: 69

Iraq continued to be the most dangerous place in the world for the press, with several dozen journalists and media workers killed during the year. The two greatest challenges to press freedom remained the ongoing security issues and the restrictions on investigating corruption and abuses of power. Both freedom of opinion and freedom of the press are guaranteed in Article 36 of the 2005 Constitution, provided that these rights are exercised “in a way that does not violate public order or morality.” The Constitution

also outlines a legal framework for the creation of an independent National Communications and Media Commission to regulate broadcast media. However, Iraqi laws restrict the press and allow for fines and imprisonment of up to seven years for anyone who insults the national assembly, the government, or public authorities. The media is also prohibited from supporting the Ba'ath Party, inciting violence or civil disorder, or calling for a change in Iraq's borders through violent means. In addition, a number of restrictive laws dating from Saddam Hussein's rule remain on the books, and some emergency orders from the Coalition Provisional Authority (CPA) period are still in effect. The press may also still be prosecuted under the 1969 penal code, which criminalizes libel, defamation, the disclosure of state secrets, and spreading of "false news". Several amendments to laws governing the press have been circulated, and the Constitution itself is still being revised, which may or may not improve legal protections for the press.

The Parliament of the Kurdistan Region approved a new press bill in December that had been drafted in cooperation with the Kurdistan Journalists' Syndicate. The draft is rather restrictive however, and proposes fines of up to ten million dinars (US\$8,200) for various vaguely worded offenses such as disturbing security, spreading fear, and encouraging terrorism. The new law could have a crippling effect on the many journalists already facing a multitude of frivolous libel charges. Due to pressure from the Kurdish media and watchdog groups like the Journalistic Freedoms Observatory, President Masoud Barzani refused to sign the law and returned it to the Parliament of Iraqi Kurdistan for revision.

While the number of arrests and detentions of journalists by Iraqi Security Forces and US forces declined considerably in 2007, the Iraqi authorities employed other forms of legal harassment of the media. The government maintained its policy of curbing broadcasters using CPA Order 14, which prohibits the media from "inciting violence." The local offices of Sunni TV channels *Al-Zaura* and *Salah al-Din*, as well as the Dubai based satellite channel *Al-Sharqiya* were closed down in late 2006 and early 2007 for airing footage of Iraqis protesting Saddam Hussein's execution. The stations continued to air on satellite channels hosted outside the country. The Iraqi offices of satellite channel *Al-Jazeera* remained closed after being shut down by the government in 2004. Citing security reasons, the government placed restrictions on reporting on bomb attack sites in May, and starting in November, journalists were forbidden to go to the Kandil Mountains to cover hostilities between the PKK and Turkish forces. Eleven employees of Wasan Media were arrested on February 25 and charged with inciting terror for sharing video footage with Al-Jazeera of an interview with a woman who was allegedly raped by police. While all charges were dropped, two of the media workers remained in jail at the end of the year for charges of possessing unlicensed weapons. Extrajudicial means of harassment and intimidation of independent journalists also increased in the Kurdistan region over the last couple of years, with several editors of independent publications such as the *Hawlati* being jailed and resigning from their posts over threats of imprisonment for publishing articles critical of the KRG.

The case of Associated Press photographer Bilal Hussein, who had been held by U.S. military without charge for twenty months, finally came before an Iraqi court in December. The hearings were held in secrecy, and Hussein was never formally charged.

U.S. officials have claimed that Hussein had been working with insurgent groups who had given him privileged access to their attacks, but the Associated Press was able to discredit some of these claims. Hussein remained in detention at the end of the year. All other journalists detained by U.S. forces have been released, most without being formally charged.

According to the International Press Institute, 42 journalists and media workers were killed in 2007. All journalists killed were Iraqi nationals with the exception of one Russian photographer working for CBS. Although some journalists are caught in the crossfire, most are victims of deliberately targeted attacks by insurgent groups and militias who often go unpunished. Insurgent groups have been known to issue “death lists” of journalists. On June 7, female reporter Sahar Hussein Ali al-Haydari, was singled out and killed by four gunmen associated with the al-Qaeda affiliated group “The Islamic State in Iraq.” Al-Haydari worked for the National Iraqi News Agency and the independent news agency *Aswat al-Iraq*. An American air strike killed a Reuters photographer and his assistant on July 12 along with nine other Iraqis. Reuters called for an investigation into the air strike which eyewitnesses claimed was fired indiscriminately. The Committee to Protect Journalists criticized a Pentagon investigation report on the 2004 killing of two *Al-Arabiya* employees by U.S. troops. The U.S. forces have been responsible for the deaths of at least 16 journalists since 2003.

According to Reporters without Borders, armed groups kidnapped 25 media workers in 2007, and while most were freed shortly after, five were killed. Kidnappers still held 14 Iraqi journalists at the end of the year, including five who were kidnapped in 2006. On April 3, gunmen seized Othman al-Mashhadani, a reporter for the Saudi Arabian daily *Al-Watan* who had reported on various sectarian militias, including the Shiite Mahdi Army and the Sunni Islamic Army. The kidnappers called his family and asked for a ransom, but he was found tortured and dead three days later. Many kidnappings target local journalists working for foreign media as correspondents or stringers. Most journalists practice a high level of self-censorship in response to the extra-legal intimidation and violence, as well as the threat and implementation of restrictive press laws.

The diversity of the media in Iraq increased dramatically after the fall of Saddam Hussein. Iraq now has more than 100 daily and weekly publications and dozens of private television and radio channels. Nevertheless, the financial viability of these outlets is severely threatened by the security situation, and many publications have very small circulations. Nearly all media outlets are privately owned and operated; many are financially dependent or affiliated with ethnic, sectarian, or partisan groups mostly due to economic necessity. In conjunction with poor training for journalists, the media environment reflects a plurality of viewpoints, but a lack of balanced journalism. Traditional, independent journalism is spearheaded by successful publications such as *Assabah Aljadeed* and *Hawlati*, and news agencies such as *Aswat al-Iraq*. Media infrastructure has improved with ICT technology and new printing presses in Baghdad and Basra. The government controlled Iraqi Media Network includes *Al Iraqiya* television, *Al Sabah* newspaper and radio stations throughout the country. Among the largest domestic television stations is *Al Sharqiya*, which broadcasts from Dubai and features news, soap operas, and satire. The popularity of foreign satellite television,

previously banned under Saddam Hussein except in the northern Kurdish regions where it was legalized in 1991, has increased immensely since the 2003 invasion. Around one third of all Iraqi families now own a satellite dish. Internet use was severely limited during the Saddam Hussein-era, but many Internet cafés have opened up since 2003. There are no direct government restrictions on Internet access, but due to the security situation, power failures, and lack of infrastructure, the number of private Internet users remains small even by regional standards.

Ireland

Status: Free

Legal Environment: 4

Political Environment: 6

Economic Environment: 5

Total Score: 15

Press freedom is constitutionally guaranteed and generally respected in practice. However, archaic defamation laws are still in place under which journalists remain guilty until proven innocent. A defamation bill introduced in late 2006 was still under debate at the end of 2007. The proposed law abolishes criminal, seditious and obscene libel, although it allows for a sentence of up to 5 years for “gravely harmful statements.” The law also includes the defense of “reasonable publication,” under which journalists will not be held liable for defamatory statements if they acted in accordance with professional ethics and public interest justified publication. The law is expected to give official recognition to the independent press ombudsman and Press Council. The ombudsman, appointed in August 2007, will be responsible for investigating and adjudicating public press complaints. Unresolved cases will be passed along to the Press Council, which was established in January 2007. A privacy law proposed in 2006 was not discussed in the Seanad in 2007 and is unlikely to be passed in the near future.

In late 2006, *Irish Times* editor Geraldine Kennedy and senior correspondent Colm Keena were accused of publishing classified information in an article disclosing details of the investigation of Bertie Ahern by the Mahon tribunal, a government anticorruption body. Following their indictment, the journalists destroyed all relevant documents in order to protect their source. In October 2007, the High Court ordered Kennedy and Keena to answer questions before the tribunal or face up to two years in prison or a 300,000 Euro fine. The questioning was postponed pending an appeal scheduled for early 2008. In February, freelance reporter Mick McCaffrey was arrested in connection with an August 2006 article about police mishandling of the 1997 arrest and jailing of an innocent man on murder charges. McCaffrey cited a confidential police report in the article. The police demanded McCaffrey reveal his sources and seized his phone records. McCaffrey refused to reveal his source and was released the next day.

The national public broadcaster, Radio Telefis Eireann, dominates the radio and television sectors, but the growth of cable and satellite has begun to weaken the state broadcaster’s monopoly over the industry. According to the U.S. State Department, there were 58 independent radio stations and 2 independent television stations operating during

the year. British public and private television offers the main competition to Irish programming. According to the British Broadcasting Corporation, cross-media ownership is permitted within limits—press groups may own no more than 25 percent of local television and radio. Newspapers were dominated by the Independent News and Media Group, though diversity in views and political affiliations were seen across the multitude of dailies and weeklies produced in 2007. Internet access is unrestricted by the government, and 50 percent of Irish citizens use the internet regularly.

Israel

Status: Free

Legal Environment: 6

Political Environment: 14

Economic Environment: 8

Total Score: 28

Press freedom is generally respected in Israel and the country features a vibrant media landscape. Nevertheless, several incidents during the year tested the scope of press freedom, particularly with regards to coverage of events in Lebanon and Syria. In general, an independent judiciary and an active civil society adequately protect the free media. Hate speech and publishing praise of violence are prohibited, and the 1948 Prevention of Terrorism Ordinance prohibits expressions of support for terrorist organizations or groups that call for the destruction of Israel. Journalists operating in Israel require accreditation by the Government Press Office (GPO) to have access to government buildings and official press conferences or passage across military check points. The GPO has been known to occasionally refuse press cards on political and security grounds, especially to Palestinians. Freedom of information is provided for by law and generally respected. However, in recent years, local human rights groups have lodged petitions with the courts against government bodies for not publishing internal regulations or annual reports. A law that forbids Israeli citizens from traveling to “enemy states” without permission from the interior ministry raised concerns in 2007 when three journalists were interrogated and faced potential prosecution for having reported from Syria and Lebanon. Press freedom organizations condemned the selective application of the law, as well as the implications of such travel restrictions on the diversity of news sources available to the Israeli public.

While newspaper and magazine articles on security matters are subject to a military censor, the scope of permissible reporting is wide and there is a broad range of published material. Editors may appeal a censorship decision to a three-member tribunal that includes two civilians, and publications cannot be shuttered because of censorship violations. Arabic-language publications are censored more frequently than those in Hebrew, while coverage of the Arab minority in the mainstream Hebrew press is limited. A Special Committee of the Israeli Press Council released a report in April concluding that earlier accusations by security officials were false and the media had not in fact endangered lives with their reporting during the July-August 2006 conflict in Lebanon.

Cases of physical threats and the harassment of journalists are rare. However, in recent years, authorities have been known to detain Arab journalists, especially those reporting for media outlets perceived as hostile to Israel. In July, Israel detained Atta Farahat, a correspondent for Syrian Public Television and *Al-Watan* daily newspaper who was living in the Golan Heights. The Syrian Center for Media and Freedom of Expression speculated that Farahat was suspected of “collaborating with an enemy state” related to his journalism for Syrian media. According to Reporters Sans Frontieres, Farahat remained in custody at year’s end, and Israeli courts issued orders prohibiting his lawyers or the Israeli press from talking about the case. Another media blackout was instituted in September for one month surrounding an Israeli air strike on a Syrian military facility. In addition, media access to the details of a police investigation of Azmi Bishara, an Arab member of the Knesset accused of espionage, was restricted until a court partially lifted the blackout in April. Mordechai Vanunu, who served 18 years for espionage and disclosing information about Israel’s nuclear weapons program, was sent back to jail for six months in July after speaking to international journalists about his case, thus violating the terms of his 2004 release. In an incident in November that was condemned by the local Foreign Press Association as endangering reporters, police officers in Tel Aviv disguised themselves as journalists from the Channel 2 television station in an undercover operation to arrest a Palestinian suspect.

Israel has a free and lively press, with 12 daily newspapers, 90 weekly newspapers, and a number of Internet news sites that cover a broad range of political viewpoints and religious outlooks. All newspapers are privately owned, freely criticize government policy, and actively investigate high-level corruption. Nevertheless, concentration and cross-ownership have enabled a small number of families—some with close personal ties to prominent politicians—to control the press. A diverse selection of broadcast media is also available. Television started to be privatized in the early 1990s, and since then, the number of commercial networks has grown exponentially. Most Israelis subscribe to cable or satellite services that also provide access to international commercial stations. As a result, the dominance of the state-run Israel Broadcasting Authority (IBA) in the television market has waned significantly. The IBA’s radio station Kol Israel and the military-operated Galei Tshal remain popular, while a diverse range of pirate radio stations also operate, serving the country’s ultraorthodox, Russian and Arabic-speaking populations in particular. The government does not restrict Internet access, which is widespread and available to over 55 percent of the population.

[This rating and report reflect the state of press freedom within Israel proper, not in the West Bank and Gaza Strip, which are covered in the following report on the Israeli-Occupied Territories and Palestinian Authority.]

Israeli-Occupied Territories / Palestinian Authority

Status: Not Free

Legal Environment: 28

Political Environment: 34

Economic Environment: 22

Total Score: 84

While events in the West Bank and Gaza Strip are covered extensively by the international media, both Israel and the Palestinian Authority (PA) severely restrict press freedom and often impede the ability of the media to report safely and accurately. The environment for reporting from the West Bank and Gaza Strip further deteriorated in 2007, as journalists came under attack from both militant factions and the leadership of the Islamist party Hamas, who took over authority of the Gaza Strip in June. An atmosphere of impunity continued for crimes against the media, with very few prosecutions of perpetrators by either Israel or the Palestinian Authority. The Palestinian Basic Law and a 1995 Press Law provide for freedom of the press and an independent media. However, the Press Law also stipulates that journalists may be punished and newspapers closed for publishing material deemed harmful to national unity, or likely to incite crime, hatred, division or sectarian dissension. In August, Hamas leaders announced that they intended to apply the 1995 Press Law and imprison journalists for violating such provisions, but there were no reports of its enforcement.

Israel's army and security services continued to commit a range of abuses against the press in 2007. Journalists were subject to gunfire, physical abuse, arrest, and substantial limits on their freedom of movement. Reporters Sans Frontieres (RSF) reported that throughout the year, 16 journalists were wounded by fire from Israel Defense Forces (IDF), including live ammunition, rubber bullets, shrapnel, and teargas grenades. Among those injured was Imad Ghanem, a cameraman for the Hamas-affiliated satellite channel al-Aqsa, whose legs were amputated after Israeli tanks opened fire on him in July. The Committee to Protect Journalists reported that during an incursion into Nablus in February, IDF soldiers fired stun grenades and teargas at 12 journalists and photographers to prevent them from covering a search and seizure operation. During the same military incursion, soldiers also detained Nabegh Break, the owner and managing director of the local Sanabel TV station, raiding both his home and the station's office. In the West Bank, IDF forces reportedly carried out similar raids on six Palestinian pro-Hamas media outlets in May and three in December, in many cases seizing equipment and thereby forcing the stations to suspend broadcasting. Journalists reporting from the Israeli-occupied territories are required to carry Israeli-issued press cards, which are difficult to obtain, particularly for many Palestinian and Arab journalists. According to the U.S. State Department, on several occasions, IDF soldiers beat, detained, and confiscated the press cards of journalists covering protests against construction of the separation barrier in the West Bank village of Bil'in.

Israel denies that it deliberately targets journalists and maintains that reporters covering the conflict bear responsibility for placing themselves in danger. However, international newswires also quoted an Israeli military source saying that Israel does not recognize cameramen working for Hamas-affiliated channels as journalists because their films are used for intelligence purposes and they are sometimes armed. A new analysis of an audio recording of the 2003 death of British journalist James Miller in Gaza reportedly indicated that the shots that killed Miller were fired from an Israeli military vehicle. In April 2006, a British coroner's court declared that the shooting constituted an unlawful killing on the part of the IDF. The British Attorney General wrote to the Israeli authorities in June 2007 requesting that they begin legal proceedings within six weeks

against the officer suspected of firing the shots, however, no proceedings had been launched by year's end.

Since the legislative victory of Hamas in January 2006, Palestinian media outlets have become targets of factional violence between Hamas and Fatah. Danger to journalists and the polarization of the Palestinian media were exacerbated during violence that erupted over the summer in the Gaza Strip, which ended in a Hamas takeover of the area. On May 13, Suleiman Abdul-Rahim Al-Ashi, economics editor for the Hamas-affiliated newspaper *Filastin*, and Mohammad Matar Abdo, the paper's distribution manager, were shot and killed by gunmen associated with Fatah. A building housing foreign bureaus such as Al-Jazeera and the BBC was also caught in the crossfire between Hamas and Fatah forces on May 16.

Press freedom in Gaza further deteriorated under Hamas rule. From June to November, RSF counted at least nine assaults and 21 arrests of journalists by the Hamas Executive Forces, in what the Foreign Press Association called, "a coordinated policy by Hamas security forces." By mid-June, Hamas fighters had forced all Fatah-affiliated television and radio outlets in the strip to stop broadcasting; at least nine media outlets were shut down, including three state-owned and six privately-owned. In June, Hamas-linked militants conducted an armed raid of the offices of the Gaza branch of the Palestinian Journalists' Syndicate (PJS), and in September, a Hamas government representative announced the dissolution of the PJS, while a new Government Committee for the Media was established. In November, the Interior Ministry in Gaza declared that journalists would not be allowed to continue working in Gaza without obtaining a Hamas-issued press card. Obtaining a card would reportedly require submitting to editorial restrictions such as a vague ban on articles that "cause harm to national unity."

Continuing a disturbing trend from previous years, several foreign journalists were kidnapped by militants in Gaza in 2007. The most prominent victim was the BBC's Alan Johnston who was kidnapped in March and held for 114 days, making it the longest abduction in Gaza to date. The year also saw the first Palestinian journalist to be seized, when Hamas supporters held Abu Dhabi TV's Abdelsalam Mussa Abu-Askar for several hours in May. Danger to journalists reporting from Gaza further increased in June due to the actions of four armed Palestinians who used a jeep with the press markings of a "TV" insignia to attack an Israeli military position.

The Palestinian media have also faced factional violence in the West Bank. The state-owned Wafa TV station had its offices in Nablus stormed by gunmen on January 4, reportedly because their coverage focused on Fatah more than on other factions. In September, Fatah-controlled security forces raided Hebron University to disperse a press conference organized by the pro-Hamas student council, beating students and several journalists in the process. Six pro-Hamas journalists were arrested during the year and eight reporters were attacked by PA security forces within one week during November. These included a correspondent for Al-Jazeera television whose arm was broken when police beat him while he was covering a demonstration in Ramallah against the Annapolis Middle East peace conference.

There are 3 Palestinian dailies in addition to several weekly and monthly periodicals, and the territories host roughly 30 independently owned television stations and 25 radio stations, though several were shut down during the year. The television station and radio station run by the PA function as government mouthpieces, with control

exercised primarily by Fatah. Cautious self-censorship exercised by most independent media outlets, particularly on the issue of internal Palestinian politics, further increased in 2007 out of fear of attacks by one faction or another. Israeli checkpoints often prevent newspaper distribution in the territories. After the Hamas takeover of Gaza, the Fatah-led West Bank authorities prevented the printing and distribution of the pro-Hamas *Filastin* and *Al-Risala* newspapers in the West Bank for most of the second half of the year. Access to satellite television is increasing, and while the government does not restrict access to the Internet, just over 10 percent of the population accessed it in 2007.

Italy

Status: Free

Legal Environment: 10

Political Environment: 10

Economic Environment: 9

Total Score: 29

Freedom of speech and the press is constitutionally guaranteed in Italy. However, under the government of Silvio Berlusconi, the country suffered from an unusually high concentration of media ownership. The former prime minister, through his private holdings and political power over state television networks, controlled 90 percent of the country's broadcast media during his 2001–2006 premiership. The 2004 Gasparri law on broadcasting, which introduced a number of reforms including preparations for the switch from analog to digital broadcasting, was heavily criticized for providing measures that served Berlusconi's interests and enabling him to maintain his control of the private media market.

Libel cases continued to burden journalists in Italy during the year. Two lodged by politicians include one lodged by the then Deputy Prime minister Francesco Rutelli and parliamentarian Ferdinando Adornato. In the former case, Rutelli sued the weekly *L'Espresso* for alleging that he used official travel for personal reasons. In the latter case, Adornato sued for a story in *Il Giornale* that criticized an apartment that he purchased from a government agency as an example of excessive government privileges. In January, the government approved antiracism legislation that criminalizes Holocaust denial with potential prison terms of up to four years.

In June the Chamber of Deputies overwhelmingly passed a bill on telephone tapping that regulates the publication of phone call intercepts in the news media. If it passes the Senate, the law would allow the state to fine and imprison journalists who violate a ban on publishing a recording if the investigation is over. In December, the home of a journalist for the daily *La Repubblica* was searched in response to an article that he wrote about alleged efforts by Berlusconi to corrupt Italian senators. The news story argues that Berlusconi promised a position in his government to an opposition senator if he helped the former prime minister undermine the government of Roman Prodi.

Despite Berlusconi's resignation from the premiership, the broadcast media in Italy remain concentrated, with the state-owned RAI and Berlusconi's Mediaset

controlling 87.5 percent of the market share. Nonetheless, a Council of Europe report released in February 2006 demonstrated that despite the concentration of broadcast media ownership in Italy, there is considerable diversity of content in the country's news and other media. In fact, the print media, which consist of several national newspapers (two of which are controlled by the Berlusconi family), continue to provide diverse political opinions, including those critical of the government. The government generally does not restrict access to the internet, and roughly 50 percent of the population accessed this medium in 2006. However, the government can block foreign-based internet sites if they contravene national law. After the 2005 London bombings by Islamist extremists, Italy's Parliament approved a new Anti-terror Law that includes surveillance of the internet and requires one to have a license to operate an internet café.

Jamaica

Status: Free

Legal Environment: 3

Political Environment: 6

Economic Environment: 6

Total Score: 15

Jamaica continued to uphold its free media environment in 2007, the constitution protects freedom of expression, and independent media are active. However, some media rights activists continue to complain that existing libel and defamation laws are hindering freedom of expression, and in particular that media owners discourage investigative reporting of certain subjects because of their fear of libel suits. On World Press Freedom Day on May 3, Desmond Richards, president of the Press Association of Jamaica (PAJ), called for reform of the current laws. The new Prime Minister, Bruce Golding, who took office in September following the victory of his Jamaica Labour Party over the incumbent People's National Party, stated the new government's commitment to review and make changes to existing libel laws. "I want to see a press that is strong, that is powerful, and that is able to satisfy the public's need for information without any unnecessary methods being applied," declared Golding. In the run-up to the election, journalists were frequently harangued as the two main political parties intensified their campaigning. Both the PAJ, representing media workers, and the Media Association of Jamaica, representing media owners, raised concerns about "inflammatory" statements by the leadership of both parties.

The country 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. The state broadcasting service was largely privatized in 1997, although the Kool FM radio station is still government owned. In March 2006, the Public Broadcasting Corporation of Jamaica (PBCJ) - funded by state and private sector contributions - was launched as a radio and television service to replace the state-run Jamaica Broadcasting Corporation. 45 percent of the population has access to the internet, and there are no restrictions imposed by the authorities.

Japan

Status: Free

Legal Environment: 2

Political Environment: 13

Economic Environment: 6

Total Score: 21

Japan's prolific media garners one of the highest readerships in the world, despite criticism about a lack of viewpoint diversity as a result of exclusive press clubs and occasional backlash from nationalist extremists. Press freedom is constitutionally guaranteed and generally respected in practice. The independent court system has particularly emerged in recent years as a bulwark against political pressure on journalists. In several prominent cases during 2005 and 2006, courts upheld the right of journalists to refuse to reveal anonymous sources, even when the source is a public official, ruling that the protection served the public interest and the public's right to know. In January 2007, Tokyo's High Court ruled that the public broadcaster Nihon Hoso Kyokai (NHK) had bowed to political pressure in censoring a 2001 documentary about sex slavery during World War II. Among the politicians who had reportedly pressured the station to delete scenes of a mock trial in which the Emperor had been found guilty of crimes against humanity was Shinzo Abe, Prime Minister for much of 2007, who at the time had been serving as Deputy Chief Cabinet Secretary. The court ordered the NHK to pay \$16,400 in damages to a women's rights group who had staged the mock trial.

Concerns continue regarding the lack of diversity and independence in reporting, especially in political news. This is facilitated in part by a system of *kisha kurabu*, or journalist clubs, in which major media outlets have cozy relationships with bureaucrats and politicians. Exposés by media outlets that belong to such clubs are frowned upon and can result in the banning of members from press club briefings. As such, journalists tend to avoid writing critical stories about the government, thereby reducing the media's ability to pressure politicians for greater transparency and accountability. Most of Japan's investigative journalism is conducted by reporters outside the press club system. Nevertheless, in recent years, the exclusivity of the clubs has eroded as foreign journalists with press cards from the Ministry of Foreign Affairs are now guaranteed access to most official press conferences. According to the International Press Institute, the last significant *kisha kurabu* to bar foreign reporters is the one that deals with the affairs of the Emperor and royal family. However, with the exception of Nagano—where former governor Yasuo Tanaka abolished the prefecture's press clubs—Japanese magazine reporters, online writers and freelance journalists remain essentially barred from the clubs, even as observers.

Physical attacks against the media are rare. However, on July 21, 2006 an unidentified man hurled a Molotov cocktail into the headquarters of Japan's largest business daily, *Nihon Keizai Shimbun*. No one was hurt in the attack, but the office suffered minor damage. In April 2007, Motohide Hiraoka, an ultranationalist and former member of a right-wing outfit, was arrested for the attack, whose aim he said was to warn the newspaper after it ran an exclusive story about the late emperor Hirohito's refusal to

visit the Yasukuni Shrine war memorial, once it began honoring 14 convicted war criminals in 1978. In July, Hiraoka was sentenced to ten months in prison.

Japan has a vigorous and free media and boasts the second highest daily newspaper circulation per capita in the world (after Norway). Many national dailies have circulations topping one million and often produce afternoon and evening editions as well. More than half of the national newspaper market share 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 station NHK, has diversified considerably with the rising popularity of TV Asahi, Fuji TV, the Tokyo Broadcasting System, and satellite television. Japan also boasts 188 community radio stations and over 47 million registered internet users, representing almost 70 percent of the population. In recent years, the Internet has increasingly become an important source of news and revenue, with online ad sales growing by almost 30 percent in 2006 from the year before. No government restrictions on access to the Internet were reported in 2007.

Jordan

Status: Not Free

Legal Environment: 21

Political Environment: 24

Economic Environment: 18

Total Score: 63

Jordan’s media suffers from oppressive media legislation, informal pressure from the intelligence services, and cautious advertisers and printers afraid of running afoul of the government. In addition to constitutional guarantees of the right to freedom of expression and of the press, the Parliament approved a new Press and Publications Law on March 21 that explicitly prohibits “detention as a result of the enunciation of an opinion in speech, writing, or through other means.” Nevertheless, the new law drastically increased fines to up to 28,000 dinars (USD\$40,000) for speech that offends religious beliefs, offends the prophets, or slanders the government. Journalists may also still be prosecuted under the penal code that allows for imprisonment up to three years for defaming the king or royal family. Although, in practice, limited criticism of the government and its allies is often tolerated, as is speech in favor of Islamist movements. Journalists must be members of the Jordan Press Association (JPA) to work legally. In the past, critical journalists have been excluded from the JPA and prevented from practicing their profession.

Intelligence agencies watch journalists closely, and the government of former Prime Minister Ma’ruf al-Bakhit, whom Nadir al-Dahabi replaced on November 25, gave free rein to intelligence officials, the police, and prosecutors to clamp down on legitimate speech. As a result of government threats of fines or prosecution, many journalists practiced self-censorship. Editors and journalists claim to have received official warnings to refrain from publishing certain articles and avoid certain topics, and security officials have pressured printers to delay publications until editors agree to remove sensitive stories. On April 18, security officers confiscated videotapes from an Al-Jazeera

journalist containing an interview with former Crown Prince Hassan bin Talal in which he criticized Saudi and U.S. policies in the Middle East. According to the Committee to Protect Journalists (CPJ), security agents banned the April 30 edition of the weekly *Al-Majd* because of a front-page story about a “secret American plan” to topple the Hamas government in the occupied Palestinian territories with the connivance of “unnamed Arab parties.” Fahd al-Rimawi, the paper’s editor, told CPJ he reached an agreement with the security services whereby he ran the story in the paper’s next edition, but off the front page. In both cases of censorship, the government claimed to be acting out of fear of harming relations with neighboring countries.

The media was also subject to physical violence and harassment at the hands of state security officials. In January, Khaled al-Khawaja, a journalist with the pro-government daily *al-Ra’i*, filed a criminal complaint against a public security officer alleging that the officer assaulted him while he was trying to cover the disbursement of government meat rations. The officer responded by filing a counter-complaint, and in February, Khawaja was arrested and charged with assaulting a public security officer. State security officers also assaulted a journalist and a cameraman from the Al-Ghad TV station, Aubaida Dammur and Fady Ramhy, in April as they attempted to cover a bus strike in Amman.

The government owns substantial shares in Jordan’s two leading daily newspapers, and all publications must obtain licenses from the state. There are high taxes on the media industry and tariffs on paper, and the government has been criticized for advertising primarily in newspapers in which it owns a stake. In 2003, the government officially gave up its monopoly on domestic television and radio broadcasting by creating the Audiovisual Licensing Authority, which in 2004 began to license and regulate private radio and television outlets. While the first privately-owned television station ATV was licensed two years ago, it is still in its pilot stage and has not been allowed to start broadcasting. The country’s state-run Jordan Television and Radio serves mostly as a mouthpiece for the government. The new Press and Publications Law requires the licensing of publications and provides the courts with the right to withhold publication of any printed material, as well as the power to withdraw licenses. However, the new law does limit the government’s ability to shut down printing presses. No restrictions are placed on satellite broadcasts, and satellite dishes continue to proliferate. The Jordanian government is actively seeking to promote access to the Internet and claims to place no restrictions on the roughly 13 percent of the population who access it. However, online publications became subject to press law on September 25, and on October 9, former MP and head of the Jordan National Movement, Ahmad Oweidi Abbadi, was sentenced to two years in prison by a state security court for posting material on his party’s website. Abbadi had been detained in May on charges of “slandering a public official” and spreading false news abroad that “would impair the prestige of the state,” based on a complaint from the interior minister who took offense to a letter Abbadi openly posted on the Internet to U.S. Senator Harry Reid accusing the minister and other government officials of corruption.

Kazakhstan

Status: Not Free

Legal Environment: 26

Political Environment: 30

Economic Environment: 22

Total Score: 78

While Kazakhstan's media environment displayed familiar obstacles to independent reporting in the form of legal restrictions, self-censorship, and harassment in 2007, political events underscored the overwhelming extent of partisan ownership and presidential influence. The country's constitution guarantees freedom of the press but also provides special protection for the president. The restrictive 2006 amendments to media legislation remained in force, imposing costly registration fees for journalists, broadening criteria for the denial of registration, requiring news outlets to submit the names of editors with registration applications, and necessitating reregistration in the event of an address change. While a more liberal draft media law was introduced to parliament in April, it had not made progress by year's end. August parliamentary elections that produced an opposition-free legislature took place amid biased media coverage, international observers noted.

Major broadcast media remained either state run or controlled by members or associates of the president's family. The fall from grace of Rakhat Aliyev, the former son-in-law of President Nursultan Nazarbayev, illustrated the negative consequences of partisan ownership in a system with virtually non-existent checks and balances. When Aliyev faced criminal charges over a bank takeover in early 2007, media he controlled leapt to his defense. In May, a court shut down two of his holdings, the television station KTK and the newspaper *Karavan*, on selectively applied violations of the country's language law. With Aliyev exiled in Austria, the two outlets were allowed to reopen in August under new management and with a different focus in their coverage. Repercussions from the Aliyev case continued to affect the media even after the president's daughter divorced the errant son-in-law, now stripped of his media assets. In October and November, the opposition newspapers *Svoboda Slova*, *Tas Zhagan*, *Respublika*, and *Vzglyad* faced tax and regulatory investigations and difficulties with their publishers in connection with their coverage of allegations by Aliyev linking the president to the 2006 killing of opposition leader Altynbek Sarsenbayev.

Journalists continued to encounter harassment and obstacles, including criminal charges and civil libel suits. Kazis Toguzbayev, a journalist and activist in the unregistered opposition party Alga who had faced criminal charges in 2006 for allegedly "undermining the reputation and dignity of the country's president and hindering his activities" in articles published on the internet, received a two-year suspended sentence. An Astana court closed the independent newspaper *Zakon i Pravosudie* (ironically, Law and Justice) in February for registration violations. Oralgaisha Omarshanova, an investigative reporter for *Zakon i Pravosudie* who had written about ethnic clashes and dangerous conditions in mines, went missing in March and had not been found by year's end. The NGO Adil Soz reported 144 incidents of harassment in the first 11 months of 2007.

The internet, which had provided a refuge of sorts for Kazakhstan's beleaguered independent press, was increasingly a site of contestation amid more frequent reports of

blocked websites. In October, the opposition websites zona.kz, kub.kz, geo.kz, and inkar.info were blocked in connection with audio recordings in which high-ranking officials apparently discussed illegal campaign-finance tactics. Although three of the websites were unblocked after a meeting with Culture and Information Minister Yermukhamet Yertysbayev in November, the minister reportedly pressured editors and suggested that internet content providers should face “criminal punishment” for certain materials. In August, Nurlan Alimbekov was arrested for emails allegedly insulting the president and inciting ethnic hatred; the country’s security service argued that the emails violated media law because they were sent to multiple addresses. Nevertheless, the internet was freer than print and other broadcast media, although even the most optimistic estimates put the number of internet users in the country at some 10 percent of the population.

Kenya

Status: Partly Free

Legal Environment: 21

Political Environment: 21

Economic Environment: 18

Total Score: 60

The Kenyan media typically has a reputation for vibrant, aggressive reporting. But in 2007, its independence was threatened by the government in a number of ways. The most odious of these were the decisions made by the government to create a statutory media council to regulate the media during the summer and its impulsive declaration that banned live broadcast news following the failed election in December.

Although the constitution does not explicitly guarantee press freedom, Kenyan media operations are still governed by the constitution’s Section 79. While not providing for freedom of speech, Section 79 does guarantee citizens the broader right to freedom of expression. Nevertheless, the government routinely restricts this right by widely interpreting several laws, including the Official Secrets Act, the penal code, and criminal libel legislation. Although defamation remains criminalized in Kenyan law, in a 2005 defamation case the attorney general declared that the archaic law would no longer be used to suppress freedom of expression. However, in a March 2007 civil libel case, the editor of the independent newspaper, *The Independent*, was jailed for his inability to pay his US\$8,600 fine. Earlier, *The Independent* had published an article accusing the father of Martha Karua—the minister of justice and constitutional affairs and close friend of the presiding judge—of being involved in an abortion scandal. Kenya was still without Freedom of Information legislation at the end of the year, despite the fact that a Freedom of Information Bill was tabled in parliament in May.

The most significant change on the legal front in 2007 was the creation of a statutory media council. A self-regulatory voluntary media council has existed in Kenya since 2002 but pressure has since mounted for a statutory media council to replace it. A bill was introduced in parliament to that effect early in 2007. Bitter and acrimonious debate followed between government officials and media representatives. In August, the

bill was passed with a last minute amendment that would require editors to disclose the identity of their sources if asked to do so in a court of law. Immediately, hundreds of journalists held a silent demonstration in Nairobi in protest. In response, Kibaki refused to sign the law with the new amendment and sent it back to parliament where the amendment was swiftly removed and the legislation passed. As it stands, the new law mandates a council of 15 members with the chair being appointed by the Minister of Information and Communications. It also limits who can be a reporter by defining a journalist as someone who “holds a diploma or a degree in mass communication from a recognized institution of higher learning,” and requiring all media practitioners to register with the council for accreditation.

While instances of harassment and intimidation of the media decreased from 2006, the situation markedly deteriorated during the December 27 general election and in its aftermath. Journalists who were unaccustomed to covering conflict were thrust into dangerous situations, many were on the receiving end of tear gas attacks, and those posted at the polling stations were often intimidated. Moreover, on December 30—the same day that the electoral commission mistakenly announced that the incumbent Mwai Kibaki had won the presidential election—the internal security minister announced that all live television and radio broadcasts would be formally banned indefinitely. This had the effect of preventing up-to-date coverage of the rapidly changing events, and inhibiting the media’s ability to question the electoral commission’s verdict despite the growing evidence. At the end of the year, the situation for the media, not to mention the state of the country’s democracy as a whole, was tenuous indeed.

Despite these events, the private media in Kenya remains vibrant, independent, and diverse. In fact, considering the limitations, much of the domestic media provided robust coverage of the post-election violence unfolding. Two private companies, The Standard Media Group and Nation Media Group are prominent influential media houses, running independent television networks and well-respected newspapers. The state-run television station, Kenya Broadcasting Corporation, started a new network, K24, in 2007 which exhibited signs of distinct pro-government bias. Radio is the most influential medium outside of Nairobi and there is a plethora of diverse stations around the country. Unfortunately, many such vernacular stations were accused of broadcasting ethnic hate speech in the wake of the election. International media is widely available in Kenya, including the British Broadcasting Corporation and Radio France Internationale.

The internet is a growing place for vibrant political debate for Kenyan citizens and the Diaspora. In fact, blogs were a crucial source for up to the minute information, images, and opinions following the ban on other live broadcasts. The percentage of Kenyans accessing the internet more than doubled in 2007 from 3 percent the previous year to 7.5 percent. This is expected to rise even further in coming years with the anticipated completion of an underwater fiber-optic cable from the middle east connecting Kenyans to a much faster internet at more affordable prices.

Kiribati

Status: Free

Legal Environment: 5

Political Environment: 8
Economic Environment: 13
Total Score: 26

The tiny island nation of Kiribati has a free and open media system. Freedom of expression is safeguarded under Article 12 of the constitution; however, there are some restrictions. Newspapers are required to register with the government under the Newspaper Registration Act. Additionally, the Newspaper Registration (Amendment) Act of 2004 gives the government the power to stop publication of newspapers that face complaints. There is no official censorship, although journalists have self-censored under political pressure from the government.. In 2007, Kiribati joined the newly-formed Micronesian Media Association to protect free and independent journalism and public access to information.

Leading up to the second round of parliamentary elections in August 2007, a member of the opposition party was denied the opportunity to broadcast a speech on the government owned Broadcasting and Public Authority (BPA) radio station. Former BPA radio journalist Taberannang Korauaba lost his appeal against the government for wrongful dismissal in 2006 after refusing to reveal his source for a 2005 corruption report. Korauaba began publishing *Tematairiki* news in 2006, a community paper distributed in Tarawa, which changed to *Islander Sun* in December 2007.

The state-run newspaper, *Te Uekera*, and the nation's only privately owned newspaper, *Kiribati New Star*, both operate on a weekly basis and offer diverse viewpoints. Newsletters from Catholic and Protestant churches provide additional sources of information. There is one state AM and FM radio station and one private broadcaster in Tarawa. In 2006, the government hired Powercom, a Tasmanian company, to set up the country's first radio contact between the coral islands. The internet is unrestricted; however, with a single provider access is among the most expensive in the world, and only 2 percent of the country's population was able to make use of the internet on a regular basis during the year. Toward the end of 2007, Fiji-based Digicel sought license to begin Internet operations in Kiribati, which would put an end to the government's monopoly on telecommunications.

Kuwait

Status: Partly Free
Legal Environment: 18
Political Environment: 21
Economic Environment: 15
Total Score: 54

While Kuwait's revised 2006 Press and Publications law extended some important protections and licensing opportunities, the government continued to censor and prosecute the media for reporting on certain prohibited religious and political topics. Freedom of speech and freedom of 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 2006 press law prohibits the publication of material that insults God, the prophets, or Islam, as well as forbids criticism of the King, disclosing secret or private information, or calling for the regime’s overthrow. Any citizen may press criminal charges against an author whom they believe has violated these proscriptions. Penalties for criticizing Islam were increased under the new publication law and can include prison sentences of up to one-year and fines up to 20,000 Kuwaiti Dinars (USD\$69,000). The government occasionally imposed these press penalties in 2007. On August 18, Bashar al-Sayegh, the editor of the daily *Al-Jarida*, was arrested and charged with insulting the emir based on a comment posted by someone else on an open forum news website he was hosting. Jassim al-Qames, another editor of the paper, was arrested, beaten, and detained for photographing the arrest of al-Sayegh. The two journalists were released days later after being interrogated, and the person responsible for the comment, Nayef Abdullah al-Ajmi, was arrested on August 21.

In general, the Ministry of Information (MOI) does not actively interfere or restrict access to local or international news, and the Kuwaiti media are considered more critical and outspoken than in the rest of the region. Greater in-depth reporting and a wider diversity of opinions appear more often in newspapers than in broadcast mediums. Nevertheless, given the ongoing restrictions in the new Press and Publications Law, journalists continued to practice self-censorship. International news is widely available, with a number of international media outlets operating bureaus in Kuwait. News sources originating from outside Kuwait must be reviewed by the ministry before circulation. In September, several Egyptian newspapers were banned from circulation due to articles considered injurious to Kuwait. The MOI can censor all books, films, and periodicals it deems morally offensive. A three-day ban on Arabic daily *al-Watan* was imposed for the publishing of an “indecent photo” of the granddaughter of Saddam Hussein in a swimsuit. In March, the popular television show *al-Diwaniya* was taken off the air temporarily for broadcasting an episode on Arab blogs, and a television series was banned in September for its representation of Shiite beliefs and practices. The offices of both MBC and Al-Arabiya Satellite Channel were attacked with rocks in September. While they could not confirm the reasons for the attacks, they reported having received numerous calls to ban the television series considered offensive to the Shi’i faith. Charges were filed against two weekly newspapers and their editors in May for articles on corruption: ten complaints were filed against *Al-Abraj* for an article blaming the prime minister for Kuwait’s poor score in Transparency International’s corruption index; and three separate cases were brought against *Al-Shaab* for publishing an article on politics when it was only licensed to cover arts and culture.

Kuwait has nine Arabic and three English-language newspapers, all of which are privately owned. Private media have relatively transparent media ownership. All publishers are required to obtain an operating license from the MOI in order to launch a daily under the new press law; however, the MOI must now issue the license or provide an explanation for its refusal within 90 days of application, and those denied licenses can appeal such action in court. In addition, media-outlet licenses may not be revoked without a court order. Despite the fact that the new law requires a minimum capital of 250,000 dinars (US\$950,000) to establish a paper, the government licensed six new daily Arabic-language newspapers in 2007 for the first time in thirty years. The old Press Law of 1963 had limited the press to five dailies. Private newspapers have their own presses

and are free to set their own prices. The government has started to license private television and radio stations such as the satellite television news channel *Al-Rai*, but the state still owns the majority of broadcast outlets, with nine local radio stations and four television stations. While the advertising market is still limited, it continues to grow due to an increase in advertising agencies. Wage levels for journalists of both state-operated media and private media were not high enough to discourage occasional acceptance of bribes to influence coverage. Low salaries have also discouraged many Kuwaiti nationals from pursuing the field of journalism; at the end of 2006, only two percent of media workers in the local media sector were Kuwaitis. Of Kuwait's population, 32.6 percent utilized the Internet in 2007, reflecting a growth rate of 444.5 percent since 2000. The government continued to debate how best to regulate this growing means of communication. The state already requires all Internet service providers to install and operate systems to censor websites to block material deemed anti-Islamic, extremist-Islamic, or pornographic, as well as certain types of political websites. However, the website blocking policies were not always clear or consistent. Internet cafe owners are required to obtain the names and identification of Internet users and must submit the information if required by the Ministry of Communication. At year's end, there was talk of a draft website censorship law to be presented to the parliament.

Kyrgyzstan

Status: Not Free

Legal Environment: 22

Political Environment: 28

Economic Environment: 20

Total Score: 70

Kyrgyzstan's media environment continued to deteriorate in 2007 in the wake of a failure in 2006 to cement the brief gains seen after the fall of long-ruling President Askar Akayev the previous year. Attacks on journalists and crude government attempts to impose censorship were increasingly evident. Legal protections remained uneven, and with the country's political elite polarized in an ongoing standoff between President Kurmanbek Bakiyev and the opposition, reforms stalled. Parliament debated legislation to decriminalize libel but failed to pass it into law. And while the long-awaited transformation of state television into public television took place, its supervisory board was plagued by conflicts amid signs that the president retained control over the state broadcaster.

The October murder of journalist Alisher Saipov, an ethnic Uzbek who ran the Uzbek-language newspaper *Siyosat* in southern Kyrgyzstan, was a disturbing development that brought to light a number of flaws in the country's media environment. Despite credible allegations of a possible Uzbek role in the killing of Saipov, who was known for his opposition to Uzbekistan President Islam Karimov, Kyrgyz authorities pursued a lackluster investigation focused on Saipov's purported ties to Islamic extremists. Moreover, law enforcement authorities in Osh reportedly pressured local

reporters not to cover the case and reprimanded Osh TV stations for a documentary about the slain journalist.

Opposition demonstrations in April saw assaults on at least five journalists. In March, Kairat Birimkulov, a reporter for state television, was assaulted as he was covering corruption allegations at the state-run railway company. Facing libel charges, Birimkulov left the country in October and obtained political asylum in Switzerland. Also in March, Talantbek Sopuyev, a cameraman for a television station owned by the brother of prominent opposition politician Omurbek Tekebayev, was beaten; Sopuyev was also attacked in September. Daniyar Isanov, an anchor at the independent television station NTS, was abducted and beaten by unknown assailants in March. Anna Mostfa, a reporter for the newspaper *Obshchestvenny Reiting*, was attacked in November. In these and other incidents the authorities seemed less than eager to pursue investigations to identify the perpetrators and bring them to justice.

In another distressing development, security forces in Bishkek raided an independent publishing house (operated by Freedom House) during opposition demonstrations in April and confiscated the print runs of the newspapers *Agym*, *Kyrgyz Rukhu*, *Apta*, and *Aykyn*. The confiscations took place without a court order or warrant, although the Prime Minister Almazbek Atambayev later apologized for the raid. And in October, police confiscated the 2,500-copy print run of the independent newspaper *Alkak*, which had decided to publish criticism of a presidential proposal.

Taken together, the increasing number of assaults on journalists, the murder of Alisher Saipov, and the authorities' willingness to impose extrajudicial censorship at politically sensitive moments betokened a clear continuation of the retreat from reformist principles that was already evident in 2006. The end of the Akayev regime in 2005 had raised hopes that Kyrgyzstan might become an exception to regional trends, but the events of 2007 saw those hopes frozen. In its report on December pre-term parliamentary elections, the OSCE termed the elections a "missed opportunity" and noted that the media "did not provide adequate information for voters to make an informed choice." Nevertheless, independent viewpoints were heard and foreign media operated freely.

There were nearly 50 newspapers and magazines printed regularly, eight of which were state-owned, with varying degrees of independence. The independent printing press run by local NGO Media Support Center (MSC) surpassed the state printing house, *Uchkun*, as the leading newspaper publisher in the nation. Internet news sites, blogs, and forums provided a lively alternative for the small numbers of citizens with access (approximately 5 percent).

Laos

Status: Not Free

Legal Environment: 26

Political Environment: 32

Economic Environment: 25

Total Score: 83

Media remained tightly controlled by the authoritarian, one-party state in 2007. Article 6 of the 1991 constitution guarantees press freedom and civil liberties, but only in theory. Few citizens actually feel free to exercise these rights because there are no legal safeguards for voicing dissent in public. Article 7 requires the mass media, particularly Lao-language papers such as *Vientiane Mai* and *Pasason* and the national news agency, Khaosan Pathet Lao, to “unite and mobilize” the diverse ethnic groups to support the ruling Lao People’s Revolutionary Party. Under the criminal code, individuals may be jailed for up to one year for reporting on news that “weakens the state” or for transporting into the country a publication “contrary to national culture”.

Although central censorship is no longer imposed directly on the press, the Ministry of Information and Culture continues to oversee media coverage and academic publishing, and self-censorship is commonplace. Editors are government appointees assigned to ensure that media function as links between the party and the people. All editors are members of the Lao Journalists Association, presided over by the Minister of Information and Culture, and journalists receive salaries from the government. The media’s role is to link the people to the party, deliver party policy messages, and disseminate political ideology. Military abuses against the Lao-Hmong people, as well as arrests of Christians for practicing their faith, go unreported in the Lao-language papers. According to Amnesty International, two Laotian nationals—Thao Moua and Pa Phue Khang—are serving 12 and 20 years in prison respectively for attempting to assist foreign journalists reporting on the Lao-Hmong in 2003. To date, there are no international media agencies in Laos. Foreign journalists must apply for a special visa to enter the country and are accompanied by official escorts throughout their stay. Nonetheless, there were no reports of physical attacks on the media in 2007.

The government owns all newspapers and broadcast media, though it has permitted the publication of several privately owned periodicals on nonpolitical issues such as business and trade. Little progress was made during 2007 on a draft law that would allow more significant development of private media and, according to Reporters Sans Frontieres, the authorities sought to control a new private English-language newspaper that journalists and investors attempted to launch in 2007. The French weekly *Le Renovateur* and the English daily *Vientiane Times*, which are subsidized by the Ministry of Information and Culture, occasionally report on social and economic problems, framing their content primarily to attract tourists, expatriates, and investors to the country. According to the U.S. State Department, despite close government control over domestic media, no effort was made to block television and radio broadcasts from abroad. As such, a large number of citizens regularly watch Thai television, access international stations via satellite, or listen to Thai radio, which include news from international sources. Tourism has led to the proliferation of internet kiosks with unrestricted access to foreign news sites. However, language barriers and high monthly connection fees (approximately US\$300–US\$400 compared with the average monthly salary of US\$20–US\$30) limit regular internet use to only 0.4 percent of the population or exclusively wealthy individuals, expatriates, and business organizations. Internet service providers must submit quarterly reports to the government to facilitate monitoring and citizen users are required to register with the authorities. The government also regularly blocked access to websites operated by Hmong groups abroad.

Latvia

Status: Free

Legal Environment: 6

Political Environment: 8

Economic Environment: 8

Total Score: 22

Latvia's constitution protects freedom of speech and of the press, and the government generally upholds these rights in practice. Libel remains a criminal offense, though no journalist has been imprisoned or fined during the past two years. The Freedom of Information Law guarantees and provides detailed rules on access to public information.

In a high-profile case, a Riga court ruled in February 2007 that the country's financial police had invaded the privacy of LTV journalist Ilze Jaunalksne and awarded her 100,000 lats (\$47,000) in damages; a government appeal of the verdict was pending at year's end. Jaunalksne, who broke a story on government corruption the previous year, had her private mobile phone conversations tapped by the financial police, who then leaked the transcripts to the newspaper *Neatkarīga Rita Avīze*. At the end of 2007, the prosecutor's office was reviewing whether criminal conduct had occurred. *Neatkarīga Rita Avīze* is widely believed to be controlled by the powerful mayor of Ventspils, Aivars Lembergs, who has faced investigations for corruption.

In June, LTV management dismissed Arta Giga, the director of the weekly influential news program *De Facto*, which has run stories critical of the government. The dismissal, which was allegedly over relatively minor offenses, occurred shortly before a referendum on two controversial national security amendments and raised concerns among press freedom and corruption watchdog groups over the politicization of public television. The move followed a restructuring of LTV begun in 2006 that was viewed as compromising journalistic and editorial independence. In December, the general director of LTV resigned after a documentary critical of Russian president Vladimir Putin was abruptly pulled from the station's lineup. The program, which was originally scheduled to air the day before Russia's parliamentary elections, was broadcast a few days later. While the official reason provided for the delay was "technical problems," there were widespread allegations that the government had exerted pressure following complaints from the Russian Embassy.

Latvian media are diverse and competitive, offering a wide range of political viewpoints. There are four national terrestrial television channels: two public channels, LTV 1 and LTV 7, and two private stations, LNT and TV3. A number of privately owned radio and television outlets operate on a regional basis. Primary broadcast media are required to use Latvian, while secondary broadcasters may reserve up to 20 percent of their airtime for non-Latvian-language (Russian) programming; these requirements apply to terrestrial services only. The print media, which include a large number of both Latvian and Russian-language papers, are independent and privately owned. Foreign companies, including Swedish firms, own or control a considerable portion of Latvia's print and broadcast media, as well as media distribution and printing facilities; in May 2007, LNT was purchased by News Corporation, the media conglomerate controlled by

Rupert Murdoch. Transparency of media ownership is not adequately protected by law, and information on owners of media companies, some of whom are believed to be affiliated with political or economic interests, is not easily available in practice. According to the market research company TNS Latvia, Latvia's media advertising market volume increased by 24 percent in 2007 compared to 2006; television accounted for 35 percent of Latvia's total advertising market share, followed by newspapers with 22 percent. The government does not restrict access to the Internet, which was used by an estimated 47 percent of the population during the year.

Lebanon

Status: Partly Free

Legal Environment: 18

Political Environment: 21

Economic Environment: 16

Total Score: 55

While the media have more freedom in Lebanon than in other countries in the region, they still face political and judicial obstacles. The constitution provides for freedom of the press, and although the media does not face direct interference from the government, political developments over the last couple of years have resulted in increased security risks and self-censorship among journalists. Security services are authorized to censor all foreign magazines, books, and films before they are distributed, as well as pornography or political and religious material deemed a threat to the national security of either Lebanon or Syria. However, the 2005 withdrawal of Syrian security forces from Lebanon emboldened critics of the affairs of both countries. Journalists are prohibited from insulting the head of state or foreign leaders, and those charged with press offenses may be prosecuted in a special publications court. The editor in chief of the daily *Al-Mustaqbal*, Tawfiq Khattab, and journalist Fares Khasan, were each fined 50 million pounds (USD\$33,000) on February 22 for libel and damaging the reputation of President Lahoud, based on charges originally filed by a Beirut prosecutor in February 2006. The charges were filed in response to an interview that was published in *Al-Mustaqbal* with the former Lebanese ambassador to France and a former army intelligence chief in which the performance of the president was criticized.

A May 30 United Nations Security Council resolution creating an international tribunal to prosecute those responsible for assassinating former Lebanese Prime Minister Rafiq al-Hariri also provided the tribunal with jurisdiction to prosecute those responsible for the killings and attempted murder of three members of the media in 2005. Director and columnist Gebran Tueni from *Al-Nahar* and columnist Samir Qassir were murdered, and May Chidiac, a talk-show host for the satellite Lebanese Broadcasting Corporation, lost an arm and a leg, all from car bombings in 2005. All three had been outspoken critics of Syrian influence in Lebanon. At year's end, those responsible for the attacks had yet to be identified or prosecuted.

Reporters complained that the Lebanese Army kept them out of the Nahr el-Bared Palestinian refugee camp, ostensibly for their own safety, during the army's battle with

Fatah al-Islam, a small, armed group that briefly took control of the camp in May. Three photographers, Wael al-Ladifi (*Al-Akhbar*), Ramzi Haidar (AFP), and Assad Ahmad (*Al-Balad*), and videographer Ali Tahimi of Iran's Arabic satellite station Al-Alam, said Lebanese soldiers assaulted them on May 24 and told them not to film Palestinian refugees fleeing the camp. According to the Committee to Protect Journalists (CPJ), the Lebanese Army Command-Oriented Department subsequently called to apologize. On May 23, members of three television crews were attacked by civilians while conducting interviews with local residents at the site of a recent bombing in the town of Aley. The attackers were presumed to be loyalists of anti-Syrian leader Walid Jumblatt as was reported by New TV cameraman Ghassan al-Hagg to CPJ.

Lebanon features dozens of newspapers and hundreds of periodicals, many of which publish criticism of the government and offer a broad range of opinions. Competition for readers is intense due to the publication of almost a dozen daily newspapers. Newspapers have experienced a dramatic drop in advertising revenues since the conflict with Israel in the summer of 2006. All national daily newspapers are privately owned, as are most television and radio stations, including six independent television and satellite stations and nearly three-dozen independent radio stations. However, many media outlets are linked to political and/or sectarian interests that exert significant influence over content. Access to satellite television has grown substantially over the last decade, and Lebanon today boasts one of the highest rates of broadband Internet penetration, at 25 percent. The government did not restrict access to the Internet and there were no reports of government monitoring of websites or emails. 15.4 percent of Lebanese are now able to use the Internet on a regular basis, which serves as a relatively free space for individuals and groups to express their opinions and beliefs.

Lesotho

Status: Partly Free

Legal Environment: 13

Political Environment: 19

Economic Environment: 14

Total Score: 46

The media environment worsened in 2007, particularly during the run-up and aftermath of snap elections in February. The government generally respects freedom of speech and of the press, both of which are provided for in the constitution. However, a 1938 proclamation prohibits criticism of the government and provides penalties for seditious libel. 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. Several such libel suits were initiated by government officials in 2007. Journalism groups have urged the government to create a media council or other regulatory body empowered to mediate such defamation disputes before they end up in court.

The government periodically attempts to pressure the independent press, and journalists have suffered occasional harassment or attack. In 2007, the run-up to

February's snap election saw journalists at Harvest FM and People's Choice FM threatened and accused of "causing confusion." According to RSF, Harvest FM has been targeted by the government as the "headquarters" of the opposition ABC; the station was shut down for two days while election results were announced. Host Adam Lekhoaba was deported to South Africa after the elections, though he later returned to Lesotho after winning his case of citizenship. In June, Harvest FM's Thabo Thakalekoala was arrested for treason after reading on-air a letter attacking Prime Minister Mosisili; the host claimed he was forced to read the letter after death threats were made against him.

Several independent newspapers operate freely and routinely criticize the government, while state-owned print and broadcast media mostly reflect the views of the ruling party. There are four private radio stations, and extensive South African radio and television broadcasts reach Lesotho. Journalists reportedly have trouble gaining free access to official information, and media development is constrained by inadequate funding and resources. In 2007, less than 2 percent of the population accessed the internet, which remains unrestricted by the government.

Liberia

Status: Not Free

Legal Environment: 18

Political Environment: 25

Economic Environment: 22

Total Score: 65

Liberia's 1986 constitution guarantees that citizens enjoy freedom of expression, "being fully responsible for the abuse thereof." This opaque clause helped the Charles Taylor regime harass the media with a semblance of legitimacy during his presidency. While the situation has undeniably improved with the recently elected administration of Ellen Johnson-Sirleaf, threats to freedom of the press are still not uncommon. Hopes for a media reform bill that would improve legal protections for media practitioners and a more progressive freedom of information bill have dwindled. Both were introduced into the legislature in 2005 and neither have made much subsequent progress. Constitutional guarantees for access to information are vague; access to budgetary and financial information, in particular, remains difficult owing to bureaucratic inefficiencies and frequent requests for additional payment from civil servants involved. Strict libel laws are also still in place; in 2007 these were used by one media practitioner to prosecute a number of his colleagues. In October, Ambrose Nmah, the general manager of Renaissance Communication Incorporated, sued six other journalists in a variety of media houses for libel. This followed their simultaneous publication of a statement calling on the Liberian Press Union to investigate Nmah following comments he made on a radio program justifying the use of force by the police against journalists. While no progress had been made in the trial at year's end, Nmah is demanding \$10,000 for the damage done to his reputation.

The media also faced threats from a number of different directions. Throughout 2007, journalists and the media houses they worked for were threatened, harassed,

beaten, detained, censored, banned, and accused of broadcasting hate messages. The government played a role in a number of these, most notably its announcement in October that from that point on the president's press secretary and the ministry of information would select the individual reporters who would cover the president. The rest of the media would be banned from doing so. Earlier, in February the government banned the private newspaper *The Independent* for a full year after it published an explicit photo of the minister of presidential affairs having sex with two women in 2006. After receiving a number of death threats and forced to go into hiding, the paper's editor, Sam Dean, took the issue to court and eventually won. The paper began publishing again in May. As in 2006, a number of journalists—this time both local and international—were harassed or beaten by the police of the president's security forces in 2007. In September, while attempting to cover the arrival of the Sierra Leonean president to Liberia for the signing of a non-aggression treaty, security forces harassed a number of reporters, including correspondents with the BBC, RFI, and Reuters as well a local journalists. Similarly, in September a journalist with the *Daily Observer* was beaten and detained by police while trying to cover one of their drug busting operations. These and other similar incidents throughout the year seriously threaten the success and stability that has been achieved over the last few years.

Despite these attacks, Liberian journalists still regularly report critically about the government and other politicians and the country's media certainly offers a diversity of views and perspectives. Within the capital there are about a dozen newspapers publishing, one of which is owned by the state, and 15 or so independent radio station. Bribery and corruption is an issue as they payment for journalists is so little. Access to the internet is unrestricted by the government but is severely limited by the dire financial situation of most Liberians to less than 0.5 percent of the population.

Libya

Status: Not Free

Legal Environment: 29

Political Environment: 36

Economic Environment: 29

Total Score: 94

Libya's press remains one of the most tightly controlled in the world. Despite continued efforts on the part of the regime to depict the country as a changed nation, little progress has been made to advance political rights or civil liberties. Libyan law provides for freedom of speech and of the press within the confines of the "principles of the Revolution." However, the government severely limits the rights of the media, and journalists who violate the harsh press codes can be imprisoned or sentenced to death. The press avoids publishing any material that could be deemed offensive or threatening particularly to Islam, national security, territorial integrity, or any criticism of Colonel Muammar Qaddafi. Those who criticize the government from outside the country, such as in foreign publications or Internet websites may be arrested upon entering Libya. A

vast network of secret police and informers exists to ensure that state critics are known to the regime.

A well-known writer and critic of the Libyan government, Jamal al-Haji, was arrested on February 16 along with 11 other men who were planning a peaceful demonstration in Tripoli to commemorate the one year anniversary of the February 2006 clash between police and protestors in which 11 people were killed. According to Human Rights Watch, the twelve men were accused of planning to overthrow the government, arms possession, and meeting with an official from a foreign government. If convicted, they could face the death penalty. While Al-Haji is a Danish citizen, Libyan officials have refused to allow visits from the Danish government. Human Rights Watch reported that a few days before his arrest, Al-Haji wrote an article that called for “freedom, democracy, a constitutional state, and law.” According to the Committee to Protect Journalists (CPJ), three suspects were sentenced to death in July for the 2005 murder of journalist Daif al-Ghazal al-Shuhaibi. Al-Ghazal had worked for the state-owned daily *Azhaf al-Akhdar* and had contributed to London-based websites focused on Libya. In the months leading up to his death, Al-Ghazal had published online articles critical of the government. Little information was released on the trial of the three suspects, prompting concerns about the sincerity and veracity of the process.

The Libyan press features praise of the “Brother Leader” Colonel Qaddafi and his policies. Newspapers, television, and radio are almost completely government controlled, and journalists working for official media refrain from criticizing the authorities. As Libya has moved to present a more business friendly face to the outside world, there has been some mild criticism of certain government policies, but this criticism is carefully managed from the top and does not represent spontaneous or sincere opposition. Journalists practice a high degree of self-censorship in all reporting. The General Press Institute (GPI), a branch of the Information Ministry, owns three of the four major Libyan newspapers, while the fourth is owned by the Movement of Revolutionary Committees, a state-supported ideological organization. Broadcast media are also equally controlled by the government and reflects official positions. For the first time since Qadhafi’s rule, ostensibly private media were permitted to operate in 2007. A subsidiary of the Qadhafi Development Foundation, the 1/9 Media Group launched a satellite television station, Al-Libiya, a radio station, and two daily newspapers, *Oea* and *Cyrene*. Popular Pan-Arab satellite television stations such as Al-Jazeera and Al-Arabiya do not have local correspondents covering Libya, and no foreign publications were available. Satellite television, on the other hand, was easily accessible and the Internet also served as an alternate source of news. Internet penetration, however, remained relatively low, and only 3.8% of the population used the Internet in 2007. Access is provided by a single government owned service provider. Despite occasional government blocks on political opposition sites, the Internet serves as a medium for Libyans based outside the country to criticize the government. Nevertheless, there have been several cases over the past few years in which the government has harassed or imprisoned Libyans who attacked the government from Europe-based websites.

Liechtenstein

Status: Free

Legal Environment: 1

Political Environment: 5

Economic Environment: 8

Total Score: 14

Liechtenstein's press continued to be one of the freest in the world. Freedom of expression is guaranteed under Article 40 of the 1921 constitution, and no major press freedom violations were reported in 2007. Laws currently being prepared by the government concerning press freedom include one on electronic communication to foster media and to promote smaller media outlets. There were no attacks on the press in 2007.

Liechtenstein has two publicly owned daily newspapers, *Liechtensteiner Vaterland* and *Liechtensteiner Volksblatt*; one Sunday paper, *Liewo*; and the monthly *Der Monat*. Since it encountered financial troubles in 2004, the former private radio station Radio Liechtenstein is now owned by the government and funded by some commercial revenue. The local TV-Channel Landeskanal broadcasts official information over the cable network. Anyone can submit a request to broadcast material of national relevance. All content has to be authorized by the government. Satellite television is widely viewed. Because of its small size and shared language, Liechtenstein relies heavily on media from neighboring Austria, Germany, and Switzerland. The internet is open and unrestricted, and just over 64 percent of the population accessed this medium on a regular basis in 2007. The government has started to publish information online and has established feedback mechanisms.

Lithuania

Status: Free

Legal Environment: 5

Political Environment: 7

Economic Environment: 6

Total Score: 18

Lithuania's constitution provides for freedom of speech and of the press, and those guarantees are respected by the government in practice. According to the criminal code, libel or defamation is punishable by a fine or imprisonment, although no journalists have been imprisoned or fined during the last two years. In March, the Lithuanian Radio and Television Commission fined the director of the music television channel MTV Lithuania \$1,150 (3,000 litas) for broadcasting the cartoon series Popetown, which satirizes the Vatican. The Commission had based its ruling on a decision by the journalism ethics inspector that the series incited religious hatred. MTV Lithuania appealed the decision, and the case was pending at year's end. The media freely criticize the government and express a wide variety of views. 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 the public's right to freedom of information.

More than 300 privately owned newspapers publish in Lithuanian, Russian, and a few other languages. In addition to the public broadcast media, dozens of independent television and radio stations are available nationally, regionally, and locally. However, media ownership has undergone increased concentration over the last several years, leading to concerns about the possible effects on media independence and quality. Investors in the country's media market include both domestic firms and foreign companies, mainly from Scandinavia. According to the market research company TNS Latvia, Lithuania's media advertising market volume increased by 15.6 percent in 2007 compared to 2006; television accounted for more than 45 percent of Lithuania's total advertising market share, followed by newspapers with 25 percent. The government does not limit access to the Internet, and the popularity of Internet news portals continues to grow. Nonetheless, only about 34 percent of Lithuanians made use of the Internet—the lowest percentage among the three Baltic countries.

Luxembourg

Status: Free

Legal Environment: 2

Political Environment: 3

Economic Environment: 7

Total Score: 12

Luxembourg, one of the world's richest countries, retained its open media environment in 2007. Freedom of speech and of the press are safeguarded under Article 24 of the constitution and are respected in practice, although no freedom of information legislation is currently in place. An independent press council deals with press complaints and ethical questions. Privacy of sources was an issue in 2006 after the public prosecutor's office searched offices of the Broadcasting Center Europe S.A., but there were no similar reports, and no follow-up reports, in 2007. Owing to an extremely liberal media policy and a long tradition of providing television and radio services to European audiences, Luxembourg has a rich and diverse media whose influence goes beyond its borders. Exemplary of the free and open press environment that exists in Luxembourg, no journalists were subject to violent attacks or harassment in 2007.

Dailies are printed in Luxembourgish, German, and French, and one weekly publishes in Portuguese. Newspapers represent diverse viewpoints and are privately owned, though state subsidies protect presses from closing. Broadcast media are highly concentrated, dominated by the local group RTL. Luxembourg is also home to the largest European satellite operator. There is only one public broadcasting station, CLT. Many broadcasters operate only a few hours a day. There are two national and four regional broadcasters as well as several local radio stations. The internet is open and unrestricted, with an estimated 340,000 users, or just over 70 percent of the population.

Macedonia

Status: Partly Free

Legal Environment: 12

Political Environment: 19

Economic Environment: 16

Total Score: 47

The legal framework contains most of the basic laws protecting freedom of the press and of expression, and government representatives generally respect these rights. Freedom of information legislation was enacted in 2006, but an Open Society Institute report released in late 2007 found that roughly half of all information requests over the preceding year had been ignored by state institutions with impunity. Another measure passed by the parliament in 2006 eliminated imprisonment as a penalty for libel and defamation. The offenses remain punishable by fines, however, and the institutional weakness of the judiciary enhances journalists' vulnerability to prosecutions and lawsuits. The Broadcasting Council, which regulates television and radio outlets, is ineffective and subject to political influence. The collection of broadcast licensing fees broke down entirely in early 2007, adding to the council's funding problems.

Most of the country's numerous and diverse private media outlets are tied to political or business interests that influence their content, and the state-owned media tend to support government positions. Journalists faced a series of violent incidents and threats in 2007. Much of the trouble began with a September brawl in parliament between members of rival ethnic Albanian parties. Some reporters covering the disturbance and subsequent police actions were assaulted by security guards or police, and video recordings of the events were confiscated. A number of journalists later protested the abuses by walking out on a press conference held by the prime minister. In November, the bilingual private television station Alsat-M alleged that the authorities had consistently pressured it since the September unrest, in which one of its cameramen had been beaten by police. The station cited repeated labor and financial inspections, unexplained break-ins and damage to its transmission equipment, and government threats to pull its license and prosecute it for its coverage of a recent police raid in which six people had been killed. In a separate incident in May, a column by Iso Rusi in the Albanian-language daily *Koha* prompted a statement by the Democratic Party of Albanians—part of the ruling coalition—that contained ethnic and religious slurs as well as threats of violence. A court in June awarded a total of 100,000 euros to 17 journalists whose telephones had been illegally tapped by the Interior Ministry in 2000. However, the reporters had sought 180,000 euros each and said they would appeal. No government official was ever tried for the larger eavesdropping scandal, which came to light in 2001; the interior minister at the time received a presidential pardon.

Macedonia has a high density of media outlets for its population, including five private nationwide television broadcasters and dozens of local television and radio stations. Journalists' salaries are low, professionalism and advertising revenue are scarce, and financial weakness leads outlets to conform to their owners' political and economic interests. A number of major television stations and newspapers are owned by or linked to political party leaders, and outlets are typically divided along ethnic lines. Ownership of the top print publications is concentrated in the hands of a few firms, including Germany's Westdeutsche Allgemeine Zeitung (WAZ), which holds three leading dailies.

The government is a major advertiser and reportedly favors outlets it perceives as friendly. Access to the internet is restricted only by cost and infrastructural obstacles, and usage remains relatively low at just under 20 percent of the population.

Madagascar

Status: Partly Free

Legal Environment: 14

Political Environment: 19

Economic Environment: 15

Total Score: 48

Although freedom of speech and of the press are protected by the constitution, strict libel laws and other restrictions are occasionally used to muzzle the media. However, as with the previous year, no journalists were convicted of libel during 2007. In addition, unlike in the previous year, there were no reported incidents in which government authorities arrested journalists, and no journalists were attacked because of their work. Due to low pay, journalists are subject to bribery. Occasionally, the government also exerts pressure on private media outlets to curb their coverage of political issues and criticism of the government, causing many journalists to practice self-censorship.

In 2007, there were approximately 245 licensed radio stations, 12 registered daily newspapers and 37 licensed TV stations. A 1990 Law on Press Freedom was followed by the creation of privately owned FM radio stations and more critical political reporting by the print media. However, President Marc Ravalomanana owns the private Malagasy Broadcasting System, which operates the MBS TV and Radio MBS networks. Many private radio stations in the capital are owned by Ravalomanana supporters. Due to poverty and fairly widespread illiteracy, the print media are primarily accessed by the French-speaking urban elite. The internet is unrestricted by the government but was accessed by less than 1 percent of the population in 2007.

Malawi

Status: Partly Free

Legal Environment: 17

Political Environment: 20

Economic Environment: 18

Total Score: 55

Freedom of speech and of the press are constitutionally guaranteed in Malawi, although these rights are sometimes restricted in practice. On April 13, 2007, the Malawi Communications Regulatory Authority (MACRA) banned all private media outlets from broadcasting political rallies live without prior permission from the MACRA. This move was allegedly to curb the airing of "hate messages." While there was no evidence given to support the accusation that this was taking place, the move primarily targeted Capital

Radio, Joy Radio, and Zodiac Broadcasting Station. However, in July the High Court struck down the MACRA order as unconstitutional when a lawsuit was filed by Joy Radio. Later in October, MACRA appeared to retaliate for the ruling by ordering Joy TV—a affiliate of Joy Radio which stood to be the nation’s first private television station—to immediately cease all its broadcasts until the station could obtain the necessary licenses. Tailos Bakili, the station manager claimed that they did indeed have all relevant licenses.

The government does not exercise overt censorship, but freedom of expression in Malawi is threatened in more subtle ways, often resulting in self-censorship. One journalist was reportedly attacked in 2007. Dickson Kashoti, a reporter for the private *Daily Times*, was physically attacked by Joseph Njobvuyalema, a Member of Parliament over an article that had been critical of him. Njobvuyalema was later fired from his position and sentenced to three months in prison for assault.

The print media represent a broad spectrum of opinion; 10 independent newspapers are available, and of the 8 major papers in circulation, 6 are privately owned and most are editorially independent. The state-owned Malawi Broadcasting Corporation (MBC) operates the country’s 2 largest radio stations, and there are approximately 15 private radio stations with more limited coverage operating mainly in urban areas. Following the ban on Joy TV, state-owned Television Malawi—which generally adheres to a pro-government bias—is now the country’s only television station. In 2007, the Malawi parliament again approved only half of the funding for the MBC and Television Malawi, accusing the two state broadcasters of bias towards the government and the ruling party. At the same time, independent radio broadcasters receive no support from the state even through advertising revenue. As all equipment must be imported, the high cost of taxes and import duties imposed by the state threaten the economic viability of many independent commercial broadcasters. There are no restrictions on access to the internet, although with access at less than 0.5 percent of the population, it is not a major source of news.

Malaysia

Status: Not Free

Legal Environment: 24

Political Environment: 23

Economic Environment: 18

Total Score: 65

Malaysian media—traditionally constrained by significant legal restrictions and intimidation—were further restricted in 2007 primarily a result of an escalating crackdown on online media, which has emerged as a primary outlet for free discussion and for exposing cases of political corruption. Meanwhile, the ruling coalition, the Barisan National (BN), invoked traditionally tight restrictions on the mainstream media to prevent coverage of heightened opposition activity toward year’s end.

The constitution provides each citizen with “the right to freedom of speech and expression” but allows for limitations on this right. The 1984 Printing Presses and

Publications Act (PPPA) requires all publishers and printing firms to obtain an annual operations permit and gives the prime minister the authority to revoke licenses at any time without judicial review. The PPPA has been used by authorities to shut down or otherwise circumscribe the distribution of media outlets for material deemed pro-opposition, against the national interest, or “sensitive.” The PPPA was invoked in March to threaten the opposition paper *Harakah* for “violating its permit conditions” after ran a front page story criticizing the prime minister, covering controversial toll hikes, and linking the deputy prime minister to a murder case. In September the Tamil daily *Makkal Osai* was suspended under the same legislation for publishing materials deemed “harmful to public safety.”

The 1988 Broadcasting Act allows the information minister to decide who can own a broadcast station and the type of television service suitable for the Malaysian public. The Official Secrets Act, Sedition Act, and harsh criminal defamation legislation are also used to impose restrictions on the press and other critics and are all punishable by several years in prison. Officials are reluctant to share controversial data and used this restrictive legislation against online media for the first time in 2007 in response to bloggers’ and web sites’ increasing coverage of corruption cases and other controversial matters. In January, defamation charges were first brought against bloggers, accused of plagiarism against the publisher and editor of the *New Straits Times*, which enjoys close ties to the ruling United Malays National Organization (UMNO) party. In April a BN official brought defamation charges against *Malaysiakini*, a critical web site, and Nathaniel Tan, another blogger and assistant to the head of the opposition People’s Justice Party, was arrested under the OSA in July. Tan was charged in connection with his commentary related to corruption in the country’s internal security system and was released after his four-day remand expired.

The threat of expensive defamation suits, sackings, media closures, media bans, and unannounced interrogation by the Ministry of Internal Security for any “mishandling” of information generally inhibit investigative reporting. Moreover, a history of political interference in media coverage of issues considered by the government to be against the national interest or “sensitive” has fostered a culture of self-censorship on the part of traditional media. While there has been somewhat greater criticism of official policy in the mainstream print press in recent years, both the print and broadcast media’s news coverage and editorials generally support the government line. Online journalists have increasingly defied this tradition, however, and in 2007, played a particularly central role in exposing government corruption and covering anti-government protests toward year’s end. In addition to using defamation suits and other legalistic means to silence criticism, the government responded by issuing coverage directives to online media for the first time. A July statement by the government explicitly warned that bloggers who write about “sensitive issues” would be charged under the ISA, OSA, and Sedition Act. Newspapers were specifically warned against covering the “rumors” being reported online. In April, Prime Minister Abdullah rejected a proposal that would require bloggers to register with the government but, in June, convened a task force of BN officials to find legislation that could be used to control online content without contradicting the country’s Bill of Guarantee Against Internet Censorship.

Further, reporting bans issued in July 2006 in connection with heightened tensions related to matters of race and religion were repeated in July 2007 when the media was prohibited from reporting all negative reactions to the deputy prime minister's assertion that Malaysia has always been an Islamic state. In November, the authorities ordered the mainstream media to refrain from reporting on anti-government rallies and relaying the organizers' statements; according to Malaysia's Center for Investigative Journalism, news coverage of the rallies neglected the anti-government stance while reporting on clashes between participants and the police were biased in favor of the police.

Foreign publications are subject to censorship, and the distribution of issues containing critical articles is frequently delayed. The government directly censors books and films for profanity, nudity, and violence as well as certain political and religious material. The Malaysian Film Censorship Unit banned a film about former Malay Muslim members of the Communist Party of Malaysia in February for portraying the Communist struggle as noble. Television stations censor programming according to government guidelines; a talk show was banned for contradicting the values of Islam Hadari advocated by the prime minister in February as well.

A business deal between the Malaysian Chinese Association and media tycoon Tiong Hiew King in October 2006 solidified the monopolization of the Chinese press, with all top four Chinese dailies now concentrated in the hands of a firm political-business alliance. Regional press freedom watchdog groups expressed concern in February 2007 regarding a further consolidation of the Chinese media across countries following a proposed tripartite merger among two Malaysian and one Hong-Kong based media groups, all owned by Tiong. Such a merger would create the largest Chinese publication group outside China and Taiwan.

With 60 percent of the population accessing the internet, online media have helped minimize the government's monopoly of information in the past few years and bolstered the average Malaysian's access to alternative information sources. Moreover, online media proved a crucial organizing tool and means of publicizing the opposition-led and minority-rights demonstrations in November.

Maldives

Status: Not Free

Legal Environment: 23

Political Environment: 25

Economic Environment: 18

Total Score: 66

Continuing a trend from previous years, in 2007, a modest expansion of media diversity and public debate was balanced by official harassment of journalists. Freedom of expression and of the press are not provided for in the constitution and are often not respected by the government in practice. Though regulations from January 2007 dramatically reduced damages for defamation, the legal environment remains harsh. The penal code bans speech or actions that could "arouse people against the government"; a

1968 law prohibits speech considered libelous, inimical to Islam, or a threat to national security; regulations make editors responsible for the content of material they publish; and authorities are empowered by law to shut newspapers and sanction journalists for articles containing unfounded criticism of the government. The Information Ministry, which is spearheading reform efforts, submitted four media-related bills to Parliament in February 2006, including bills on freedom of information, press freedom, a proposed Media Council, and registration of print media. Though discussion continued on them in the Majlis throughout 2007, none had passed by year's end and two had been withdrawn. In a positive development, the Maldives Media Association, which includes representatives from both pro-opposition and state-run media, began operating in October.

Journalists, particularly those who cover demonstrations or who write critical stories, continue to be subject to arrest or other forms of harassment. In this environment, many journalists practice self-censorship and do not scrutinize official policies. During the year, reporters and photographers from both pro-opposition and state-owned media were arrested while covering protests, illegal prayer meetings, and a taxi driver strike. In April, Ibrahim Mohamed, a reporter for the pro-government *Miadhun* newspaper was held by police for 48 hours after taking photographs of police beating opposition Maldivian Democratic Party leader Mohamed Nasheed. Several journalists were also detained during a demonstration outside a government-sponsored event for World Press Freedom Day in May. Due to *Minivan's* overtly anti-government stance, its management and employees have been particularly targeted for official intimidation. In January 2007, Phillip Wellman a foreign reporter for the English-language *Minivan News* website was expelled and banned for two years. Journalist Abdullah Saeed continued to serve a long prison sentence after being convicted in 2006 of apparently fabricated drug charges. In July, *Minivan Daily* journalist Ali Rasheed was arrested for 43 days, several weeks after being interviewed for a program on the English-language *Al-Jazeera*. Following his release he was sentenced in absentia to life in prison on alleged drug charges, but at year's end was not in custody. In a positive development, the government dropped some charges against *Minivan Daily* editor Aminath Najeeb and deputy editor Nazim Sattar, though at year's end, Najeeb still faced potential jail time on charges of "disobedience to order."

Most broadcast media continue to be government owned and operated, and while these outlets have recently provided more diverse and vigorous coverage, they continue to reflect pro-government views. Since a 2005 law liberalized the registration process, six daily newspapers, 15 magazines and 70 other publications have been registered. Most of these are owned by those connected to the government, but some publications, such as the weekly *Adduvas* and the newly registered *Jazeera* and *Hamma*, have generally adopted a more critical, balanced tone. The pro-opposition *Minivan Daily*, which started as an online publication, now circulates a print version in the Maldives. In 2007, the country's first private broadcasters—Capital FM radio, DhiFM radio and Atoll TV—were launched; however, their independence remained limited because operating licenses were granted via individual agreements with the government rather than through reformed broadcasting legislation. The more overtly anti-government *Minivan* radio was unable to obtain a frequency due to the prohibitive costs of registering. Although the country's sole internet service provider is state owned, the internet is generally not

restricted, though the pro-opposition Dhivehi Observer website remained blocked. The Internet was accessed by less than 7 percent of the population in 2007.

Mali

Status: Free

Legal Environment: 10

Political Environment: 9

Economic Environment: 8

Total Score: 27

Although Mali's constitution protects the right to free speech and the country's broadcast and print media have historically ranked among the freest in Africa, recent actions by authorities against journalists have contradicted this past trend. Furthermore, severe punishments for libel still exist under a 1993 law criminalizing slander. Legislation passed in 2000 reduced the maximum penalty for those convicted, but the accused still remain guilty until proven innocent.

Libel laws, though not consistently enforced, were applied in 2007. In March, a court in Bamako sentenced Diaby Macoro Camara and Oumar Bore, respectively the managing editor and editor-in-chief of the private monthly *Kabako*, to four-month suspended prison terms and fines of approximately US\$ 100 for defaming the minister of planning, Marimantia Diarra. The 2006 article that instigated these charges reported that the minister had allegedly attempted to threaten his former fiancée with physical force. On June 14, authorities arrested Bassirou Kassim Minta, a 10th grade teacher who assigned his students a fictitious essay about a presidential sex scandal, on charges of offending the president, along with Seydina Oumar Diarra, the editor of the private daily *Info-Matin* who reported on the story. On June 20, authorities arrested four other editors whose papers republished the story. Diarra was forced to serve 13 days in prison and to pay a fine of approximately US\$ 400; the sentences for the other four editors were eventually suspended, although they were forced to pay similar fines. Minta was sentenced to two months in prison, fined approximately \$US 1,200, and has been banned from teaching.

There were other instances during 2007 in which authorities intimidated journalist. In March, the private station Radio Jamakan was evicted from its office in a government-owned building following the station's critical coverage of the opposition. In July, a broadcaster with Radio Kafo-Kan, a community station based in the south, was attacked by a local politician for allegedly incorrectly reporting the politician's share of seats won in the June parliamentary election.

Today, there are more than 100 private radio stations and over 50 independent newspapers, many of which openly criticize the government. Given the adult literacy rate of only 24 percent, the majority of Malians rely on broadcast media, and private or community radio stations provide a critical service. The country's only national television station remains under state control but generally provides balanced political coverage. The government does not restrict access to foreign media. Although the government does

not restrict internet access, less than one percent of the population was able to access this electronic resource in 2007.

Malta

Status: Free

Legal Environment: 3

Political Environment: 8

Economic Environment: 9

Total Score: 20

The constitution guarantees freedom of speech and of the press but also restricts these rights under a variety of circumstances. Malta bases its laws on the European model but is one of only three European Union members not to have freedom of information legislation. The Broadcasting Authority, an independent regulatory statutory body, sued an independent television station for broadcasting material that could incite racial hatred.

Several journalists were injured while covering a protest by hunters and trappers in the capital city of Valetta. The attack was the latest of a series of threats and attacks against journalists covering public demonstrations and debates in Malta. The police continue to investigate an arson attack directed against a journalist and an editor covering issues of immigration, racism and intolerance towards immigrants. The growing number of migrants seeking asylum have grown in Malta since the island became a member of the EU in 2004, making the issue a central topic for local media.

There are at least five daily and two weekly newspapers operating in both Maltese and English. Political parties, private investors, and the Catholic Church all have direct investments in broadcasting and print media that openly express partisan views. The only national television broadcaster is TVM, though the island also has access to Italian television, which many Maltese watch. Several domestic radio stations are regulated through the Broadcasting Authority of Malta. The government does not block the internet. During the year, 53 percent of households and 90 percent of schools had access to the internet.

Marshall Islands

Status: Free

Legal Environment: 2

Political Environment: 6

Economic Environment: 9

Total Score: 17

Freedom of speech and of the press are safeguarded in Article 2 of the Marshallese constitution, and the government generally respects these rights. There is no freedom of information legislation and no immediate plans to draft such legislation. Self-censorship, is practiced on occasion over politically sensitive issues. In 2007, the Marshall Islands

joined the newly-formed Micronesian Media Association to protect free and independent journalism and public access to information.

The Marshallese people receive most of their news from the independent weekly *Marshall Islands Journal*, which launched an online edition in 2007, and the state-run V7AB radio. The government also releases a monthly newspaper, the *Marshall Islands Gazette*, and broadcasts MBC TV. American broadcasts are available via satellite. Blackouts occasionally interfere with radio and television broadcasts. The internet is unrestricted, although accessed by less than 4 percent of the population. The government launched a new website in October 2006 to facilitate online communication with its citizens.

Mauritania

Status: Partly Free

Legal Environment: 18

Political Environment: 20

Economic Environment: 18

Total Score: 56

Mauritania's media environment has opened considerably since a bloodless coup in 2005 overthrew the existing authoritarian regime. Starting with reforms initiated by the transitional military government, authorities have subsequently passed numerous reforms to improve media freedom in the country. Reforms enacted in 2006 include the elimination of the requirement for prepublication government approval for newspapers, the granting of journalists the legal right to the protection of sources, and the establishment of the High Authority for the Press and Broadcasting (HAPA), the country's first independent media regulatory body. Although HAPA's independence is compromised by the president's ability to appoint three of the body's six members, including the chair, and it had not fulfilled its mission by year's end to foster private television and radio stations, media coverage of the March 2007 presidential election was relatively balanced, with free newspaper space and air time allotted to each candidate.

Nonetheless, despite these positive trends and the constitutional guarantee of free expression, newspapers are still subject to closure for publishing materials seen to denigrate Islam or pose a national security risk. During 2007, journalists faced the threats of detention, imprisonment, and even physical harm for publishing or broadcasting stories considered libellous.

In March, assailants, including a supporter of a failed first-round presidential candidate, raided the al-Jazeera office in Nouakchott claiming that the station had not given enough time to lesser-known candidates. In response, authorities arrested four suspects and initiated an investigation to identify the other participants. In May, Isselmou Ould Mustapha, the managing editor of the independent weekly *Tahalil Hebdo*, was threatened with physical force by the board chairman of the credit union Mutpeche, Mohammed Ould Saleck, for refusing to disclose his sources on an article accusing Saleck of corruption. Also in May, Abdel Fettah Ould Ebeidna, the managing editor of

the private daily *Al-Aqsa*, was detained for four days on libel charges brought by Mohamed Ould Bouammatou, a businessman who the paper accused of being involved in a drug ring. In November, Ebeidna was sentenced to one year in prison on the charge of making a “false accusation” and fined approximately US\$ 250. At year’s end, Ebeidna was out of the country with an appeal pending.

Throughout 2007, Mauritanian journalists faced other instances of harassment from prominent public figures and their associates. In August, first lady Khattou Mint El Boukhary charged the private daily *El Bedil Ethalith* with libel following a report alleging she attempted to influence hiring in the national television office. In the same month, she also accused Sidi Mohamed Ould Ebbe, the paper’s editor, of libel following reports that accused her of using her public role to raise private charity funds. The first lady withdrew these libel suits in December, however. On August 16, the prime minister’s bodyguards assaulted Mohamed Mahmoud Ould Moghdad, a reporter with Radio Mauritanie, for allegedly avoiding a security check at a health ministry event. Following an investigation, the government issued a formal apology and Moghdad withdrew his complaint. On August 31, two of the first lady’s body guards attacked Elvaka Ould Cheibany, a correspondent with the private daily *Nouakchott Info*, allegedly due to a report on the first lady’s increasingly tense relationship with the media.

Mauritania is currently the only West African country without a private radio or television station. However, a new public television station began broadcasting in October that will devote airtime to the country’s minority languages—Pular, Soninke, and Wolof. In addition to several state-controlled papers, there are numerous private daily and weekly papers. However, Mauritania’s relatively low literacy rate of 51 percent limits the impact of the print media in general. Internet access is available and is not restricted by the government, although this electronic resource is only used by approximately one percent of the population.

Mauritius

Status: Free

Legal Environment: 6

Political Environment: 8

Economic Environment: 12

Total Score: 26

Freedom of expression is safeguarded by the 1968 constitution, and this right was generally respected in practice in 2007. Although there are formally harsh punishments for libel, these laws are not regularly upheld in practice, and the independent media were diverse and frequently expressed views critical of the government. However, there is currently no law in place to guarantee access to public information.

However, during 2007, three journalists were arrested for the first time in 13 years, which contradicts the traditionally liberal Mauritian media environment. On November 21, authorities in the capital Port Louis arrested Annabelle Volbert and Josian Valere of the private station Radio Plus, and Gerard Cateaux, the editor-in-chief of the private paper *Weekend*, on charges of defamation and disseminating inaccurate news.

These arrests followed coverage of the discovery of money in safe used by the late former head of the Major Crime Investigation Team, Premnath Raddhoa. The three journalists were provisionally released following several hours of questioning on the day of their arrests, and were released on bail after a court appearance the following day. Additionally, on November 9, the Information Communication Technology Authority (ICTA) allegedly requested that internet service providers block access to Facebook, the social networking site, in response to the posting of a fake profile of Prime Minister Navin Ramgoolam. Access to Facebook was reportedly restored later in the day once Facebook had removed the profile, following the ICTA's request.

Mauritians receive the majority of their news from television, which is monopolized by the government. Radio broadcasts are dominated by the government's Mauritius Broadcasting Corporation, which is funded predominantly through a television license fee, although there are several private radio stations. The private press is vibrant, with nine daily papers and 33 weeklies, but ownership is concentrated in two main media houses, Le Mauricien Ltd. and La Sentinelle Ltd. The internet is unrestricted by the government and usage is wide compared with other African nations, at 24 percent of all households.

Mexico

Status: Partly Free

Legal Environment: 13

Political Environment: 25

Economic Environment: 13

Total Score: 51

Drug-related violence further undermined Mexico's press freedom in 2007 as attacks on journalists spread geographically. Impunity remained the norm, and self-censorship expanded. Further, the Supreme Court blocked a politically sensitive prosecution in the case of a threatened journalist and the firing of a critical radio journalist raised questions about broadcast concentration. On the positive side, the government did away with criminal defamation, libel and slander statutes at the federal level and the Supreme Court threw out provisions of the country's controversial broadcast reform.

An important development occurred when President Felipe Calderón and the Congress ended criminal prosecution of defamation, libel and slander, moving them into the civil code. However, most states still criminalize these allegations, and in past years politicians have used state statutes to pressure critics. More controversially, the Supreme Court cleared Puebla Gov. Mario Marín of wrongdoing in the arbitrary arrest and harassment of journalist Lydia Cacho, who had linked Marín to a businessman accused of child prostitution. The ruling outraged journalist groups, and provoked the resignation of the federal prosecutor of crimes against women. The United Nations High Commissioner for Human Rights recommended Cacho seek refuge abroad to prevent further violations. A report in Spain's *El País* suggested big broadcasters had abandoned critical coverage of Cacho as part of a political deal. Finally, the firing of critical radio host Carmen Aristegui for refusing to follow unspecified orders from W Radio owners Televisa and

Grupo Prisa of Spain renewed criticism of editorial manipulation for corporate advantage. The Inter-American Commission on Human Rights agreed to discuss the case at a hearing on media ownership concentration.

Most of the worst press violence was linked to an expanding drug cartel dispute. Three reporters and three newspaper deliverymen were murdered in connection with their work; three more journalists disappeared and two others survived shootings. Killings marred four states, including two far from the violent border region. Pursuing gunmen killed *La Opinión de Michoacán* reporter Gerardo Israel García Dec. 10 in Uruapan, Michoacán, a new trafficking hub. Mateo Cortés Martínez, Agustín López Nolasco, and Flor Vásquez López, all workers for the Oaxaca daily *El Imparcial del Istmo*, were shot Oct. 8 inside their newspaper delivery truck. The newspaper's editor had received emails warning him to reduce drug coverage. *Interdiario* crime reporter Saúl Noé Martínez Ortega was found dead near Agua Prieta, Sonora on the Arizona border April 23 after being kidnapped by gunmen. Broadcaster Amado Ramírez was murdered when leaving work April 6 near Acapulco's main square. Police charged suspects, but the case weakened when a witness recanted, Reporters Without Borders reported. In addition, three journalists, TV Azteca correspondent Gamaliel López and cameraman Gerardo Paredes and *Tabasco Hoy* crime reporter Rodolfo Rincón Taracena, disappeared in 2007, according to the Committee to Protect Journalists. The cases were linked to reporting on drug trafficking.

Media received all kinds of threats; gruesomely, severed heads of local people were delivered to two newspapers in Veracruz and Tabasco. This atmosphere took an obvious toll on coverage. Some examples: Hermosillo's *Cambio Sonora* newspaper closed after two grenade attacks; Ramirez' Acapulco radio program ended; Reporters at Oaxaca's *El Imparcial del Istmo* all quit; and big dailies in metropolitan Monterrey eliminated reporters' bylines on drug stories and now adhere to official police narratives. The *San Antonio Express News* removed its border reporter after U.S. government sources received a report that traffickers were targeting a foreign journalist. The foreign correspondents association urged correspondents to be especially cautious. A compounding problem was the abundance of drug money. As with police officers, journalists also face the dilemma of *plata o plomo*, receiving silver or lead, and some journalists worried drug money would taint their profession.

Through all of this, government inaction on press cases persisted. The creation of a special federal prosecutor's office for crimes against the press in 2006 has led to no successful prosecutions. Authorities blamed lack of resources and jurisdictional problems, but had not strengthened the office as of December. The many pending cases include the murder of U.S. documentarian Bradley Will in Oaxaca City. Will died filming political disturbances in 2006. The case stands out because photographers published pictures of the apparent gunmen –identified as city workers- firing at Will. No serious investigations have resulted, press groups charge.

There is a diversity of perspectives represented in media in the largest cities, less so in smaller states and the countryside. Television remains limited because of the duopoly (Televisa and TV Azteca) that has dominated Mexican broadcasting since the authoritarian era. A positive development occurred, however, when the Supreme Court tossed out provisions of a 2006 reform of the broadcasting law that critics said would have consolidated ownership concentration into the digital age and left non-commercial

broadcasters in limbo. Congressional follow-up was slow to materialize, however. There are about 300 independently owned newspapers. The government does not restrict the internet, which was used by 22 percent of the population.

Micronesia

Status: Free

Legal Environment: 2

Political Environment: 8

Economic Environment: 11

Total Score: 21

Article 4, Section 1, of the constitution states that no law may deny or impair freedom of expression, peaceable assembly, association, or petition; there are no specific safeguards for speech or the press. Free speech was generally respected by the government, and there were no documented attacks on the press. In September, 12 media executives gathered to form the Micronesian Media Association. The organization aims to promote journalistic freedom and the public's access to information. A lack of economic resources is the biggest constraint on Micronesian media. Micronesia has five newspapers; the broadest reaching is the state-owned *Kaselehlie Press*, which is published biweekly. Two independent weeklies, the *Sinlaku Sun Times* and *Da Rohng*, have a reputation as being critical of the government. There is also an online daily, the *Mariana Variety*. Each of the four state governments has a radio station that broadcasts in the local language; however, broadcasting was down for much of the year because of weather-related damages to equipment. Two new religiously affiliated radio stations were launched in 2007. The states of Pohnpei and Chuuk have commercial television, and Yap has a government-run television station. Foreign television is available via satellite. The internet is unrestricted by the government but was accessed by only 13 percent of the population in 2007.

Moldova

Status: Not Free

Legal Environment: 20

Political Environment: 25

Economic Environment: 21

Total Score: 66

Press freedom declined in Moldova as the government restricted independent news reporting in the months ahead of the June local elections. While the Moldovan government has turned away from Russia and towards European integration in recent years-approving a number of legal reforms and experiencing economic growth-those reforms have not been implemented and media restrictions have continued. The government often infringes on legally guaranteed press freedoms. Libel is no longer punishable by imprisonment, and in 2006 the parliament approved legislation capping

previously unlimited fines in libel cases. No new libel lawsuits were reported during 2007, in part because journalists avoided politically sensitive topics like government corruption. The Strasbourg-based European Court of Human Rights also overturned at least six previous convictions of journalists, mostly involving articles exposing government corruption. Journalists were unable to get basic public information from the government because secretive officials continued ignoring an existing Access to Information Law. An Audiovisual Code approved by the parliament in 2006 was used in January 2007 to privatize and silence two municipal media outlets in Chisinau that had previously criticized the government in their news reports. In March, the ruling Communist party and their Christian Democrat allies passed a law reducing the re-broadcasting of parliamentary debates on public television, which decreased coverage of the political opposition in the months ahead of the local elections.

President Vladimir Voronin's government controls the country's politicized public broadcaster, Teleradio Moldova, whose radio and television news programs consistently favored pro-governmental candidates and ignored opposition candidates during the local election campaign. Owners of both state-run and private media continue to promote self-censorship and the police sometimes harassed journalists for reporting on politically embarrassing events. In March, police officers in Chisinau arrested television news crews of Pro TV and DTV and confiscated their videotapes after they videotaped police arresting peaceful protesters. Despite these and other pre-election abuses, the ruling Communist Party's candidates lost the prestigious mayoral election in the capital of Chisinau as well as other local posts around the country.

Some of Moldova's independent and opposition newspapers expressed diverse political views but the broadcast media was weaker and more pro-government, often rebroadcasting programs from Romania or Russia. Authorities continued to influence the media through the politicized distribution of broadcast licenses, financial subsidies and non-transparent privatizations of state media. In January, pluralism in the broadcast media declined significantly when Chisinau city authorities rushed to privatize two popular public broadcasters known for their independent news reporting; companies with ties to the ruling Communist Party purchased Radio Antena-C and Euro-TV and shifted them towards entertainment and pro-government news programming. In July, the nine members of the Audiovisual Coordinating Council—a broadcast media regulatory agency—voted to replace their pro-government chairman with a representative of the opposition. The government refused to recognize the vote and two months later authorities reportedly pressured the council to elect a different pro-government chairman.

Authorities do not control internet access, although internet services are limited to roughly 15% of the population owing to an underdeveloped telecommunications infrastructure. In the separatist Transnistria region, media are highly restricted and politicized. Most local broadcast media are controlled by the Transnistrian authorities or companies like Sheriff Enterprises, which are linked with the separatist regime. Several small opposition newspapers like *Novaya Gazeta* and *Chelovek i Yevo Prava* criticized abuses committed by the separatist authorities and, in retaliation, their journalists and advertisers were aggressively harassed by the authorities. Print media in Transnistria are required to register with the local Ministry of Information in Tiraspol rather than the legitimate Moldovan government in Chisinau.

Monaco

Status: Free

Legal Environment: 3

Political Environment: 7

Economic Environment: 6

Total Score: 16

Freedom of expression is guaranteed under Article 23 of the 1962 Monegasque constitution. However, it is prohibited by law to publicly denounce the ruling family. The media generally abide by the prohibition, leading to occasional self-censorship. No violations of press freedom were reported in 2007. Monaco has no daily newspapers, although French dailies that cover news in Monaco are available, as are French television and radio broadcasts. Several periodicals and two domestic weekly newspapers, the government-produced *Journal de Monaco* and *Monaco Hebdo*, are also available. Monaco has one government-run television station, one privately owned English-language radio station, Riviera Radio, and the government-run Radio Monte-Carlo, which broadcasts in several languages both in and outside of Monaco. The internet is available and unrestricted and used by more than 60 percent of the population.

Mongolia

Status: Partly Free

Legal Environment: 13

Political Environment: 13

Economic Environment: 12

Total Score: 38

Freedom of speech and of the press are protected by law, and the government generally respects these rights in practice. However, media freedom was compromised somewhat in 2007 owing to ongoing legal harassment and financial difficulties facing journalists. Censorship of public information is banned under the 1998 Media Freedom Law and the State Secrets Law limits access to government information to a degree, as many archived historical records have been given classified status. The government monitors media content for compliance with anti-violence, anti-pornography, and anti-alcohol content restrictions. The filing of criminal and civil defamation suits by officials in the wake of critical articles also remains problematic, with a quarter of journalists reportedly affected. In April and May, criminal charges were filed against a reporter and editor of *Zuuny Medee* newspaper over articles accusing an MP of corruption. The case was pending at year's end. In August, former government spokesperson Ninjiin Demberel was sentenced to four months in prison for criminal defamation for an article and TV program he published, though the sentence was later commuted to a fine. The courts have not proven to be a bulwark against such harassment, particularly because Mongolian civil

law places the burden on the defendant to prove the truth of the statement at issue. Thus, in a 2006 study of 36 press-related criminal and civil defamation cases in the capital Ulaanbaatar, the local NGO Globe International found that the media had lost in almost 55 percent of cases, won in only 10 percent and had 35 percent settled out of court. As such, to avoid being sued for libel, many independent publications practice a degree of self-censorship.

While no direct government censorship exists, journalists complain of indirect forms of censorship such as harassment and intimidation, as well as pressure from the authorities to reveal confidential sources. In February 2007, police prevented journalist G. Erdenetuya from photographing the site of a helicopter crash that killed over a dozen people. In June 2007, the manager of a restaurant in Ulaanbaatar beat and kicked a reporter trying to photograph his store. The journalist was rebuffed when attempting to report the attack to the local police station and no investigation ensued.

Although independent print media outlets are common and popular in cities, the main source of news in the vast countryside is the formerly state-owned Radio Mongolia. Under the new Law on the Public Radio and TV passed in January 2005, state-owned radio and television broadcasting outlets, like Radio Mongolia, are transitioning into public service broadcasting operations, but progress has been slow. Both the state-owned and public media still frequently experience political pressures, and most provincial media outlets continue to be controlled by local authorities. 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 commercial satellite systems. Owing to widespread poverty in Mongolia, the internet has yet to serve as a significant source of information and, according to media watchdogs, journalists frequently seek payments to cover or fabricate stories. In this country of 2.5 million, only 220,000 people are internet users, or slightly more than 10 percent of the population.

Montenegro

Status: Partly Free

Legal Environment: 12

Political Environment: 16

Economic Environment: 10

Total Score: 38

The constitution and legislation provide for freedom of the press, although the UK-based media watchdog Article 19 expressed some concerns with the new constitution. Specifically, the constitution does not explicitly prohibit restrictions on freedom of expression, while the right of reply and the right to claim damages for inaccurate media reported are given constitutional status. The constitution also does not guarantee the right to access public information, although Montenegro does have legislation that provides for access to public information. Libel is punishable by fines of up to €14,000 (more for certain types of defamation), and lawsuits against journalists threaten to encourage self-censorship.

A lawsuit filed in September by the former president Milo Djukanovic against Zeljko Ivanovic, founder and director of the daily *Vijesti*, as well as the editor-in-chief and the newspaper's publishing company, was highly criticized by international media organizations. Djukanovic is seeking €1mn in damages for defamation stemming from comments Ivanovic made after he was attacked by unknown attackers. Ivanovic, believing his attack was related to his work, publicly blamed Djukanovic for creating an environment of impunity. The trial opened in December and was ongoing at the end of the year. The president of Podgorica's higher court filed libel charges against two different journalists, including a journalist for the weekly *Monitor*, Petar Komnenic and the editor-in-chief of *Vijesti*, Ljubisa Mitrovic. Both charges stemmed from reports alleging the court officials had ties to criminal activities. The 2004 murder of the opposition daily *Dan* editor, Dusko Jovanovic, was still unsolved, despite the 2006 controversial acquittal of the only person charged with the murder. In November, in Berane, a journalist and recently an editor in chief of public Radio Berane was attacked.

Both broadcast and print media are active and express diverse views. There are no restrictions on foreign news broadcasts. The members of the media watchdog Radio and Television Council (RTVCG) are appointed by nongovernmental organizations (NGOs) and professional groups. As happened in 2006, the parliament refused on two occasions to verify some of the NGO appointments to the council. The parliament is meant only to verify the appointments and not make a choice for the appointments. The frequent failure to verify NGO nominations implies that the government was seeking to influence the council. The print media consisted of private newspapers and state-owned newspaper that has a national circulation. The privatization process for this newspaper was finally initiated in November when the government issued a tender for 51% of its shares. There are a number of privately owned radio and television stations in addition to the public broadcasters. The government does not restrict access to the Internet, which was used by an estimated 38% of the population last year.

Morocco

Status: Not Free

Legal Environment: 24

Political Environment: 23

Economic Environment: 17

Total Score: 64

The past year witnessed an even further decline in the state of press freedom in Morocco, despite the country's efforts to promote itself as a modernizing Muslim state. While the Moroccan constitution guarantees freedom of expression, the Press Law prohibits criticism of the monarchy and Islam and effectively bars material challenging the government's position on the status of Western Sahara. Journalists who cross long established red lines or violate press laws are subject to heavy fines and lengthy prison sentences of up to five years. While the government no longer imprisons journalists as often as in the past, it now employs an array of economic pressures such as stiff punitive fines and subtler forms of legal harassment to punish and threaten independent and

opposition journalists into practicing self-censorship. After years of promising an updated and more liberal press law, King Mohammed VI finally introduced a draft press law in 2007. However, the king's proposed press law retained many of the restrictive penalties journalists suffered under the old press code and increased fines tenfold. The draft press law was still pending at year's end.

According to government statistics, 26 complaints were filed against the press in 2007. On January 15, a Moroccan court sentenced director and editor Driss Ksikes and journalist Sanaa Al Aji from the independent weekly *Nichane* to suspended prison sentences of three years and one year respectively, and a fine of approximately US\$10,400 for the publication of an article considered offensive to Islam that analyzed popular Moroccan jokes. That same month, in a major blow to independent journalism, Aboubakr Jamai, one of the deans of Morocco's independent press corps, left the country to avoid government seizure of his assets and closure of his weekly *Le Journal Hebdomadaire*. Jamai's departure stemmed from a 2006 court decision that found him guilty of the defamation of the head of a Belgian think tank to whom he was ordered to pay over \$300,000. Speculation that the record high penalty was politically motivated stemmed from the nature of Jamai's publications, which for years were unrelenting in their reporting on government corruption at all levels. Prior to the parliamentary elections in the fall, authorities seized copies of *Nichane* and its sister publication *TelQuel* after *TelQuel* published an editorial critical of the election process and the king's role in government. The editor of the publication also faced criminal charges. The publisher of *Al Watan*, Abderrahim Ariri, and journalist Mustapha Hormatallah, were arrested in July for the publication of an article revealing information from a confidential military document. Both received prison sentences in August for not revealing journalistic sources.

Morocco is home to a large number of private print publications, many of them critical of the government. Seventeen dailies and 90 weekly publications were in circulation in addition to six online news sites. Circulation is limited though, and most papers receive some government subsidies from the Ministry of Communication. The government has the power to revoke licenses and suspend or confiscate publications. Broadcast media that report the news are still dominated by the state, but residents can access critical reports through pan-Arab satellite channels. Francophone Moroccans can also access French-language broadcasts that provide alternative viewpoints. Foreign journalists can work with relative freedom in Morocco, but authorities are as sensitive with the foreign press as they are with local journalists when it comes to covering the issue of Western Sahara. The internet also served as an alternate source of news and perspectives for many Moroccans. There were six online news sites, including three in French, two in Arabic, and one in English. No official legislation exists to regulate internet content or access, although the government occasionally blocks certain websites. Slightly over 18 percent of the population accessed the internet in 2007.

Mozambique

Status: Partly Free

Legal Environment: 11

Political Environment: 15
Economic Environment: 14
Total Score: 40

The 1990 constitution provides for press freedom but restricts this right according to respect for the constitution, human dignity, the imperatives of foreign policy, and national defense. Reporters continue to face problems accessing official information. In August 2005, the government introduced a draft freedom of information bill, the product of five years of consultations with journalists and press freedom advocates, but a final version had not been passed by the end of 2007. The 1991 Press Law, considered one of the more progressive in Africa, was reviewed in 2006 by Gabinfo, the government press office, which suggested possible “improvements” such as provisions for mandatory licenses for working journalists and pointed to the omission of much needed freedom of information legislation. Registration requirements for starting a new radio station remain cumbersome, and license approvals are sometimes made on political grounds. Defamation of the president is illegal, and libel laws are sometimes used to prosecute media outlets. In 2007, several libel suits with high amounts sought in damages were brought against independent publications, including Horizonte and Faisca.

Journalists are occasionally threatened, harassed, or detained for short periods of time by officials or security forces as a result of attempting to cover sensitive stories or if they publish viewpoints critical of the government. For example, Celso Manguana, from the private daily Canal de Mocambique, was jailed for three days after police accused him of insulting their authority, and was released only after protests from a local human rights group and the intervention of the Attorney-General. Developments concerning the 2000 murder of prominent investigative journalist Carlos Cardoso were further resolved during the year. In February, the Supreme Court rejected the appeals of the six men who had been convicted of killing Cardoso and upheld their lengthy prison sentences. Against the wishes of the defendants, the court also took the unprecedented step of allowing the entire proceedings to be broadcast live, citing the public’s right to information. Former president Chissano’s son, Nyimpine Chissano, who had finally been charged with “joint moral authorship” of the crime in May 2006 after several years of stonewalling but had not been arrested, died in November 2007, bringing an end to his possible prosecution. Despite this resolution to the case, the chilling effect cast by Cardoso’s murder remains; many investigative reporters are hesitant to examine sensitive topics, and self-censorship continues to be an issue.

The private media have enjoyed moderate growth in recent years, and independent daily and weekly newspapers routinely provide scrutiny of the government. However, publications based in the capital, Maputo, have little influence on the largely illiterate rural population. The state owns a majority stake in the main national daily, Noticias, and the largest broadcast networks, Radio Mozambique (RM) and Televisao de Mozambique, although dozens of private radio and television stations also operate. While state-owned media have displayed greater editorial independence, the opposition still receives inadequate coverage and establishment views are favored. Costs of production and distribution are relatively high due to poor infrastructure and the fact that newsprint has to be imported from South Africa. According to the Media Institute of Southern Africa’s African Media Barometer, the development of private commercial radio

continues to be hampered by the fact that state advertisements are broadcast exclusively on RM. Instances have also occurred where newspapers have had advertising from state-owned companies withdrawn after publishing unfavorable stories. The financial viability of many outlets is affected as well by a law limiting foreign investment in any media enterprise to a 20 percent stake. Internet access is unrestricted, though less than 1 percent of the population has access because of a scarcity of electricity and computers.

Namibia

Status: Free

Legal Environment: 8

Political Environment: 10

Economic Environment: 12

Total Score: 30

Namibia's press is generally considered to be one of the freest on the continent. The constitution guarantees freedom of speech and of the press, and the government generally respects these rights in practice. Independent media routinely criticize the government, though government pressure has led to some self-censorship. The 1999 Freedom of Information Act was put into effect only in 2005.

In recent years, the most serious media restrictions in Namibia have been isolated incidents reflecting the government's sensitivity to criticism. A government ban on advertisements in the independent daily *The Namibian*, in place since March 2001, persists to date. In 2006, Sam Nujoma—former president and head of the ruling South-West Africa People's Organization (SWAPO)—initiated a N\$5 million (approximately US\$650,000) defamation suit against *The Namibian* after an August 2005 story implicated Nujoma in a corruption scandal. In February 2007, a parliamentary debate saw a number of SWAPO MPs call segments of the independent media “unpatriotic” and “disrespectful” toward SWAPO leaders, including Nujoma.

Eight newspapers are in circulation, 6 of which are privately owned. There are at least 11 private radio stations and 2 private television stations that broadcast in English and German, and a satellite television service broadcasts CNN, the BBC, and a range of South African and international news and entertainment programs. Still, the state-run Namibia Broadcasting Corporation (NBC)—including one television station and nine radio stations—dominates broadcast media. Reporters for state-run media have been subjected to indirect and direct pressure to avoid reporting on controversial topics. While many journalists insist that the state-run enjoys complete freedom to criticize the government, others believe that it is biased toward the ruling party. In 2007, an NBC plan to change the format of popular call-in shows from open to pre-determined topics was torpedoed after public outcry. There are no government restrictions on the internet, but access is limited to less than 4 percent of the population owing to financial and infrastructure constraints.

Nauru

Status: Free
Legal Environment: 4
Political Environment: 11
Economic Environment: 13
Total Score: 28

Freedom of expression is safeguarded in Article 12 of the constitution, though there are limitations for libel and national security. There are no protections for freedom of information under the law, and in the past the government has proven uncooperative in granting access to documents. The 2004 freedom of information bill was rejected, and no comparable bills have been presented since. In 2007, Nauru joined the newly-formed Micronesian Media Association to protect free and independent journalism and public access to information. There were no attacks on the press in 2007. Environmental challenges, a poor communications infrastructure, and a failing economy have limited the country's media scene. Nauru publishes no daily papers, and there are no private newspaper companies, though the government releases the weekly *Nauru Bulletin*, the fortnightly *Central Star News*, and the *Nauru Chronicle*. A newsletter, the *People's Voice*, is published by the opposition party. The state runs one radio and one television station that both carry material from foreign media, though no private broadcasting exists. The internet is unrestricted by the government, although access remains limited—available to less than 3 percent of the population owing to a poor telecommunications infrastructure.

Nepal

Status: Partly Free
Legal Environment: 15
Political Environment: 28
Economic Environment: 14
Total Score: 57

The media environment reached a plateau in Nepal during 2007, following significant improvements in 2006 as a result of dramatic political change in which massive street protests forced an end to King Gyanendra Bir Bikram Shah Dev's direct rule in April. Although an interim constitution was promulgated in January 2007, the Nepali government has not been fully successful in implementing the November 2006 Comprehensive Peace Agreement, as tensions with Maoists and Madhesi unrest in Terai have indefinitely delayed the holding of Constituent Assembly elections. Despite significant improvements in law and order following the 2006 ceasefire, attacks on the press by both Maoist and Madhesi groups were common in 2007.

Beginning in May 2006, the interim government rescinded many laws that severely limited press freedom, including the government's ability to revoke journalists' press accreditation and to impose high fines for publishing banned items, bans on private radio news broadcasts, and criminalization of criticism of the royal family. In June, a

high-level media commission was formed to further review media laws and practices, and in December, an interim constitution was signed that provides for press freedom and specifically prohibits official censorship. Improvements in the legal environment continued to improve in 2007, with the interim parliament's passage of a Right to Information Act, which gives Nepali citizens the right to obtain information from government bodies and NGOs supported by the government, foreign states, or international organizations. Furthermore, in August, the interim parliament passed a Working Journalists Act, which provides journalists with improved working conditions and legal rights, and also gives journalists the right to unionize.

Although the interim government and Maoist leadership promised to respect press freedom to reduce the level of violence against journalists that was commonplace under Gyanendra's rule, violence and intimidation towards journalists increased in 2007. Journalists still face harassment from militant Maoist and Madhesi groups, local-level officials and politicians, police and military forces, and criminal groups, especially when reporting on sensitive topics. Between January and June 2007, Reporters Without Borders reported that at least 72 journalists were threatened or attacked, with at least two journalists killed. While mainstream Maoist intimidation has decreased, the Maoist-affiliated Young Communist League (YCL) was responsible for attacks, including in August when YCL members attempted to abduct a journalist for *Dristi Weekly's*. Maoist-affiliated unions also threatened newspapers, forcibly shutting down production of *The Himalayan Times* and *Annapurna Post* in August. On October 5, Maoists abducted and killed Birendra Shah, a journalist in Bara affiliated with Nepal FM, *Dristi Weekly's*, and Avenues TV. Journalists have also faced violence related to the Madhesi movement. In early January, nine newspapers in western Nepal were forced to stop publishing in early January due to threats from Madhesi groups. In late January, demonstrators set fire to a radio station and attacked journalists in Birgunj. In February, cadres of the Madhesi Janatantrik Forum (MJF), a Madhesi political party, attacked five journalists covering a protest in eastern Nepal.

Additionally, although those responsible have not been identified, Shankar Panthi, a journalist with the pro-Maoist paper *Naya Satta Daily*, was found dead in September in the western town of Sunawal, upon his return from covering the destruction of a YCL office. During the year, at least two other journalists were abducted, including the Kanchanpur-based journalists Prakash Singh Thakuri in July and Pappu Gurung in October. Although cases involving government forces were less frequent, police and soldiers have mistreated journalists in some instances. On November 16, authorities briefly detained 39 journalists who were protesting the government's failure to investigate Birendra Shah's death. With dozens of cases of threats and attacks documented throughout the year by groups such as the Kathmandu-based Federation of Nepalese Journalists and the Center for Human Rights and Democratic Studies, journalists' ability to operate freely, particularly in the rural areas, remains constrained.

The government owns several of the major English-language and vernacular dailies; these news outlets generally provide pro-government coverage. Hundreds of private publications, some with particular political viewpoints, provide a range of diverse views, and many have resumed their critical coverage of sensitive issues such as human rights violations, the insurgency, and corruption. The government owns both the influential Radio Nepal, whose political coverage is supportive of official policies, and

Nepal Television Corporation (NTV), Nepal's main television station. Private FM and community radio stations, which together with the national radio network reach some 90 percent of the population, flourished prior to the 2005 coup and are a primary source of information, particularly in the rural areas. Although censorship and news bans caused the closure of many stations under Gyanendra's direct rule, since 2006 many radio journalists have returned to their jobs, and by October, the government had awarded licenses for 6 new television channels and 50 FM radio stations across the country. During 2007, there were no reports that access to foreign media were banned or censored. There were also no reports that authorities monitored email or blocked websites, although this medium was accessed by less than 1 percent of the population in 2007.

Netherlands

Status: Free

Legal Environment: 2

Political Environment: 7

Economic Environment: 4

Total Score: 13

The media in the Netherlands are free and independent. Rarely enforced restrictions against insulting the monarch and royal family exist, and were used twice in 2007. A homeless man was charged for slandering the Queen during an unrelated arrest, and in reaction, a young journalist was arrested for wearing a t-shirt that read "Queen Beatrix is a whore." The Netherlands does not have legislation ensuring the right of journalists to protect their sources, although this right can be invoked under Article 10 of the European Convention on Human Rights. In November, the Dutch Ministry of Social Affairs and Employment acknowledged that its employees had repeatedly since 2006 hacked into the Dutch Geassocieerde Pers Diensten (GPD) press agency computers. The government employees checked unpublished stories, which was how the activity was discovered: the ministry called GPD to complain about a piece that had yet to be publicized. The Social Affairs Minister denied directing the actions or any knowledge thereof. Action was pending at the year's end. This follows the 2006 case involving *De Telegraaf*, which was at the center of a debate over the legality of wiretapping when it was revealed that the Dutch intelligence service had been taping the phone conversations of two of *De Telegraaf*'s leading reporters.

The legacy left by controversial filmmaker Theo van Gogh's 2004 murder by a radical Islamist has been a climate of fear among journalists and filmmakers interested in pursuing controversial topics, particularly those related to immigration and the increasing influence of Islam in the Netherlands. Ayaan Hirsi Ali, the Somali-born Dutch politician known for her outspoken criticisms of Islam and for the film *Submission*, on which she collaborated with Theo van Gogh, also received death threats and was placed under protection. In 2007, the Dutch government announced it would cut off funding for her security while she was living outside of the Netherlands. Funding was eventually found and she was allowed to maintain the necessary protection while living in the United States.

Despite a high concentration of newspaper ownership, a wide variety of opinions are expressed in the print media. In a remnant of the traditional “pillar” system, the state allocates public radio and television programming to political, religious, and social groups according to their membership size. While every province has at least one public television channel, public broadcasting has faced stiff competition from commercial stations since their legalization in 1988. International news sources are widely accessible, and the internet is unrestricted by the government and used regularly by roughly 88 percent of the population.

New Zealand

Status: Free

Legal Environment: 2

Political Environment: 5

Economic Environment: 6

Total Score: 13

New Zealand media remained vigorous and free during the year. Press freedom in New Zealand is provided for by convention rather than constitutional guarantee, and supplemented by Freedom of Information legislation passed in 1982. While media in New Zealand has been largely unaffected by anti-terrorism legislation, in one instance, a contempt of court charge was filed against the *Dominion Post* after it published intercepted communications and other inadmissible evidence relating to the discovery of an alleged paramilitary training camp in Urewera Mountains. During the year, the self-regulatory NZ Press Council conducted its first ever independent review since it was founded in 1972. Report recommendations included turning the council into a legal entity independent from its media funders, streamlining complaints processes and calling for an independent review every five years. The broadcasting industry is regulated by the Broadcasting Standards Authority.

While the news media was generally free of interference, there were several instances of media coming under pressure from political actors. In a decision condemned by the Commonwealth Press Union, a wide-ranging coalition of parliament members supported a rule change which banned satire, ridicule and denigration of MPs using television footage shot from parliamentary galleries. In addition, Amnesty International criticized attempts by Chinese authorities to interfere with free expression and media freedom in New Zealand. The group cited eight recent incidents involving Chinese officials, including one in March in which two local journalists were barred from photographing Chinese Vice-Premier Zeng Peiyan.

Four companies, all foreign-owned, continue to control a significant portion of the country’s print media sector. Australia’s John Fairfax Holdings owns 48 percent of New Zealand’s daily newspaper circulation. The *New Zealand Herald*, the largest circulation daily, and a significant slice of smaller provincial and suburban newspapers are owned by the rival Australian Provincial Newspapers (APN) group, amounting to another 43 percent of the newspaper market. The Australian Consolidated Press dominates New Zealand magazines. The state-owned corporation Television New Zealand dominates

television with two free-to-air channels and Sky TV holds a monopoly over pay television. A trend emerged during 2007 in which a growing number of media companies were taken over by private equity corporations such as Australia's Ironbridge, which bought out Mediaworks, the operator of a commercial radio network and TV3. Rationalization by media companies, especially APN, forced significant job losses during the year. Concerns over the quality of the news media contributed to a union-led initiative to create the Movement for a Democratic Media. Roughly 75 percent of the population accessed the internet, which was open and unrestricted.

Nicaragua

Status: Partly Free

Legal Environment: 14

Political Environment: 17

Economic Environment: 12

Total Score: 43

The Nicaraguan constitution provides for freedom of the press but also allows for some forms of restriction, including criminal defamation legislation. Legal actions to improve the situation for the media remain stagnant. Judges are often aligned with political parties, and some have restricted reporters from covering certain stories; cases of judicial intimidation have also been reported. On May, a new access to information law was approved, and in December the attorney general created an office to serve as the clearinghouse for all freedom of information requests. However, civil society groups and the media indicated that the access to information law includes sections that may undermine the measure's ultimate effectiveness. A court appeal on constitutional grounds against Law 372, which requires all journalists to register with the Colegio de Periodistas, was still pending in the Supreme Court at year's end.

After taking office, President Daniel Ortega promised to fight corruption and to resolve the country's widespread poverty issue, but his desire to follow in his predecessor's footsteps and respect freedom of the press has so far failed. Journalists and civil society groups are increasingly concerned about perceived authoritarian tendencies displayed by President Ortega's government. Ortega frequently discredits the press's work in his speeches and appointed his wife, Rosario Murillo, as his administration's point person for relations with the press. Journalists complained that the government offered preferential treatment to media loyal to the FSLN party, intimidated media outlets and journalists into self-censorship.

Physical attacks on journalists have diminished, but a number of reporters received death threats or were harassed at gunpoint throughout the year. Politicians have also often criticized the media for trying to undermine their credibility and limit public debate. In February, three members of the ruling party threatened to kill journalist William Aragón in response to the author exposing government corruption in two articles in the Managua-based daily *La Prensa*. Later in December, *La Prensa* correspondent Jorge Loáisiga was briefly detained by presidential security guards at a public ceremony attended by the president and several ambassadors. Loáisiga was soliciting comments

from the American ambassador when he was roughly handcuffed and detained, though authorities released him shortly afterward when other journalists and local residents protested.

There are 10 Managua-based television stations, some of which carry obviously partisan content, as well as more than 100 radio stations, which serve as the main source of news for most citizens. Nicaragua is one of the poorest countries in the hemisphere, and its media rely on government advertising. There are still complaints about the political manipulation of government propaganda. Newspaper ownership is concentrated in the hands of various factions of the Chamorro family. The prominent Sacasa family similarly dominates the television industry. Angel Gonzalez, noted for his holdings in Guatemala and Costa Rica, also owns significant electronic media interests. A freeze remains on government advertising, which only appears in media outlets that belong to the ruling party or that have close ties to the government, or on highway billboards. Despite a constitutional provision providing tax exemption, in September customs authorities impounded for two weeks printing materials imported by *La Prensa*, in an attempt to make the company pay import duties. The poor economic climate leaves journalists vulnerable to bribery. A new generation of journalists in Nicaragua is rejecting the old ways of self-censorship and bribery, but this process has been slow. There are no government restrictions on the internet, which is used by less than 3 percent of the population.

Niger

Status: Not Free

Legal Environment: 22

Political Environment: 24

Economic Environment: 17

Total Score: 63

Status change explanation: Niger declined from Partly Free to Not Free due to the government's attempts to control information related to the civil conflict in the north, including suspending the operation of critical media outlets, prosecuting journalists for libel, and harassing journalists who produced controversial reports.

Although Niger's constitution guarantees freedom of expression, it is often not respected in practice. Conditions for the independent Nigerien media deteriorated considerably in 2007 due to the government's attempts to control information related to the civil conflict in the north, which began in February 2007 when members of the Mouvement des Nigeriens pour la Justice (MNJ) carried out attacks on the army in the northern town of Iferouane. During the year, Nigerien authorities have suspended the operation of critical media outlets, prosecuted journalists for libel, and harassed journalists for controversial materials.

As a direct result of the conflict, Nigerien authorities have sharply limited the media's ability to report on events in the north. On June 29, Niger's regulatory body, the Supreme Council for Communications (CSC), suspended *Air Info*, a private paper from

the northern Agadez region, for covering the MNJ's activities. On July 19, the government imposed a one-month ban on the retransmission of Radio France International (RFI). Furthermore, in late August, the government banned live broadcasts of the MNJ, which occurred in the context of a country-wide state of emergency imposed on August 24 in response to heightened rebel attacks. In late October, the CSC issued a warning to media outlets that criticism of it could lead to the revoking of broadcasting licenses.

Throughout 2007, journalists also faced threats of detention and criminal prosecution for coverage of the conflict. At the end of August, authorities detained the French filmmaker Francois Bergeron for filming a documentary on the Touaregs in the north; Bergeron was released on October 6. On September 21, authorities arrested and later imprisoned Moussa Kaka, the director of the private station Radio Saraouniya and a correspondent for RFI and Reporters Sans Frontieres (RSF). Kaka was later charged with "complicity in a conspiracy against state authority" due to coverage of the MNJ's demands and activities and the government's counter-insurgency efforts. Although a court in November rejected the evidence against Kaka, he remained imprisoned at year's end. Earlier in July, an army officer threatened Kaka with death for covering the conflict in the north.

On October 9, Ibrahim Manzo Diallo, *Air Info's* managing editor, was arrested prior to boarding a flight to France. Diallo had been previously arrested in July for operating his publication under a new name, *Info de l'Air*. Daouda Yacouba, an *Air Info* correspondent, was arrested on October 25 and released in early November. On October 31, Diallo was charged with criminal association for alleged ties to the MNJ rebels, and he remained imprisoned at year's end. On December 17, two French citizens on assignment with the French-German television station Arte, reporter Thomas Dandois and cameraman Pierre Creisson, were arrested and later charged with undermining state security upon allegations that they had traveled illegally to the north. At year's end, both were still imprisoned near Niamey.

Journalists faced other instances of intimidation and harassment throughout the year. In October, Hamadou Boulama, the editor-in-chief of the bi-monthly paper *Alternative*, received a death threat, allegedly linked to a story published in October suggesting that the 2009 presidential election would not be competitive. In early December, Ibrahim Souley, the managing editor of the bi-monthly *L'Enqueteur*, and Soumana Idrissa Maiga, the paper's founder, were arrested and held for 72 hours following libel charges brought by the minister of finance and economic planning due to the paper's allegations of corruption within the ministry. Their case was pending at year's end.

The state continues to dominate the broadcasting landscape and consistently reflects the government line. Nevertheless, there are 15 private radio stations that broadcast in French and other local languages. Although private publications have been very critical of the government, they have limited influence due to a literacy rate of only 29 percent. Restrictive press licensing legislation and a heavy tax on private media outlets continue to prohibit the growth of a vibrant dynamic press. Although the government does not restrict internet access, less than 0.3 percent of the population accessed it regularly, owing to the high level of poverty and lack of infrastructure.

Nigeria

Status: Partly Free

Legal Environment: 14

Political Environment: 22

Economic Environment: 17

Total Score: 53

The year 2007 was marked by state harassment of the private media in advance of presidential elections in April, in which the ruling People's Democratic Party (PDP) candidate Umaru Musa Yar'Adua was elected to replace Olusegun Obasanjo. Following the elections state harassment of the media decreased somewhat.

Although the 1999 constitution guarantees freedom of expression, of the press, and of assembly, the state often uses arbitrary actions and extralegal measures to suppress political criticism and expression in the media. Libel remains a criminal offense, and under Nigerian law the burden of proof rests with the defendant. Criminal prosecution also continues to be used against journalists covering sensitive issues such as official corruption, separatist movements, and communal violence. In addition, Sharia (Islamic law) in place in 12 northern states imposes severe penalties for alleged press offenses. Despite the recent passage of a freedom of information bill by both houses of the National Assembly, which, among other provisions, would criminalize the destruction or falsification of any official record by any officer, government administrator, or public institution, Obasanjo failed to sign the bill into law prior to leaving office in May. The bill was resubmitted under the new administration, and had been presented to both the House and Senate by year's end. Under the current legal framework, access to information remains limited, with laws—such as the 1962 Official Secrets Act and the Sedition Law—restricting public access to government-held information.

Prior to the April presidential election, various security agencies, particularly the State Security Service (SSS), an elite corps under the president's direct charge, continued to use arbitrary detention and extrajudicial measures in attempts to muffle political activism and restrict press coverage critical of former President Obasanjo and the ruling PDP. On January 9, SSS agents raided the offices of the daily *Leadership* and detained several staff members following a story alleging that Obasanjo forced fellow PDP candidate, Peter Odili, out of the primary. The following day, agents raided the offices of the *Abuja Inquirer* and detained publisher Dan Akpovwa and editor Sode Abbah for over a day following a story about the possibility of a military coup due to hostility between Obasanjo and his former vice president, Atiku Abubakar, who was also campaigning for the presidency. In another incident in April, security forces raided the transmission studio of the private African Independent Television station, preventing the broadcasting of a documentary critical of Obasanjo and the PDP. Authorities also shut down an affiliated radio station, Ray Power FM, for one hour. At the time of the incident, the National Broadcasting Commission (NBC), the body that monitors the broadcast media, threatened the station with sanctions if it were to air the program in the future. Intimidation continued under Yar'Adua's administration, albeit at a lower level than during the

preelection period. On June 27, a group of armed men, including two police officers, raided the printing office of the private Uyu-based weekly *Events* and reportedly seized several thousand copies of the paper in response to an article on an alleged indictment against the state governor on corruption charges. On October 10, SSS agents arrested Jerome Imeime, the editor of *Events*, on sedition charges due to critical stories about the state governor. Although Imeime was released after three weeks, the Committee to Protect Journalists noted that it was the first such charges imposed since June 2006.

Violence against journalists remains a common occurrence, often more as a result of the violent environments in which journalists reported rather than in response to the particular content of their writing. In May, armed men raided the Oyo state broadcasting office and stole equipment, causing interrupted service; the perpetrators had not been identified by the end of the year. Journalists have also come under attack in the Niger Delta region, where control over oil revenues has sparked conflict among various armed groups. Armed men raided the offices of the Port Harcourt papers *Punch* in June and *National Point* in July, allegedly attempting to rob or abduct staff members. Unlike in 2006, no journalists were killed during the year. However, the December 2006 murder in Lagos of Godwin Agbroko, the editorial board chairman of the private daily *ThisDay*, remained unsolved at year's end.

There are more than 100 national and local publications, the most influential of which are privately owned. The press is vibrant and vocal against unpopular state policies and was particularly critical in covering Obasanjo's third-term ambitions and during the run-up to the April election. The broadcast industry has been liberalized since 1992, and by 2006 about 300 licenses had been granted by the NBC, although most licensees continue to experience financial difficulties, limiting their viability. Radio tends to be the main source of information for Nigerians, while television is used mostly in urban areas and by the affluent. Foreign broadcasters, particularly the Voice of America and the British Broadcasting Corporation, are important sources of news in the country. Over eight million Nigerians reportedly had access to the internet in 2007. There are no reports that the government restricted access to the internet or monitored email, although online news sites critical of the government have occasionally experienced disruptions, possibly due to authorities' attempts to impair service

North Korea

Status: Not Free

Legal Environment: 30

Political Environment: 39

Economic Environment: 29

Total Score: 98

Though some citizens gained access to alternative information via pirated DVDs and illegal short-wave radios, North Korea remained the most repressive media environment in the world in 2007. The one-party regime of top leader Kim Jong-il places severe restrictions on media freedom, attempts to regulate all communication, and rigorously limits the ability of North Koreans to access information. Although the constitution

guarantees freedom of speech, in practice constitutional provisions for obeying a “collective spirit” restrict all reporting not sanctioned by the government. All journalists are members of the ruling party, and all media are mouthpieces for the regime. Journalists are punished harshly for even the smallest errors. The North Korean media portray all dissidents and the foreign media as liars attempting to “destabilize the government,” and the government severely restricts the ability of foreign journalists to access information by claiming their cell phone upon arrival and preventing them from talking to people in the street, all the while monitoring their movements. Under the penal code, listening to foreign broadcasts and possessing dissident publications is a “crime against the state” and carries harsh punishments, including hard labor, prisons sentences and the death penalty. The aid group Good Friends reported that in October 2007, a man was publicly executed for having made a large number of international phone calls.

Newspaper, television, and radio reports typically consist of praise of Kim Jong-il, often focusing on his daily activities. Radios must be registered with the police and are preset to government frequencies. However, the emergence of black markets in the past decade has provided some alternative sources of information, especially for those near the South Korean or Chinese borders. Some entrepreneurs carry cell phones, and a significant portion of North Koreans are aware of the outside world through short-wave radios and pirated DVDs of South Korean dramas smuggled in from China. Surveys of defectors show that a growing, though still unclear, proportion of North Koreans have access to broadcasts by Radio Free Asia (RFA), the South Korean public radio station KBS, or Free North Korea (FNK), a radio station run by North Korean refugees living in the South. In an attempt to curb the growing access to outside information, throughout 2007, the authorities took measures such as raiding homes in search of illegal DVDs and players, confiscating television remote controls, and re-soldering radios and television sets that had been unsealed. They also renewed efforts to jam South Korean and other foreign radio broadcasts audible from the North, including one aimed at possibly surviving Japanese abductees.

All media in North Korea are owned by the state. However, in 2007, a Japanese journalist and several North Korean refugees launched the first news magazine to be based on independent reporting from inside the country, collected by undercover journalists previously trained and using hidden cameras. The first issue of the bi-monthly *Rimjingang*, which aims to cover general views of North Koreans, as well as their reactions to unfolding events within the country, was published in November 2007, with plans to distribute it in both North and South Korea. Internet access is restricted to a handful of high-level officials who have received state approval and to 200 or so foreigners living in the capital, Pyongyang; all foreign websites are blocked by the state. For most North Koreans with computer access, web surfing takes place only on the state-run intranet called Kwangmyong, which restricts access to a few dozen government-sponsored websites.

Norway

Status: Free

Legal Environment: 3

Political Environment: 3
Economic Environment: 4
Total Score: 10

Freedom of the press and of information are guaranteed under Article 100 of the constitution. However, a government ban on political commercials, designed to ensure equal opportunity to the media for all candidates regardless of varying resources, violates the European Convention on Human Rights, which Norway has signed. In February, the Ministry of Cultural and Church Affairs proposed a bill that would protect editorial freedom. According to *Nordic Media Policy*, the bill would ensure that owners could not re-examine an editor's decision regarding editorial operations. The bill was pending at the year's end.

Norway has one of the highest newspaper readerships in the world and distributes over 200 newspapers that express a diversity of opinions. Media concentration is a concern in Norway, with three main companies dominating print media. In July 2007, the Norwegian Media Authority prevented the establishment of Media Norge, a large media consortium. The new media group would be the result of a large scale merger between several of the country's largest papers including *Bergens Tidende*, *Aftenposten*, *Stavanger Aftenblad* and *Fædrelandsvennen*. The internet is widely used in Norway, accessed by 88 percent of the population.

Oman

Status: Not Free
Legal Environment: 25
Political Environment: 27
Economic Environment: 19
Total Score: 71

The 1984 Press and Publications Law is one of the most restrictive in the Arab world and serves to create a highly censored and cautious media environment. Articles 29, 30, and 31 of Oman's 1996 Basic Law guarantee freedom of expression and of the press; however, these rights must be exercised "within the limits of the law." While the 2004 Private Radio and Television Companies Law allowed for the licensing of private broadcast media for the first time in 35 years, it increased the capital required to establish print media. Libel is treated as a criminal offense, and journalists can be fined or imprisoned for up to two years for voicing criticisms of the sultan, or for printing material that leads to "public discord, violates the security of the state, or abuses a person's dignity or rights." Pecuniary awards for defamation can range up to 2,000 Omani Rials (USD\$5,000). Oman's Telecommunications Act allows the authorities to prosecute individuals for any message, sent through any means of communication, which violates public order and morals, or is harmful to a person's safety. Private communications such as mobile phones, emails, and exchanges in Internet chat rooms are monitored. The Ministry of Information (MOI) may legally censor any material regarded as politically, culturally, or sexually offensive in both domestic and foreign media. Press media

managers and editors also serve as censors and refrain from pursuing more investigative stories out of fear of criminal or monetary repercussions. Journalists who have been charged with past press law violations often find it difficult to find work or be published.

Information and news are generally widely available and foreign broadcasts are often accessed via satellite in urban areas. However, there is a basic lack of coverage of local issues concerning citizens such as the economy, unemployment, or minority and migrant issues. Candidates for the October Consultative Council elections were allowed to place campaign ads in the local papers for the first time and foreign journalists were invited to cover the voting in several locations. While both private and state-run print and broadcast media tend to support the government's views, some "constructive" criticism of the government is permitted. Journalists, however, still practice a high degree of self-censorship. The media does not often report on violations of press freedom out of fear of receiving the same punishment. A reporter was imprisoned for one week in 2005 for reporting on the arrest and sentencing of fellow journalist, Taiba Al Mawali, who had made critical comments on a foreign satellite television station. Journalists are required by the MOI to be licensed in order to practice journalism, and as of 2005, must reapply for a new ID card every year as an employee of a specific media outlet, thus forbidding the practice of freelance journalism. Journalists' licenses may be revoked at any time for violating press laws or for crossing red lines.

The Arabic-language daily newspaper *Azzamn* began publication in August, making it the country's fifth privately owned newspaper in addition to two government-owned dailies. Private daily newspapers mostly sustain themselves on local and international advertising revenues rather than sales; however, many papers no longer need to accept state subsidies. No entity exists to verify circulation numbers of print media. *TheWeek*, a free English-language weekly became the first newspaper to carry out an audit and provide circulation data to its advertisers in 2007 in order to create greater transparency. There are two state-owned television stations and three state-owned radio stations. The state licensed three private radio stations and one private television station for the first time in 2005, as a result of the Private Radio and Television Companies Law of 2004. Hala FM, the first private radio station, launched in May of 2007, and HI-FM followed in October; both stations broadcast mostly music. The government retains the right to close down any media outlet at any time. Bribes to influence journalistic content are rare due to relatively high wages for journalists and a lack of opportunity to provide critical perspectives.

Ten percent of Oman's population used the Internet in 2007, reflecting a growth rate of 254.7 percent since 2000, which was still low in comparison to other countries in the region. Attempts to increase Internet service and users outside of the capital, Muscat, were unsuccessful partly due to technical problems and high prices. Oman's Internet and telecommunications sector is monopolized by the Oman Telecommunications Company, which is entirely owned by the government. The Internet is broadly censored, with the Internet Service Manual strictly stipulating a lengthy list of prohibited online topics, including defamation of the royal family and false data or rumors. Authorities post ads on local websites warning users that they may be censored or questioned for criticizing the government or Sultan. Numerous websites were blocked in 2007, often arbitrarily. In January, al-Sablah al-Omania, the founder of a popular chat room, and ten others were arrested for posting comments criticizing government officials. After a four-month trial,

six defendants received fines ranging from 300 to 4,000 rials (about \$10,000), and one defendant received a one-month prison sentence.

Pakistan

Status: Not Free

Legal Environment: 20

Political Environment: 29

Economic Environment: 17

Total Score: 66

Press freedom was continuously tested in 2007 as media outlets took a lead role in reporting on the ongoing political turmoil and in turn were targeted in crackdowns by authorities. The constitution and other laws such as the Official Secrets Act authorize the government to curb freedom of speech on subjects including the constitution, the armed forces, the judiciary, and religion. Harsh blasphemy laws have also been used in past years to suppress the media. The controversial 2004 Defamation (Amendment) Act expanded the definition of defamation and increased the punishment for offenders to minimum fines of 100,000 rupees (approximately US\$1,700) and/or prison sentences of up to five years; however, this legislation has not yet been used to convict members of the press. The Pakistan Electronic Media Regulatory Authority (PEMRA), tasked with regulating the broadcast media, intervened several times during the year to restrict broadcasts, particularly those critical of the government, as well as banning live news coverage during periods of political turmoil. The Supreme Court also attempted to restrict media coverage of the ongoing judicial crisis, issuing a directive that would allow contempt of court charges to be filed against any outlets that covered the case.

Restrictions on media coverage dramatically increased as part of the November 3 imposition of martial law in which a number of civil liberties were suspended and political leaders as well as lawyers and civic activists were arrested. The Provisional Constitutional Order, which replaced the constitution, suspended Article 19 of the constitution relating to freedom of the press, and two additional ordinances imposed severe curbs on print and electronic media respectively, barring them from publishing or broadcasting “anything which defames or brings into ridicule the head of state, or members of the armed forces, or executive, legislative or judicial organ of the state,” as well as any broadcasts deemed to be “false or baseless.” Those journalists considered to be in breach of the ordinance could face jail terms of up to three years, fines of up to 10 million Rupees (about US\$165,000), and cancellation of their broadcaster’s license. A special bureau within the information ministry was tasked with monitoring the 21 national dailies and 13 leading regional newspapers to ensure that they followed the rules introduced in the print media ordinance. Transmissions of many foreign and private networks were initially suspended, and were only allowed to resume after each network had signed a new 14-page code of conduct promoted by PEMRA, in which they agreed to discontinue specific types of programming, such as election-related content, talk shows and live phone-in segments. Those channels that did not, including Geo TV, the country’s largest private television network, remained off the air at year’s end.

The physical safety of journalists continued to be a major issue of concern. On numerous occasions, police, security forces, and military intelligence officers subjected journalists to physical attacks, intimidation, or arbitrary arrest and incommunicado detention. In addition, Islamic fundamentalists and thugs hired by feudal landlords or local politicians continue to harass journalists and attack newspaper offices. According to Internews, a training and monitoring group, there were 163 attacks during 2007, with at least 7 journalists killed and 100 abducted (most were released after a short period of time). Those killed during the year included Zubair Ahmed Mujahid, a Sindh correspondent for the Jang daily, in November 2007; Ahmed Solangi, who was ambushed and shot as he was distributing newspapers in June; and Noor Hakim, who was killed in the tribal areas, also in June. In a chilling trend, family members of journalists also continue to be targeted. The widow of slain journalist Hayatullah Khan was murdered in November 2007, while militants killed four members of the family of Din Muhammad, a journalist based in the northwestern Waziristan region, in March. In addition, the 14 year-old son of Shakil Ahmad Turabi, editor-in-chief of the South Asian News Agency, was beaten, probably by plainclothes police, as a warning to his father.

Several reporters were either killed or injured as they attempted to cover political developments or were among the victims of suicide bombings that took place. The spring was a particularly bad period for the media throughout the country due to protracted conflicts stemming from coverage of the unfolding judicial crisis following the sacking of the chief justice in March 2007. For example, the Islamabad offices of Geo TV were raided by police in March and Aaj TV's Karachi office was subject to a four-hour siege by pro-government political activists in May. Also in May, bullets were found planted on three cars belonging to journalists at the Karachi Press Club. Unions such as Pakistan Federal Union of Journalists (PFUJ) and its affiliates who held demonstrations in order to protest against the treatment of the media were assaulted and arrested, and its leaders faced threats. In general, foreign journalists experience visa and travel restrictions that can inhibit their scope of reporting and are subject to arrest and deportation if found in areas not specifically covered by the terms of their visas; a number of such cases have been reported in the past several years. Conditions for reporters covering the ongoing unrest in the tribal areas bordering Afghanistan were particularly difficult, with a number of local and foreign correspondents detained, threatened, expelled, or otherwise prevented from covering events there, either by the Taliban and local tribal groups or by the army and intelligence services. Media remain much more tightly restricted in Pakistani-administered Kashmir, where publications need special permission from the regional government to operate, and pro-independence publications are unlikely to be given permission to publish.

While some journalists practice self-censorship, many privately owned daily and weekly newspapers and magazines provide diverse and critical coverage of national affairs. Restrictions on the ownership of broadcast media were eased in late 2002, and media cross-ownership was allowed in July 2003. The government continues to control Pakistan Television and Radio Pakistan, the only free broadcast outlets with a national reach, where coverage supports official viewpoints. Private radio stations operate in some major cities but are prohibited from broadcasting news programming. In a dramatic change in the media landscape in recent years, dozens of private cable and satellite television channels such as GEO, ARY, Aaj and Dawn, which broadcast from outside the

country but are widely available, focus on providing live domestic news coverage, commentary, and call-in talk shows, which serve to inform viewers and shape public opinion regarding current events. International television and radio broadcasts are usually available. Authorities attempt to wield some control over content by reportedly providing unofficial “guidance” to editors on suggested placement of front-page stories or permissible topics of coverage. Both state-level and national authorities use advertising boycotts to put economic pressure on media outlets that do not heed unofficial directives on coverage. Throughout 2007, the Dawn Group, which had refused to accede to an official request for a news blackout on coverage of Baluchistan and the tribal areas, was targeted as the federal government cut nearly two thirds of its advertisements and withheld awarding a television broadcast license to the group. Similar though less drastic cuts targeted a number of other media organizations. In addition, the broadcast ban imposed in November exacted a severe financial toll on private television stations, with many losing significant advertising revenues. Both official and private interests reportedly pay for favorable press coverage.

The internet is not widely used, with less than 5 percent of the population able to gain access. Despite this, the government did invade online privacy by monitoring the e-mail accounts of some journalists. During 2007, authorities blocked access to certain websites, particularly those that concern Baluchi nationalist issues or other sensitive subjects, with several dozen blocked at various points during the year.

Palau

Status: Free

Legal Environment: 1

Political Environment: 5

Economic Environment: 8

Total Score: 14

The Pacific island republic of Palau has a small but vibrant media environment, and Article 4, Section 2, of the constitution protects freedom of expression and of the press. Censorship is rare, and the press is free to report on a diversity of issues, including official corruption. In November, the Consolidated Boards Act of 2006 was passed, combining four government entities—including the Palau National Communications Corporation, which controls internet and satellite television transmissions—into one commission. The officials of the new commission will be publicly elected rather than appointed by the government, as was previously the case. In 2007, Palau joined the newly-formed Micronesian Media Association to protect free and independent journalism and public access to information. There were no attacks on the press in 2007.

Palau has a relatively diverse media considering its small population. There are two weeklies and one regular biweekly. President Tommy Esang Remengesau Jr. meets every Wednesday with the press on the government radio station Eco-Paradise. There are also two private and two church radio stations. Diaz Radio, owned by outspoken journalist and senator Alfonso Diaz, airs a weekly program for Filipinos in Palau. The

internet is unregulated by the government but is not a significant news source, as it is accessed by only 1 percent of the population.

Panama

Status: Partly Free

Legal Environment: 18

Political Environment: 17

Economic Environment: 9

Total Score: 44

Panama is notable for its harsh legal environment for journalists, and events in 2007 did very little to improve the situation. President Martin Torrijos had ratified the repeal of the country's "gag laws," enacted under military rule more than 30 years ago; however, President Torrijos signed into law new penal code amendments that threaten press freedom. The two articles, which have been strongly criticized by the Panamanian media, are part of a package of 448 amendments to the criminal code which the national assembly approved in a plenary session on March 6.

The controversial articles could limit the watchdog role of the media. Article 164 states that "anyone legitimately coming into possession of private or personal mail, recordings or documents - not intended for publication, even if addressed to that person - who makes them public without the required permission and which results in harm, will be punished by 200 to 500 days of fines [of the value of the minimum daily wage] or weekend imprisonment." Article 422, meanwhile, says that "anyone guilty of revealing secrets which they hold as a result of their office within a government body or government contract or of allowing others access to them, will be punished with a sentence of six months to one year in prison or its equivalent in daily fines or weekend imprisonment."

Several cases against journalists under this law are pending in the courts, including that of Jean Marcel Chery, a former reporter with the daily *El Panama America*, who was accused of libel by Supreme Court judge Winston Spadafora. Chery had written about a Supreme Court decision that canceled Spadafora's US\$2 million debt to a government canal agency known as the Interoceanic Regional Authority. In another case, Spadafora filed a civil lawsuit that sought US\$2 million in damages from the publisher of *El Panama America* for a 2001 story that allegedly "insulted" him when he was minister of government and justice. According to the Interamerican Press Association, thirty-four journalists are currently facing charges of injuria (insulting or offensive words or actions) and calumnia (false accusations of a crime), and most of these cases were brought by government officials. Such legal tensions cause many journalists to practice self-censorship.

While journalists in Panama usually report freely, in November four journalists were detained for six hours while trying to cover events at La Joya Prison (Complejo Penitenciario La Joya). According to the Committee for the Defense of Journalists of the Journalists' Association of Panama, the detained reporters were Hellen Concepción and Mizaël Castro, both from TVN Channel 2; and from Editora Panama America (EPASA),

reporter Rocio Martins, photojournalist Omar Batista, and the driver, Everton Lemon. The journalists were taken to the office of the Minister of Government and Justice, Daniel Delgado Diamante, who accused the journalists of “trespassing” and recommended that they not report on issues that could jeopardize the prison’s security, reported the Committee for the Defense of Journalists.

Access to public information still remains limited because government officials are not held accountable for refusing to release information and public institutions still lack an effective mechanism for expediting information requests despite the fact that there is a transparency law which has been barely used. There were no physical attacks on the media in Panama in 2007.

Independent media are very active and express diverse views. The media often reflect the polarized political scene, with different outlets openly supporting various factions. All Panamanian media outlets are privately owned with the exception of one state-owned television network. The law prohibits cross-ownership, but there is considerable concentration of media ownership by relatives and associates of former president Ernesto Perez Balladares, whose party President Torrijos now leads. Poor salaries encourage corruption among some journalists. A number of domestic journalists and press freedom advocacy groups allege that the government manipulates the “free flow of information” by buying advertising space from organizations that report positively on the government while withdrawing funding from organizations that do not. A bill to standardize government advertising and reduce this was under consideration but not acted upon before the end of the year. There are no government restrictions on the internet, which was accessed by around 8 percent of the population during 2007.

Papua New Guinea

Status: Free

Legal Environment: 4

Political Environment: 13

Economic Environment: 11

Total Score: 28

The relatively vibrant media environment of Papua New Guinea remained stable in 2007. Media freedom is guaranteed under the constitution adopted at independence in 1975 and the Papua New Guinea Media Council (PNGMC) is a strong lobby group in support of news organizations and professional standards. However, at times the news media clash with the government when defending freedom of the press. Tensions between the coalition government of Prime Minister Sir Michael Somare and the media peaked in August when news organizations challenged attempts by the administration to bar coverage of a report by the Defense Force board of inquiry which implicated Somare in the escape of Solomon Islands lawyer Julian Moti from Australian extradition proceedings in October 2006. The report recommended charges under criminal and leadership codes. The PNG Media Council is active with a well-developed code of ethics and a complaints commission. Council president Oseah Philemon praised the country’s media for its efforts at defending media freedom during 2007. Nevertheless, near the end

of the year, the government announced plans to revise its media guidelines. The Information and Communication Department cited the 1994 National Information and Communication Policy in their decisions to update what Department Acting Secretary Henao Iduhu characterized as the “rules of engagement” for the media industry and publishing houses.

Two foreign-owned but contrasting daily newspapers dominate the country’s media. The *PNG Post-Courier*, founded in 1969, is owned by a subsidiary of Rupert Murdoch’s News Corporation, and the rival *National* is owned by a prominent Malaysian logging company with major investments in the country. Papua New Guinea’s only television station, EM TV, is owned by Fiji Television Ltd, but the country is moving to establish a state-run television channel. The state-run National Broadcasting Corporation is also a significant media company, and the major commercial radio network is run by partly Fiji-owned PNG FM Pty. Ltd., operating Nau FM and Yumi FM. The internet is unrestricted by the government but is accessible to barely 5 percent of the 5.9 million population.

Paraguay

Status: Partly Free

Legal Environment: 19

Political Environment: 23

Economic Environment: 18

Total Score: 60

Chronic problems that journalism has been suffering since the return of democracy in Paraguay continued during 2007. Although the Constitution supports basic press rights, legal loopholes facilitate defamation and libel cases. The continuation of libel or defamation lawsuits against newspapers brought by public officials not only endangers the finances of the press, but it also discourages journalists from practicing critical and courageous reporting.

Besides legal obstacles, three problems continue to undermine the emergence of independent journalism: the ambiguous commitment of national and local governments to press freedom, the intertwined relation between the Colorado party and media ownership, and the persistent power of criminal enterprises. Journalists who denounce political corruption and the linkages between political power and illegal business typically suffer the blunt of the anti-press violence, particularly in the interior and border towns where smuggling and drug-trafficking are widespread. As in previous years, journalists in 2007 suffered a string of verbal and physical attacks. Radio journalist Tito Alberto Palma was killed in the city of Mayor Oviedo in the border with Argentina in August 2007. A Chilean national who had lived in Paraguay since 1991, Palma had received threats over his exposes of corruption in the local government, including ties with drug-traffickers and other criminal interests. Reporter Javier Núñez in Coronel Oviedo also received death threats; it is suspected that they were linked to his denunciation of a criminal network of car wrecking. While the reappearance of radio journalist Enrique Galeano, who vanished

in February 2006, was welcome, the lack of judicial investigation of several past cases of anti-press violence remains troubling.

Despite these problems, Paraguay has a media system characterized by lively debates and partisanship. Politicians and newspapers usually trade barbs. At times, however, such exchanges are counterproductive for press freedom, particularly when they come from powerful government officials. In a country where public funds are crucial for press economies, hostile comments against some news outlets perpetuate a climate of intimidation and self-censorship. Press freedom groups were concerned about President Nicanor Duarte Frutos's criticisms of the anti-Colorado press amidst the campaign leading up to the 2008 national elections. Unchecked political influence also undermines press freedom. The influence of a powerful senator of the ruling Colorado Party was suspected in the termination of a radio program in Paraguari. The program had been critical of local politicians and their suspected links to organized crime.

Paraguay has a diverse media system, with a number of private broadcasting stations and independent newspapers. But the dominance of the Colorado Party elite and a hostile political environment for assertive journalism prevent the media from offering a diversity of viewpoints. The sway of the Colorado party, which has been in power for six decades, in broadcasting policies and the arbitrary allocation of state advertising, remain serious obstacles. The lack of transparency about decisions to assign state advertising is a major problem, given that it is the economic lifeblood for many media outlets. The SPP estimates that about 80 percent of radio stations are controlled by members of the Colorado Party. Also, the lack of resolution of the legal status of community radios, which are often the targets of intimidation by political officials and unidentified groups, further compromises the situation of press freedom in Paraguay. The Paraguayan Journalists Union remains concerned about the working conditions for reporters, including low wages and lack of benefits. In a country where only a fraction of the population has regular access to the Internet, no cases of government censorship or intimidation were reported.

Peru

Status: Partly Free

Legal Environment: 15

Political Environment: 18

Economic Environment: 11

Total Score: 44

Peru's media freedom declined in 2007 amid a series of threats and physical attacks against media workers. Freedom of the press is guaranteed in the 1993 constitution, but local and international media organizations continued to express concern about the state of press freedom. In 2002 and 2003, the government of President Alejandro Toledo passed laws expanding access to public information. The willingness of many agencies to provide information has grown, despite a July 2005 measure that tightened restrictions on access to information in certain categories and extended the timelines for release of classified information. *Desacato* (disrespect) laws continue to be a problem. A number of

journalists were entangled in court cases in 2007, charged with defamation by public officials and private citizens, and reporters were sentenced to prison in six cases, though the sentences were either suspended or remained under appeal at year's end. On June 19, the government censored an exhibit featuring works by political cartoonist Piero Quijano. Controversy also ensued on several occasions when local radio and television stations were closed. In April three radio and three television stations were closed in Chimbote, while a radio station in Pisco was closed in September. In each case the government claimed that licenses were missing or expired, while critics noted that in each case the stations had recently been critical of government actions.

In addition to legal difficulties, the hostile climate for the press is evidenced by numerous instances of physical attacks and verbal threats. Local press watchdog Instituto de Prensa y Sociedad dramatically increased the number of alerts it issued, from 96 in 2006 to 121 in 2007. The majority of these violations came in the form of physical aggression (38%) and death threats (23%). Journalists working in the country's interior provinces are especially vulnerable. Reporters covering crime stories and scandals were targeted largely after reporting on corruption. In March, Cajamarca journalist Miguel Perez Julca was murdered. While he had made several corruption accusations on his radio show and several suspects were arrested, other reporters alleged that the real reason for his murder was his announcement that he was going to name corrupt policemen. Journalists in Loreto, San Martin, and Ancash also faced murder attempts. Protests also resulted in violence against journalists, especially those involving coca-growers. Remnants of the Shining Path rebel group, now associated with cocaine production, published a list of threatened journalists in December in Huanuco.

Most abuses of journalists by public officials and private citizens continue to go unpunished. On a positive note, President Alan Garcia signed the Inter-American Press Association-sponsored Declaration of Chapultepec, which commits the government to action against impunity. In the case of the 2004 murder of radio journalist Alberto Rivera in the city of Pucallpa, several individuals were sentenced, but the ex-Pucallpa mayor viewed as the intellectual author was cleared, leading to the opening of an investigation of the judges who had let him go. However, two men were convicted and sentenced for the 1988 killing of reporter Hugo Bustios.

Private investors dominate the media industry, and in comparison the audience for state-run media is relatively small. The government owns two television networks and one radio station and operates the print news agency Andina. Radio is an important medium, especially in the countryside. Peru's media are diverse and express a broad range of viewpoints. The media corruption that was endemic in the Fujimori era continues to an extent today, with both owners and individual journalists sometimes accepting bribes in exchange for slanted coverage. One government minister was accused of trying to buy favorable coverage in several print outlets. These activities contribute to a long-standing lack of confidence in the press as a credible institution. National newspapers are also dependent on advertising revenue from a small number of large companies. The internet is open and unrestricted by the government, with just under 16 percent of the population accessing the web in 2006.

Philippines

Status: Partly Free
Legal Environment: 11
Political Environment: 23
Economic Environment: 11
Total Score: 45

While reports are often rooted in sensationalism and innuendo, media in the Philippines have historically ranked among the freest, most vibrant, and outspoken in Southeast Asia. However, press freedom in 2007 continued to face limits due to the ongoing threat posed by journalist-targeted violence and the use of defamation suits to silence criticism of public officials, while the arrests of 30 media workers covering a coup attempt in November and subsequent warnings infringed upon news coverage of a significant national event.

The constitution guarantees freedom of speech, of expression, and of peaceful assembly. There are no restrictive licensing requirements for newspapers or journalists and few legal limitations such as privacy, or obscenity laws. However, the year brought the introduction of new national security legislation that may limit journalists' traditional rights and access to sources. On April 20, shortly before the May 7 legislative elections, President Gloria Macapagal Arroyo issued Executive Order 608 (EO608), which established a National Security Clearance System "to protect and ensure the integrity and sanctity" of classified information against "enemies of the state." The order calls on the heads of government agencies to implement a vaguely defined security clearance procedure approved by the national security adviser. Watchdog groups further expressed concerns that the new Human Security Act, or Anti-Terror Law, enacted in July, will allow members of the media to be wiretapped based on mere suspicion in involvement in terrorism.

The country's penal code makes libel a criminal offense punishable by prison terms and, in some cases, extreme fines. The prevalence and extremity of libel cases in recent years prompted a broad-based movement calling for the decriminalization of defamation in 2006. An August 2006 bill approved by the House of Representatives now requires that libel suits against members of the press be filed at the court in the province or city where the journalist or media outlet maintains its principal office and that civil actions connected with such libel suits be filed in the same court as the criminal complaint. Jose Miguel Arroyo, the president's husband, has been the most notorious public figure to file libel charges, with 11 suits filed against a total of 46 different journalists as of May 2007. Arroyo continued to launch defamation suits in early 2007, including charges against seven staff members of the *Philippine Daily Inquirer*, despite a major civil class action suit collectively launched against him in December 2006 for using the courts to harass the media by more than 40 of the media workers he sued. Arroyo dropped all 46 complaints on May 3, World Press Freedom Day, in what he called a "gesture of peace" following his release from the hospital and survival of risky open-heart surgery. Local press freedom groups welcomed the development but attributed the decision to the political costs for his wife's regime presented by the class action suit. Despite calls for the case against Arroyo to proceed, it was effectively put on

hold in September when a court of appeals granted his request for a preliminary injunction.

Although a censorship board broadly has the power to edit or ban content for both television media and film, government censorship does not generally enforce political orientation. Both the private press (most print and electronic media) and the country's many state-owned television and radio stations cover the country's numerous controversial topics including alleged election fraud, ongoing counterinsurgency initiatives, and high-level corruption cases. Media coverage of the campaign period in the run-up to the May legislative elections was perceived to be generally unbiased, although there were a few cases in which the media was prevented from conducting interviews with high-level opposition members. For example, the media was prevented from interviewing Bayan Muna's Satur Ocampo, arrested in March for alleged involvement in communist purges in the 1980s, and members of the foreign press were prevented from interviewing jailed opposition candidate, Senator Antonio Trillanes in May. The arrests of 30 media workers, including four members of the foreign press, at the scene of a failed coup attempt at the Peninsula Hotel in Manila's financial district in November was criticized as a serious infringement on the media's ability to report on significant national events. The Department of the Interior called the media presence an obstruction of justice and subsequently issued a warning that arrests would be repeated if members of the press continued to defy orders to leave similar scenes in the future.

Filipino journalists continued to face danger in the course of their work throughout the year. While violence slightly declined in 2007, with two journalists killed clearly in connection with their work as opposed to three in 2006, the Philippines continues to rank as one of the most dangerous places in the world for members of the press. Exposing corruption scandals or criticizing the government, army, or police can prove lethal, with the Committee to Protect Journalists counting 32 total journalists killed since 1992 (with a 90 percent impunity rate). Both murder victims in 2007 were radio broadcasters: in April, Carmelo Palacios, a frequent critic of police policies in Nueva Ecija province in the north, and in December, Ferdinand Lintuan, known as a vocal critic of local government corruption in Davao. Radio broadcasters outside major urban centers—known for sensational political reporting intended to attract high ratings—are the most common targets; at least four other radio journalists were killed or shot and wounded over the year, plus additional murder attempts, under unclear circumstances.

The nature of advertising and prevalence of "block timing" in radio broadcasting contribute to sensational reporting on the part of radio broadcasters while prevalent local political rivalries, corruption, and family vendettas often make the cause of journalist murders difficult to conclude. Still, only two convictions against the perpetrators of journalist murders have ever been issued, and—with unknown gunmen often hired by local government officials—no mastermind of a journalist murder has ever been held accountable. In 2006, the president established Task Force Usig, a police task force, and the Melo Commission to Investigate Media and Activist Killings, in an effort to address the problem but the official findings of the former are disputed by local human rights groups, while the latter lacked any sort of enforcement capacity. Harrassment and death threats are common; Attorney Harry Roque, who led the class action suit against Mike Arroyo, received several death threats via text message early in the year.

Most print and electronic media are privately owned, and while some television and radio stations are government owned, they too present a wide variety of views. Since 1986, however, there has been a general trend toward concentration of ownership, with two broadcast networks owned by companies of wealthy families, dominant among audiences and advertising. Often criticized for lacking journalistic ethics, the press is likely to reflect the political or economic orientations of owners and patrons, and special interests reportedly use inducements to solicit favorable coverage. Approximately 15.4 percent of the population made use of the internet in 2007, and the government did not restrict their access.

Poland

Status: Free

Legal Environment: 8

Political Environment: 9

Economic Environment: 7

Total Score: 24

Even though 2007 saw increased pressure from state institutions and increasingly partisan usage of public media. The Polish media remained vibrant, independent, and diverse. The constitution forbids censorship and guarantees freedom of the press. Libel and some forms of insult—including defamation of public officials, the state, and constitutional institutions—are criminal offenses punishable by fines and up to two years in prison. Convictions under these charges are rare but not unheard of; 2007 saw two journalists taken into pre-trial detention for failure to appear in court to face criminal charges.

Media freedom advocates concur that political pressures increased in 2007. Politicians at the highest level including the prime minister accused journalists of bias, cooperation with secret services, and corruption. A new lustration law required an estimated 700,000 persons including journalists to submit statements concerning cooperation with secret services. Domestic and international media freedom advocates noted a bias towards the ruling coalition in public media coverage leading up to the 2007 parliamentary election. The overall atmosphere resulted in a many media outlets, both public and private, becoming more politically engaged.

Observers noted well-documented case of politically engaged oversight of evening news programming, and vetting of stories casting an unfavorable light on the ruling coalition government. Media freedom advocates pointed to a friend of the minister of justice who was allegedly installed as a political commissar in the national television company's information agency. In another unprecedented incident, prime time programming on the most popular public television stations was interrupted to report a corruption scandal and the arrest of an opposition MP during the 10 days prior to the elections.

Print media and radio are predominantly private and highly diversified, with a number of new national dailies launched in recent years. Government-owned Polish Television and its four channels remain a major source of information for most citizens. This dominant position is reinforced by a lion's share of advertising revenues and a

mandatory subscription fee collected from radio and television owners. Private television stations continue to gain market share. Electronic media remained under the highly politicized National Radio and Television Broadcasting Council (KRRiT). During 2007's snap parliamentary elections, the KRRiT was paralyzed when the chair stepped down to campaign for office. The chief of staff for the incumbent president accepted the job of chair of the national television company TVP. Nearly 40% of the population has regular internet access. In several instances public authorities intervened to block Internet content of fascist or pornographic nature.

Portugal

Status: Free

Legal Environment: 4

Political Environment: 6

Economic Environment: 6

Total Score: 16

Portuguese media remained free in 2007 despite the parliament's decision in September to pass the Journalists' Statute, a law that potentially strips journalists of their right to protect confidential sources. Freedom of the press is guaranteed by the constitution, and laws against insulting the government or the armed forces are rarely enforced. Changes to the country's Journalism Law, which were originally proposed in 2006, make it easier for courts to order journalists to disclose confidential sources if the courts decided that it would be "difficult to obtain [the] information in any other way." The parliament made minor changes to the law after the President of the country vetoed the bill in August and acknowledged that it contradicted some aspects of the Code of Criminal Procedures that respects professional secrecy, an issue that he acknowledged is "particularly delicate to journalists' activity." The parliament passed the law by making cosmetic changes to it to conform to the President's concerns, but essentially leaving the capacity for officials to gain access to confidential sources from journalists.

The new Journalist's Statute also gives journalists' employers and clients the right to reuse work in any way for 30 days following their first publication. Journalists have the right to reject any modifications to their work if such changes might affect their reputation; they can also remove their names from badly edited pieces. However, the European Federation of Journalists has argued that such protections are "impracticable," especially because such "modifications are made without the journalist's knowledge" and will be discovered only after their publication.

Six main national newspapers, four daily and two weekly, make up the bulk of the printed press in Portugal. There are some 300 local and regional private radio stations. The Catholic station Radio *Renascenca* commands a wide listening audience. Commercial television has been making gains in recent years, providing serious competition for the public broadcasting channels that lack funds. The internet is unrestricted. According to the US State Department, more than 40 percent of the population between the ages of 16 and 74 used the internet, and more than double that for high school and college graduates.

Qatar

Status: Not Free

Legal Environment: 19

Political Environment: 24

Economic Environment: 21

Total Score: 64

While Qatar is most known for its flagship satellite TV channel Al-Jazeera, the outlet mostly covers international news and in 2007, the government continued to restricting reporting of news critical of the local authorities both by the satellite station and other Qatari media. The government professes to respect freedom of the press, but aside from selected constitutional provisions, including Section 47, no laws protect media freedom. Journalists are forbidden from criticizing the government, the ruling family, or Islam and are subject to prosecution under the penal code for such violations. Press laws are administered by the criminal courts, under which journalists can face jail sentences if convicted of libel or slander. By law, all publications are subject to licensing by the government. The law also authorizes the government, the Qatar Radio and Television Corporation, and customs officers to censor both domestic and foreign publications and broadcast media for religious, political, and sexual content prior to distribution. According to the U.S. State Department, during 2007, several Qatari writers reported that articles they had written, particularly ones deemed critical of the government, which had appeared in media outlets outside the country were deliberately banned in Qatar. In a positive move, however, at a February 2007 meeting of the Ministers of Information of the Arab League, Qatar was the only country to abstain from approving a new charter to control and censor satellite channels and transmissions.

Journalists suffer several forms of intimidation, although there were no reports of physical violence directed at members of the press during the year. Within the journalistic community, disparity exists between the application of press laws for Qatari and non-Qatari journalists, who represent the majority of media workers in the country. While local journalists often receive warnings and threats when pushing the limits of permissible coverage, noncitizens employed by Qatari media outlets risk facing harsher measures, including termination, deportation, and imprisonment. As a result, self-censorship is reportedly widespread.

Qatar has seven newspapers, four of them Arabic language, and two in English. While these newspapers are not owned by the government, owners include members of the ruling family or businessmen with close ties to the ruling family. The state owns and operates all broadcast media, and there are only two television networks in the country, Qatar TV and the Al-Jazeera Satellite Channel. While Qatar TV broadcasts mostly official news and progovernment perspectives, Al-Jazeera focuses its coverage on international topics. The channel is government-subsidized, and refrains from criticizing the Qatari authorities, providing only sparse and uncritical local news. Shows on the local radio station are more accommodating to voices criticizing government services and operations. The concentration of media ownership within the ruling family, as well as the

high financial costs and citizenship requirements for receiving media ownership licenses continue to hinder the expansion and freedom of the press.

The Internet is used by 32 percent of Qataris. The government restricts freedom of expression and censors the internet for political, religious, and pornographic content through the state-owned Internet service provider. Both high-speed and dial-up Internet users find themselves directed to a proxy server that blocks materials deemed inconsistent with the “religious, cultural, political, and moral values of the country.” This proxy server maintains a list of banned websites and blocks users from accessing them.

Romania

Status: Partly Free

Legal Environment: 13

Political Environment: 16

Economic Environment: 15

Total Score: 44

The constitution protects freedom of the press, and the government has become increasingly respectful of these rights. A law passed in 2006 decriminalized defamation and similar offenses, meaning journalists would no longer face jail time if convicted. However, the Constitutional Court overturned the measure in early 2007, effectively reinstating defamation and libel in the penal code. Freedom of information legislation now applies to state-owned enterprises as well as government institutions, but implementation remains problematic. The president, the government, and Parliament still appoint the National Council of Broadcasting (CNA) and the boards of the public television and radio operators, leaving them vulnerable to political influence.

The 2004 election of President Traian Basescu brought substantial improvements in the political environment for the press, as he has proven to be less controlling and manipulative of the media than his predecessors. Self-censorship for political reasons also appears to have decreased. However, the government can be sensitive to media criticism, and journalists risk arrest or harassment when working on issues associated with national security. In a more widespread problem, reporters, cameramen, and photographers frequently face minor assaults in the course of their work. Basescu, who has a history of verbally abusing journalists, seized the mobile telephone of a female reporter who attempted to film and interview him in a supermarket in May 2007, on the day of a referendum concerning his removal from office. The phone then recorded him making sexist and racist remarks about the reporter in a conversation with his wife. Ongoing political rifts between the president, the prime minister, and their respective allies in Parliament may be contributing to the trend toward less government control over the media. In October, public broadcaster Romanian Television (TVR) aired a video recording of Agriculture Minister Decebal Traian Remes allegedly accepting a bribe, leading to his resignation the next day. The justice minister later suggested that the video could have been leaked by the presidential administration.

Public broadcasters compete with several large private channels and a multitude of smaller stations. The number of media outlets and news sources has increased in recent years, driven partly by politicians and wealthy businessmen seeking to establish their

own press vehicles. At the same time, a small number of major owners have stepped up concentration, acquiring television, radio, and print outlets. The proliferation of media is not supported by the market, and many outlets are not profitable, encouraging self-censorship to please owners and advertisers. The political influence of state advertising is less of a problem than in previous years, and private media do not receive state subsidies. Access to the internet is increasing, with few reports of government interference. More than 30 percent of the population used the new medium in 2007, and Romania is considered a regional leader in high-speed broadband connections.

Russia

Status: Not Free

Legal Environment: 21

Political Environment: 33

Economic Environment: 24

Total Score: 78

Media freedom continued to decline in Russia as the Kremlin further restricted independent news reporting and public dissent while preparing for a stage managed parliamentary election that was held in December. President Vladimir Putin's authoritarian, corrupt and lawless style of rule appeared set to continue at the end of his second term. A week after the flawed December parliamentary election, Putin endorsed First Deputy Prime Minister Dmitry Medvedev as his presidential successor for an orchestrated presidential election to be held in 2008 and Medvedev's reciprocated, announcing he would name Putin his prime minister.

Although the constitution provides for freedom of speech and of the press, the Kremlin used the country's politicized and corrupt criminal justice system to harass and prosecute independent journalists. Throughout 2007, journalists faced dozens of criminal cases and hundreds of civil cases, particularly in retaliation for reporting on the opposition party Other Russia. Police officers in Samara and Nizhny Novgorod raided the regional bureaus of the independent Moscow newspaper *Novaya Gazeta*, confiscated their computers and prosecutors opened politicized criminal cases relating to alleged software piracy. In July, the rubber-stamp parliament approved a series of amendments to the criminal code expanding the country's vague anti-extremism laws that are used to suppress critics of the Kremlin and encourage self-censorship. The Moscow-based radio station Ekho Moskvyy received over a dozen official warnings from prosecutors, media regulators and the Federal Security Service for broadcasting allegedly "extremist" statements. In May, immigration officials at a Moscow airport denied entry to Natalya Morar, a Moldovan journalists working for the Moscow weekly magazine *Novoye Vremya*, after she published articles about high-level government officials involved in money laundering and illegal campaign funding.

Russia remained one of the most dangerous countries in the world for the media. In 2007, two journalists' deaths were deemed "suicides" by authorities: Ivan Saforonov, a correspondent with the business daily *Kommersant*, who fell out of window of his Moscow apartment building in March just as he was planning to report on politically

sensitive Russian weapons sales to Iran and Syria; and Vyacheslav Ifanov, a television cameraman for the independent station Novoye Televideniye Aleiska in Siberia, who was declared to have died from a carbon monoxide overdose in April despite having wounds on his body and received death threats from military officials. The trial of two suspects in the July 2004 murder of *Forbes Russia* editor Paul Klebnikov was delayed throughout 2007 because one of the suspects went into hiding. Over a dozen other murders remained uninvestigated but, in a rare example of accountability, five gang members in the city of Kazan were convicted in August of murdering *Novaya Gazeta* journalist Igor Domnikov in May 2000.

Journalists remained unable to cover the news freely, particularly with regard to contentious topics—like human rights abuses in the North Caucasus, government corruption, organized crime and police torture—and were subject to a variety of abuses. In March, police in Nizhny Novgorod detained nine journalists and foreign correspondents—and physically assaulted three of them—trying to cover an opposition rally. In May, police detained three foreign correspondents in a Moscow airport to prevent them from flying to Samara to cover an opposition rally. Journalists who criticized federal and regional authorities also faced a risk of imprisonment, with three remaining behind bars at the end of 2007: Boris Stomakhin, editor of the monthly Moscow newspaper *Radikalnaya Politika*; Anatoly Sardayev, editor of the weekly Saransk newspaper *Mordoviya Segodnya*; and Nikolai Andrushchenko, editor of the St. Petersburg weekly *Novy Peterburg*. Authorities also revived the Soviet-era tradition of temporary psychiatric detentions in order to silence two regional journalists who criticized local authorities—Vladimir Chugunov from the town of Solnechnogorsk and Larisa Arap from the city of Murmansk. Some journalists were forced to flee the country as a result of aggressive harassment by the Federal Security Service and other government agencies. Two journalists who worked for the Associated Press and Radio Free Europe / Radio Liberty in the North Caucasus—Fatima Tlisova and Yuri Bagrov—received political asylum in the United States while a third journalist—Yelena Tregubova, a reporter for the Moscow business daily *Kommersant*—fled to the United Kingdom after publicly criticizing the Kremlin's media restriction.

Authorities continued to exert significant influence on media outlets and news content through a vast state media empire—the leading television networks Channel One, Rossiya, and NTV; the news agencies ITAR-TASS and RIA-Novosti; the national radio stations Radio Mayak and Radio Rossiya; the international English language broadcaster Russia Today; along with thousands of regional newspapers, radio stations and television channels—that filled the airwaves with pro-Kremlin propaganda, particularly ahead of the flawed December parliamentary elections. Diversity continued declining as private companies loyal to the Kremlin and regional authorities purchased influential private newspapers and most media outlets remained dependent on state subsidies as well as government printing, distribution and transmission facilities. Lively but cautious political debate was increasingly limited to glossy weekly magazines and news websites only available to urban, educated and affluent audiences. With online media developing rapidly and an estimated 25 percent of the population now online, the Federal Security Service continued widespread monitoring of emails and Web posting while government officials harassed some news websites and federal authorities debated introducing new legal restrictions on the internet.

Rwanda

Status: Not Free

Legal Environment: 24

Political Environment: 34

Economic Environment: 26

Total Score: 84

Rwanda has seen many improvements since the end of the 1994 genocide, but freedom of speech is not one of them. In 2007, the Rwandan media remained pinned down by constant government attacks on and illegal imprisonment of journalist who wrote openly and critically about government officials. While the constitution provides for freedom of the press “in conditions prescribed by the law,” the government regularly restricted the ability of the independent media to operate, often invoking the role that certain radio stations played in the 1994 genocide. A law passed in 2002 guarantees media independence by formally forbidding censorship, but for all intents and purposes this is void in practice. Libel is still a criminal offense. In June the Minister of Information revoked the license of *The Weekly Post*, a new private publication, after merely three days of operations. The minister provided no justification for the action, and without a court order, the decision to indefinitely ban the publication is illegal.

In 2007, the Kagame government regularly arrested and illegally detained a number of different journalists, including two American correspondents. The threat of imprisonment posed by far the greatest threat to the independent journalist in Rwanda. On January 12 for example, following the publication of an open letter in the private *Umurabyo* condemning the country’s press freedom violations, Agnes Uwimana Nkusi, the paper’s editor was arrested and charged with sectarianism and discrimination. On the belief that she represented a “threat to state security” the court judge kept her in pretrial detention until her case was heard in April when she was sentenced to a year in prison and ordered to pay \$760 in fines. Separately, in February a Congolese professor who had come to Kigali to teach was arrested and accused of “threatening national security” following the publication of an article online with his name on it that was severely critical of the Rwandan government. After his health began to deteriorate in prison, the Congolese professor was released on March 21 and cleared of all charges. This was the first instance in Rwandan where an individual had been imprisoned for something that had been published online. Also in March, a reporter and photographer with the American publication, *US News and World Report*, along with a local journalist for the private newspaper *Umuco*, were detained while covering a trial. The two Americans were released after three hours following the confiscation of all of the photographs they had taken. A number of other similar instances took place throughout the year. *Umuseso*, a critical independent newspaper, was a particular target with staff members being interrogated and arrested on manufactured charges like rape intended to soil their reputation.

On a positive note, Tatiana Mukakibib, a former presenter for the state-owned Radio Rwanda was finally acquitted of the genocide charges she faced after spending 11

years in pretrial detention. Yet the government continued to make abundantly clear its aggressive stance towards the journalism industry. In September on a state-run TV program, government ministers accused many in the media of working with “negative forces” inside and outside of the country. In fact, the interior minister even went so far as to say that any journalist who publishes an official document should be detained until he or she reveals the source of the leak. In response to such aggression, RIMEG, Rwanda’s largest private publisher that produces *Umuseso* among others, announced that it would go into a self-imposed suspension until the government apologized or provided evidence for its accusations. The private newspaper *Umuco* soon followed suit. Both publishing houses remained closed for a period of a few weeks and claim that they started publishing again despite the government’s inaction because the demand for an independent news source was too great.

Most newspapers operating in Rwanda face a number of financial constraints that it make impossible to publish daily. In fact, the state-owned The New Times is the only paper that appears daily. The government refuses to advertise with any of the private media outlets, particularly those that provide critical reports. The British Broadcasting Corporation and Voice of America are still able to operate in the country, but Radio France Internationale is still banned after the government severed diplomatic relations with France in 2006. Internet access appears to be unrestricted but monitored by the government and is available to less than 1 percent of the population.

St. Kitts and Nevis

Status: Free

Legal Environment: 4

Political Environment: 8

Economic Environment: 7

Total Score: 19

Freedom of the press is enshrined in the constitution. A draft Freedom of Information bill was submitted to the Parliament in 2006. The independent media were active, and expressed a wide variety of views without restriction. In November the High Court ruled against the main opposition People’s Action Movement’s newspaper, *The Democrat*, in a libel suit brought against it by the St Kitts-Nevis Labour Party (SKNLP) member of Parliament, Asim Martin, his campaign manager, Earle Clarke, and the editor of the ruling SKNLP’s newspaper, *Labour Spokesman*, Dawud Byron. In addition to these weekly newspapers published by the two main parties, there are three other non-aligned weekly newspapers. ZIZ Broadcasting Corporation, a company in which the government is a majority shareholder, operates both radio and television services. Additionally, there are seven private radio stations and a multichannel cable TV service. There are no government restrictions on the internet, and approximately 25 percent of the population was able to gain access to this medium in 2007.

St. Lucia

Status: Free

Legal Environment: 3

Political Environment: 9

Economic Environment: 4

Total Score: 16

The constitution provides for freedom of speech and of the press, and the government generally respected these rights in practice. Following the change of government after the December 2006 victory of the United Workers Party over the Saint Lucia Labour Party (SLP), there were indications of greater interference in the state-owned radio station. In January there was controversy when the state-owned Radio St. Lucia (RSL) withdrew a SLP advertisement calling on party supporters “take back our country!” In October, Roger Joseph resigned as general manager of RSL. He denied his decision was politically-motivated but the St. Lucia Star reported that Joseph resigned because of the immense pressure he was under from the new government. The source said the government had instructed Joseph to send them every release the opposition submitted to the station and that they then decided whether the station would air the information or not. St Lucia has three television stations, and seven radio stations – all of them private apart from RSL. There are three weekly newspapers and two that are published three times a week. There are no government restrictions on the internet, which was accessible to over 32 percent of the population in 2007.

St. Vincent and the Grenadines

Status: Free

Legal Environment: 4

Political Environment: 7

Economic Environment: 6

Total Score: 17

The constitution guarantees a free press, and publications openly criticize government policies. Although the government did not directly interfere with the press, the prime minister, Ralph Gonsalves, and other officials did rebuke the media from time to time. In March, Gonsalves filed a libel suit against the Trinidad and Tobago Mirror over an article about the early release of a convicted drug dealer. Gonsalves also threatened to sue a Vincentian political activist for reading the content of the article on a radio programme. In July, Gonsalves criticized the mass media for not reporting on what he described as “a major national story” - a High Court ruling in favour of the government’s request that a foreign company hand over 100 acres of land which they had failed to develop as originally agreed. In September, Elwardo ‘E.G.’ Lynch, who hosts a talk show for the opposition New Democratic Party that is broadcast on Nice Radio, was threatened with legal action for slandering the minister of housing, Senator Julian Francis. Lynch has been involved in similar controversies in the past, and in 2005 was ordered to pay damages to Gonsalves. The main newspaper, the daily *Herald*, and the weeklies, *News*,

Searchlight and *The Vincentian*, are all privately owned. The state-run St. Vincent and the Grenadines Broadcasting Corporation operates SVG Television and the Hitz FM music radio station. NBC is a partly government-funded national FM radio service, and there are numerous other private radio stations. There are no government restrictions on the internet, but it is not a significant source of information with only about 8 percent of the population able to gain access in 2007.

Samoa

Status: Free

Legal Environment: 7

Political Environment: 12

Economic Environment: 10

Total Score: 29

While the constitution protects press freedom in Samoa, the Defamation Act of 1992 contains provisions on criminal and civil libel that remain of concern. The most significant media freedom issue in 2007 involved a fire that destroyed the offices of *Newsline Samoa*, hampering one of the country's main publications.. Although there were no clear allegations that the fire was intentional, an editor noted that it took place just days before the Pacific Games, the biggest media event of the year. Early in 2007, the chief executive of the privately owned commercial television station LAUTV, Tuiasau Leota Uelese Petaia, was embroiled in a court case over allegations that the company had failed to contribute to the National Provident Fund for six months on behalf of its media workers. The year concluded with concerns about a proposal to privatize the public radio and TV broadcaster Samoa Broadcasting Corporation. Apart from the state-run SIBC, Samoa has five private and religious broadcasters, including the Radio Polynesia group with four FM stations, and access to local and foreign satellite television. Samoa has seven main media publications, including the newspapers *Samoa Observer*, *Newsline*, *Le Samoa* and the state-run *Savali*, and three newspapers based in Auckland, New Zealand. Internet usage is unrestricted, but accessed by only 3.2 percent of the population.

San Marino

Status: Free

Legal Environment: 4

Political Environment: 6

Economic Environment: 7

Total Score: 17

The 1974 San Marino Constitutional Order guarantees freedom of expression, and Article 183 of the criminal code protects against libel and slander. However, there are restrictions when freedom of expression comes into conflict with the right to confidentiality and to

secrecy. No direct violations of freedom of the press by either state or nonstate actors were reported in 2007. During a public meeting held on World Press Freedom Day, members of the San Marino media requested increased professional training and a new law defining the rights and duties of journalists. Later in the year, Secretariats of State for Labor and Information established a preparatory training course in journalism and public communication. By law, radio and television broadcasting is monopolized by the San Marino Broadcasting Company, which grants concessions to private broadcasters. State-owned San Marino RTV runs both a radio and a television station. Three daily private papers are published in the republic, and a local weekly paper reports on economics, finance, and politics. Italian news is widely available in San Marino, including two private newspapers and several radio and television stations. The internet is available, unrestricted, and used by about 52 percent of the population.

Sao Tome and Principe

Status: Free

Legal Environment: 4

Political Environment: 10

Economic Environment: 14

Total Score: 28

The 1990 constitution provides for freedom of the press, and this right is respected in practice and upheld by the state. There were no known cases of government restrictions on local or foreign media during 2007. Publications that regularly criticize the administration are freely circulated without government interference, and opposition parties receive free airtime. Nonetheless, self-censorship is widely practiced, and newspapers often depend on official news releases as primary sources of information, which inhibits the growth of investigative journalism. Some writers accept financial favors from news sources for doing their jobs. Severe problems with infrastructure, including inadequate telecommunications and media distribution networks, constitute a major obstacle for the media. In 2007, there were seven privately owned and two state-run newspapers in addition to a number of state-operated radio and television stations. In 2005, the government authorized two new private radio stations to operate within the country, both of which began broadcasting in late 2006. Access to the internet is not restricted by the government, but is limited by a lack of infrastructure. Nevertheless, approximately 14 percent of the population accessed this new medium during the year, giving this island republic one of the highest per capita penetration levels in sub-Saharan Africa.

Saudi Arabia

Status: Not Free

Legal Environment: 28

Political Environment: 29

Economic Environment: 24

Total Score: 81

The media environment in Saudi Arabia remained among the most repressive in the Arab world in 2007. The Basic Law does not provide for press freedom, leaving the media to be regulated under the 1963 Publishing and Printing Law. The 49 provisions of the law cover the establishment of media outlets, the rights and responsibilities of journalists, and penalties for violation. The press, according to the government and the conservative religious establishment, is a tool to educate the masses, propagate government views, and promote national unity. Criticism of the royal family and the religious authorities is forbidden, and press offenses are punishable by fines and imprisonment. Media outlets in Saudi Arabia are administered by the Ministry of Culture and Information, which uses laws, decrees, and interventions by the royal family to restrict media freedom.

Journalists face harassment and detention upon publishing material deemed objectionable by the authorities and threat of arrest, interrogation, dismissal, and harassment inspires a significant degree of self-censorship. The Saudi government has also been known to directly censor the media, confiscating print runs and shutting down newspapers temporarily, or permanently in some instances. In one incident in August 2007, the government confiscated copies of the Saudi daily *Al-Hayat*, after one of its contributors criticized the health care system in the Kingdom. All journalists must register with the Ministry of Information, and foreign journalists face visa obstacles and restrictions on freedom of movement. The Ministry also controls the Saudi Journalists Association's governing board by allowing only approved candidates to run in its elections. Female journalists in Saudi Arabia face discrimination similar that facing women in Saudi society more broadly. This discrimination includes lesser pay, discouragement from working as freelancers, and being forced to solely cover topics related to women, family, and children. As a result, many female writers publish under aliases.

There are 10 daily newspapers in Saudi Arabia, all owned by either the government, members of the royal family or their associates. Broadcast media are also controlled by the government, which owns and operates all domestic television and radio stations. Satellite television has become widespread despite its illegal status and is an important source of foreign news; nonetheless, much of the satellite industry is controlled by Saudi investors and is respectful of local sensibilities.

About 17 percent of Saudi residents used the internet in 2007. King Abdul-Aziz City for Science and Technology (KACST)—a government institution charged with developing and coordinating internet-related policies—is the sole gateway for Saudi internet users and manages the connections between the national and international internet. Although the authorities approved applications for over 40 privately owned internet service providers in 1998, all are linked to the main server at KACST. Through KACST, the government continues to block and filter websites deemed offensive, critical, or immoral. Updated lists of undesirable websites are continuously fed to the filters, and users attempting to access banned sites receive warnings and are told that their attempts are being recorded. In 2006, the Saudi government approved the first law to combat “electronic crimes”, defined as defamation on the internet and computer hacking. Given the restricted environment for print and broadcast media, recent years have seen a significant rise in the number of Saudi blogs—published by both male and female online

writers—totaling several thousand websites. The Saudi government has increasingly responded by blocking select blogs and harassing authors of others. In a move criticized by press freedom watchdogs and the blogging community, in December 2007, the authorities detained the Saudi blogger Fouad Ahmed al-Farhan, who authored a popular pro-reform site. He remained in custody at year's end.

Senegal

Status: Partly Free

Legal Environment: 16

Political Environment: 20

Economic Environment: 13

Total Score: 49

Senegal's steady decline of media freedoms comes despite years of promises made by President Abdoulaye Wade to protect press freedom. Article 80 of the penal code is particularly harsh and is used repeatedly to severely punish journalists and offending media. Having come into power after years in opposition as a persecuted politician, many thought Wade would usher in a new era when civil and political liberties would be strengthened, legal backing would be given to shield the independence of the media, and obnoxious laws like criminal libel legislation would be revoked. At the start of his second 7-year term of office in February 2007, President Wade has not only failed to deliver on prior commitments, but the pace of persecution of journalists has quickened.

A number of press freedom violations occurred in 2007; harsh criminal libel cases and severe punishments for 'threatening state security' were particularly common. They include the case of Moussa Gueye, managing editor of the private daily newspaper, *L'Exclusif*, and Pape Moussa Doucar, the paper's owner. Both men were arrested, imprisoned, and charged with endangering public security after their newspaper ran a front-page story by political reporter Justin Ndoeye titled "Late Outings at the Presidency: The Nocturnal Escapades of President Wade." Ndoeye went into hiding after the story was published and police issued an arrest warrant for him. Separately, Pape Amadou Gaye, the managing editor of the private *Le Courrier*, was detained and similarly charged with offending the state for an article holding the president responsible for the rising cost of living. In March, facing accusations of defamation by a car dealership, Jean Meissa Diop, the director of the private daily *Walf Grand-Place*, and the paper's reporter, Faydy Drame, were each sentenced to six months in prison and fines of \$23,000. In April, Director Ndiogou Wack Seck of the private, pro-government daily *Il Est Midi* was sentenced to six months in prison, fined \$90,000 for criminal defamation, and barred from working as a journalist for three months. These actions, as well as the suspension of Seck's newspaper, followed the publication of a story criticizing several close associates of President Wade for their role in the 2006 release of an imprisoned former prime minister.

Although physical harassment of journalists was not as common as harsh libel cases, politicians and their supporters occasionally took extraordinary measures to silence critical and opposition viewpoints during the year. Such was the case with ruling party

politician Moustapha Cisse Lo who, in April, stormed the studios of Radio Disso FM with a dozen supporters following the broadcasting of critical comments during a call-in show. The station filed a complaint with the police over the attack, but Lo filed a subsequent suit for defamation worth \$452,000.

Institutional bodies like the National Council for the Regulation of Broadcasting (CNRA) with a mandate for monitoring and regulating the media sector were accused of unfairness in their enforcement of standards, fines, fees, and other measures designed to assure equitable access to the airwaves. The CNRA also remained largely silent or was sidelined as pressure was increased on media practitioners on all fronts. Despite the unwholesome climate for media practice, Senegal still has many private, independent print publications. A number of community, private, and public radio stations operate all over the country. More than 80 radio frequencies have been granted so far. But more criticism has been leveled against the Wade administration for the way in which frequencies are allocated and fees charged for access to airwaves. Critics say President Wade's associates in politics, business, and religious community get preferential treatment. The Wade administration refuses to accept private participation in the television sector except for entertainment channels. The only national television station, Radiodiffusion Television Senegalaise, is required by law to be majority controlled by the state. Its broadcasts generally give favorable coverage of the government. Foreign satellite television and radio stations, including Radio France Internationale and the BBC are available. Internet access is unrestricted and penetration is now estimated at 5.2 percent of the population.

Serbia

Status: Partly Free

Legal Environment: 13

Political Environment: 17

Economic Environment: 9

Total Score: 39

The Serbian constitution and legislation protect freedom of the press. Overall, the media environment remained relatively unchanged in 2007. Conservative and nationalist elements in the government have proven to be less tolerant of criticism from the media. Libel remains a criminal offense, punishable with fines up to \$18,000. There are concerns, that the process through which the Republic Broadcasting Agency (RRA) grants broadcasting licenses is unfair and non-transparent. Compounding the problem is the complicated procedure for obtaining a license. In July, the Supreme Court ruled in favor of two television stations and six radio stations that were denied licenses in 2006. But, the RRA ignored the ruling and upheld its own decision. The RRA was also criticized for interfering in the editorial decisions of the public broadcaster Radio Television Serbia (RTS) when it ordered RTS to broadcast daily parliamentary sessions in their entirety. The parliament controls the budget of the RRA. BK Television – shut down by the police in 2006 for operating without a license – operating briefly in 2007 via satellite.

Both broadcast and print media in Serbia are highly active and promote diverse views. However, the media environment remains somewhat politicized. Journalists at times practice self-censorship, and many avoid politically charged topics, including the discussion of war crimes and the Kosovo status negotiations. The public RTS, funded by compulsory subscription was the dominant media source, with two TV stations and Radio Belgrade. The public media enjoys a level of implicit government support, as does the state-owned news agency Tanjug, which receives state funding. Media organizations and journalist are frequently the victims of harassment, vandalism and violence. In April, Dinko Gruhonjic, a Beta news agency correspondent and chairman of the Independent Journalists' Association of Vojvodina, received death threats after reporting on a neo-Nazi group. Independent broadcaster B92 and its journalist were frequently harassed and its offices were vandalized throughout the year. Nationalist political parties on several occasions forcefully interrupt B92 broadcasts. In November, the editor-in-chief of the daily *Politika* wrote that one of the wealthiest businessmen in Serbia had phoned journalists criticizing them for their coverage. In April, a bomb exploded outside the Belgrade apartment of Dejan Anastasijevic, journalist for weekly *Vreme*, following his critical report of a former Serbian paramilitary group. The attacks are often not vigorously prosecuted. Local media operate in a more difficult environment, where local governments typically block journalists' access to public information and cooperate mostly with state-owned media. In October, masked assailants simultaneously entered two television stations in Novi Pazar and at gunpoint halted the rebroadcast of an interview with an Islamic leader in Serbia.

Serbia's broadcast and print media are for the most part privately owned. The government owns a stake in the daily, *Politika*, but has little direct editorial influence. Most local media, however, have yet to be privatized and there is little support from local governments for these types of liberalization reforms. State-owned media enjoyed strong financial support from the government, while there are no government subsidies for private media. Media ownership remains somewhat non-transparent, with indications that some formal owners are a front for real interests behind the asset. Media ownership concentration has increased slightly with the growing presence of foreign firms. Internet access is unrestricted, though only 14 percent of the population receive information online.

The media environment in Kosovo is regulated by the UN Mission in Kosovo (UNMIK) and the constitutional framework. The system of licensing broadcast media in Kosovo is complicated and not consistent. The television regulator Temporary Media Commissioner (TMC) is generally considered non-transparent. There were several reported incidents of violence during the year. Reporters frequently reported not being able to access public information. Although many media were able to sustain operations through aid donations, most media struggled financially. As a result, editorial independence remains a weakness in Kosovo, with media adhering to business interests. Public broadcaster Radio Television Kosovo (RTK) is particularly at the whim of political and economic interests. Public media have a slight financial advantage, as they are exempt from the value added tax (VAT).

Seychelles

Status: Partly Free
Legal Environment: 20
Political Environment: 20
Economic Environment: 19
Total Score: 59

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.” These restrictions have limited freedom of the press, particularly because libel charges can easily be filed to penalize journalists. The law also allows the minister of information to prohibit the broadcast of any material that is against the “national interest.” While the judiciary is often perceived as favorable to plaintiffs in libel cases, in August 2007, the court of appeals overturned a supreme court libel conviction against *Regar*, one of the country’s two independent weekly newspapers. *Regar* had closed in October 2006 in protest at an exorbitant \$58,500 fine it had received. The paper restarted operation once the fine was reversed. Attacks against and harassment of media workers are known to occur at times in Seychelles and in August 2007, a State House security officer physically assaulted the editor of *Le Nouveau Seychelles Weekly*.

The only daily newspaper, *Nation*, is state owned. All other papers publish more sporadically. The state has a de facto monopoly over the widely consumed broadcast media, and private broadcasters have been slow to develop because of restrictive licensing fees of more than \$185,000 per year. Telecommunications companies must submit subscriber information to the government. While the internet was available and unrestricted in Seychelles, there were reports in 2007 of the government monitoring email, chat rooms, and blogs for the 25 percent of the population with access.

Sierra Leone

Status: Partly Free
Legal Environment: 18
Political Environment: 23
Economic Environment: 18
Total Score: 59

Sierra Leone continues to recover from its long civil war and the political instability of earlier years. The constitution guarantees freedom of expression but the retention of the Public Order Act of 1965 continues to threaten the enjoyment of this freedom in practice. The Public Order Act criminalizes libel and holds accountable not only journalists, but also vendors, printers, and publishers. Under this law, the editor of *The Standard Times*, Philip Neville, was arrested in August and charged with criminal libel after publishing an editorial on the front page of the newspaper critical of government in the wake of a visit by Libyan leader, Colonel Muammar Qaddafi. The opinion piece alleged that the government did not publicly disclose gifts made to Sierra Leone by the Libyan leader.

The office of President Tejan Kabbah issued a statement saying there was “no iota of truth in the publication” and demanded “immediate action” be taken against the newspaper. *The Standard Times* carried the government’s rebuttal. When Neville appeared at a Freetown court, bail for his release from prison was set at a record \$68,150 in addition to other stringent conditions. All charges against the editor were later dropped after the newspaper retracted the story.

In May, parliament passed an amendment to the media code of practice that provided guidelines for media coverage of public affairs. The code required media to be guided by broad principles of democratization, pluralism, diversity, cultural sensitivity, and responsibility. The media also signed a code of conduct that was aimed at discouraging hate radio and sensational xenophobic publications ahead of the August-September presidential and parliamentary elections. Although the measures probably helped avert the worst excesses in the pre-election period, they did not completely eliminate problematic broadcasts or prevent reprisals against local media in some cases. For example, a station was briefly shut down in Yele for broadcasting material unfavorable to the incumbent Sierra Leone Peoples Part (SLPP). And in June, a Member of Parliament shut down a community radio station in Pujehun district after a broadcast criticized the SLPP for being corrupt and inept.

With the election came a successful transition to a new government; the opposition All Peoples Congress (APC) party won both the presidential election and a majority in parliament and the SLPP leaders stepped down peacefully. However, the pre-election period was predictably charged with tension; politicians and their media allies on both sides traded charges of biased reporting, threats, and physical violence. Radio stations that belonged to the SLPP and the APC helped fuel the tension, prompting the Independent Media Commission (IMC) to ask the two stations to “tone down” in the hope of restoring calm.

Some of the hostility and violence was directed against foreign journalists, similarly accused of partisan support. As a result, in September the IMC issued a directive to media houses barring them from publishing critical comments on or discussing United Nations (UN) personnel and other international community members in Sierra Leone. The IMC said it was pressured into issuing the directive by the Office of National Security and the Ministry of Foreign Affairs after it received complaints from the office of the UN Integrated Office in Sierra Leone (UNIOSIL). The UNIOSIL said it was a target of offensive articles in a number of newspapers, including *Awareness Times*, *Democrat*, and *Salone Times*. Despite the IMC directive, the commission has been credited with helping to improve the professionalism of media practice in Sierra Leone. The boom in the media sector and the improving viability of media ventures is partly credited to the commission’s oversight. More than 35 newspapers now publish, many of them privately-owned, and several critical of government. Poor journalistic skills continue to weaken the capacity of professional media practice. Internet access is becoming available rising to 0.2 percent penetration as the country slowly recovers from the disruption of the civil war years.

Singapore

Status: Not Free

Legal Environment: 24

Political Environment: 24

Economic Environment: 21

Total Score: 69

Media freedom in Singapore continued to be constrained in 2007, with the vast majority of print and broadcast journalists practicing self-censorship for fear of harsh defamation charges, while a government review raised concerns of increased restrictions for online content in the future. The Singapore Constitution provides the right to freedom of speech and expression in Article 14, but also permits restrictions on these rights. In addition, the Newspapers and Printing Presses Act, the Defamation Act, and the Internal Security Act (ISA) constrain press freedom, allowing the authorities to restrict the circulation of news deemed to incite violence, arouse racial or religious tensions, interfere in domestic politics, or threaten public order, national interest or national security. The judiciary lacks independence and systematically returns verdicts in the government's favor, further undermining press freedom in the city-state. Singapore law does not recognize journalists' rights to protect the identity of their sources and in May 2007, Reuters correspondent Mia Shanley was forced to reveal an anonymous source in a commercial case under an order from the Court of Appeals.

Films, television programs, music, books and magazines are sometimes censored; all films with a political purpose are banned unless government-sponsored. In April 2007, the government banned a film by filmmaker and blogger Martyn See about Said Zahari, a journalist and political activist who was held without trial for 17 years under the ISA. Although *Zahari's 17 Years*, was banned under the Film Act from being screened in Singapore, it could still be viewed on the Internet. The Singapore government and ruling party members are quick to sue critics under harsh civil and criminal defamation laws in order to silence and bankrupt political opponents and critical media outlets. Foreign media in Singapore are also subject to such pressures and restrictive laws. In October 2007, the *Financial Times* published an apology and agreed to pay damages to the ruling Lee family for a September article that suggested nepotism factored into various appointments allocated to several of its members. Foreign publications are required by the Ministry of Information, Communications and the Arts to post a bond of S\$200,000 (approximately \$127,200) and appoint a local legal representative if they wish to publish in Singapore. In August 2006, after the *Far Eastern Economic Review* (FEER) published an interview with opposition party leader Chee Soon Juan, it and four other foreign publications were informed they would no longer be exempt from the regulations as they had been previously and needed to post a deposit. When the FEER did not comply, its circulation permit was revoked, effectively banning the publication, a ban which remained in effect throughout 2007, though the publication was accessible online. In a corresponding defamation suit filed by the prime minister and his father over the article, a June 2007 ruling by the Singapore High Court rejected the magazine's application for a Queen's Counsel from the United Kingdom to represent it.

Nearly all print and broadcast media outlets, Internet service providers, and cable television services are either owned or controlled by the state, or by companies with close ties to the ruling People's Action Party. Annual licensing requirements for all media

outlets, including political and religious web sites, have been used to inhibit criticism of the government. 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 also required to register with the government's Media Development Authority (MDA), thus making a website's owners and editors criminally liable for any content that the government finds objectionable. Although the ruling party has been successful in curbing dissenting opinion among traditional print and broadcast media, the Internet has proven more difficult to control. Bloggers and discussion groups still offer alternative views and a virtual channel for expressing dissent. During the year, an online petition against a proposed salary hike for government ministers collected thousands of signatures as well as comments criticizing the hike and the authorities' lack of accountability. In March 2007, the MDA announced that it was seeking to expand the jurisdiction of its Media Market Conduct Code from the traditional print and broadcast sectors to new media markets. Although the MDA said its review was intended "to better address competition issues that may arise under the new landscape", international watchdog groups expressed concerns that the revisions would be used to limit ownership and stifle online dissent. The internet was accessed by over 66 percent of the population in 2007.

Slovakia

Status: Free

Legal Environment: 6

Political Environment: 9

Economic Environment: 7

Total Score: 22

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 other regulations can be, and are, used to conduct criminal prosecutions. Journalists in both print and electronic media exercise broad editorial independence, and in general the heads of state-owned media enterprises are no longer political appointees. In 2007, legislators drafted the new Press Act; press freedom advocates criticized several provisions, including restrictions on content, the powers of intervention granted to the state executive, and the right of correction and mandatory access to media by interested parties (with no possibility of editorial intervention in terms of content or space). In a surprise decision, the Slovak Supreme Court refused to recognize the overturning of a libel verdict by the European Court of Human Rights, effectively upholding the original decision of a lower Slovak court.

Media freedom advocates noted that the new management of Slovak Public Television (STV) seemed to be exerting pressure on editors and journalists to provide more favorable coverage of the government. Nearly one-third of the staff of STV news programs quit amid allegations of political interventions in editorial policy. The atmosphere of pressure was enhanced by statements and parliamentary hearings on media

in which, in the opinion of media advocates, parliament impinged on the oversight role of other institutions.

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. Electronic media are diverse and pluralistic, and many Slovak citizens also regularly watch television from the neighboring Czech Republic and Hungary. Slovaks enjoy growing access to the Internet, with nearly 50% of the population enjoying regular Internet service, including more than 90% of teenagers and young adults.

Slovenia

Status: Free

Legal Environment: 6

Political Environment: 10

Economic Environment: 7

Total Score: 23

The Slovenian constitutional and legal system guarantee freedom of the press and these rights are largely protected in practice. That said, the relationship between the media and the government grew tense throughout the year and journalists accused the government of indirect and direct political and economic pressure on the media. Libel remains a criminal offense in Slovenia, although not punishable with jail, but no charges were filed against journalists. The media in Slovenia is diverse and expressed a wide variety of views. The acrimonious relationship between the government and media began in 2005 when the government passed a controversial law that increased government influence on public media outlets. The legislation established a programming council and supervisory board to oversee television and radio networks. The parliament appoints 21 of the 29 council members. Only 2 members of the Supervisory Board are non-government controlled; the parliament appoints 5 members and the cabinet 4 members. As a result of the legislation, several heads of TV and radio broadcasters were replaced. Concerns were raised by media organizations that a 2006 law intended to increase media plurality through the allocation of government funding has led to disproportionate funding going to government-friendly media houses.

While most print media were privately owned, the government owned shares in some companies that were themselves shareholders of large media houses. According to a petition signed by 517 journalists in September – and backed by the European Federation of Journalists – the government used its partial ownership of media houses, business relationships and share holdings to exerted influence over the media. The petition also alleged that the government used its position to weed out editors and journalists critical of the government. There are concerns that the increased government influence led to an increase in self-censorship. The problem is compounded by the fact that freelance journalists do not fit under the current labor legislation, leaving them vulnerable to pressure from media owners. Internet access is unrestricted, with an estimated 62% of Slovenians receiving information online.

Solomon Islands

Status: Free

Legal Environment: 5

Political Environment: 14

Economic Environment: 11

Total Score: 30

The law in the Solomon Islands provides for freedom of speech and of the press, though provisions of a draft constitution under consideration would reportedly further strengthen legal guarantees for freedom of speech. The draft also includes a right of reply section (s39) that enables people harmed by “inaccurate or offensive” media reports to have a correction published. The case of Australian citizen Julian Moti, sworn in as the country’s Attorney General in July in defiance of an extradition warrant by Australia over alleged sex offences in Vanuatu in the 1990s, was a key media issue during the year. Moti had advised the Solomon Islands government to investigate allegations that Australian police, part of the Regional Assistance Mission to the Solomon Islands (RAMSI), had provoked ethnic violence that broke out in the capital of Honiara during 2006. This raised concerns among local journalists because RAMSI had been heavily involved in the country’s media development by providing training and support programs to bolster the local press. The tensions subsided by year’s end, however, when Moti was extradited to Australia after Prime Minister Manasseh Sogavare was ousted from power in December 2007 in a vote of no-confidence.

One daily newspaper, the independent *Solomon Star*, dominates the media scene. Three private weekly papers—*Solomons Voice*, *Solomon Times*, and the new *Island Sun*, established in November—are also published, along with the monthly newsletters *Agrikalsa Nius* and the *Citizen’s Press*. Low literacy rates mean that the broadcast media are major news sources. The Solomon Islands Broadcasting Corporation operates the national public station Radio Hapi Isles, Wantok FM, and the provincial stations Radio Hapi Lagun and Radio Temotu. Several other private commercial stations, including Paoa FM, also operate. There are no domestic television stations, although the Australian Broadcasting Corporation, the British Broadcasting Corporation, and other satellite channels can be received. The internet is not restricted by the government, but it is accessed by less than 2 percent of the population.

Somalia

Status: Not Free

Legal Environment: 27

Political Environment: 35

Economic Environment: 22

Total Score: 84

The media environment remained extremely dangerous in 2007 amid ongoing conflict between the internationally recognized Transitional Federal Government (TFG), based in Baidoa, and the Islamic Courts Union (ICU), an Islamist group that managed to regroup since late 2006, when the TFG, backed by Ethiopian troops, assumed control of Mogadishu. In such an environment, it remained difficult for media to be neutral or objective as alliances were essential for survival and many outlets operate as public information sources for particular parties. The media environment in the self-governing regions of Puntland and Somaliland was markedly better.

In principle, Somalia's charter provides for freedom of the press, but in practice, journalists continue to face restrictions on reporting. There are no freedom of information laws to guarantee access to public information. In December 2007, the parliament approved a media law, which had not yet been signed into law at year's end, but has been criticized by press freedom groups for imposing vague and severe restrictions, including limits on images and speeches. Nonetheless, the potential impact of this law remains unknown, given that the TFG controls only 30 percent of the country. During the year, the TFG continued to enforce restrictions against reporting or photographing the Ethiopian National Defense Forces (ENDF).

Numerous press freedom violations occurred throughout 2007. Eight journalists were killed, four injured, and as many as 53 arrested, according to Reporters Without Borders. Among those killed were Mahad Ahmed Elmi, the head of the Mogadishu-based Capital Voice, and Ali Mohammed Omar, a presenter with the private Baidoa-based Radio Warsan station. A culture of impunity continues to persist, and by year's end, no arrests had been made in connection with the killings that occurred earlier in the year. In March, the TFG closed Al-Jazeera's Mogadishu bureau, and in April, government soldiers shelled the compounds of HornAfrik and Global Broadcasting Corporation (GBC) during an attack against alleged insurgents; GBC closed in August. In November, Mogadishu's mayor closed three radio stations for several weeks on charges that they had aired allegedly subversive news.

Although the status of press freedom was visibly better in Puntland, a self-declared autonomous region, restrictions remain harsh and coverage of political and security issues can be particularly dangerous for journalists. Among other instances of violence against the press, in June, the headquarters of the private newspaper Shacab was attacked with firebombs, damaging a printing machine, and on December 16, a French journalist with the French-German television station ARTE was kidnapped but released later in the month.

Photocopied dailies and low-grade radio stations have proliferated in Mogadishu and elsewhere since 1991; there were at least eight radio stations broadcasting in Mogadishu in 2007. A number of outlets ceased operations in 2007, however, and of those that continue to operate, many have been accused of bias, particularly in their coverage of the war or clan rivalries. Somalia has a rich internet presence, fueled predominantly by the Somali diaspora in Europe, North America, and the Gulf states. Internet and mobile phone services are widely available in large cities and users enjoy a fast and inexpensive connection. Nevertheless, owing to pervasive poverty and the internal displacement of many Somalis, less than one percent of the population had

access to this resource in 2007. Although there were no reports of government restrictions on the Internet, opposition groups reportedly monitored internet activity.

In 2007, the status of press freedom was markedly better in Somaliland, which claimed but has not been granted full independence from Somalia. In advance of elections that are expected in 2008, journalists faced greater levels of harassment by the authorities than during the previous year. The government also drafted and proposed a new press law in 2007 to replace the existing liberal one. The Somaliland Journalists Association has criticized the lack of dialogue in the process of drafting the legislation, as well as provisions allowing the Ministry of Information to influence media outlets' managerial, financial, and editorial decisions. Journalists also protested against the proposed requirement that they register with the Ministry and hold a press card.

Whereas in previous years a relatively conciliatory relationship between the government and the press existed, this trend was sharply reversed in 2007, when several journalists were imprisoned. In January, three journalists with the private daily *Haatuf*, were arrested and charged with several years imprisonment for allegedly insulting the wife of Somaliland President Dahir Riyale Kahin; the journalists were eventually pardoned of their hefty prison sentences due to internal political pressure, widespread domestic protests and international condemnation. Among other cases of arrests during the year, authorities arrested two journalists in the southern Somaliland town of Las Anod. Abdiqani Hassan Farah and Mohammed Shakale were detained for reportedly covering the violent conflict along the Puntland and Somaliland border. During the year, at least two-dozen Somali journalists fled Mogadishu to seek safety in the western Somaliland town of Hargeisa. Although the journalists who fled were provided sanctuary by local press freedom organizations and fellow journalists, Somaliland authorities eventually forced the journalists to leave following pressure from the Ethiopian government due to their critical coverage of the Ethiopian occupation in the south.

In 2007, there were six independent daily newspapers in addition to a government daily, although most newspapers in Somaliland are not economically sustainable and are heavily subsidized by the diaspora and journalists' families. There were also two independent television stations in addition to a government-owned station. The government has been reluctant to liberalize the airwaves, however, citing the potential of instigating clan violence, an argument that some Somalilanders support. As a result, the establishment of independent radio stations is banned. The internet is widely available at competitive prices and serves as an active forum through which the diaspora contributes to the local media environment.

South Africa

Status: Free

Legal Environment: 7

Political Environment: 12

Economic Environment: 9

Total Score: 28

Freedoms of expression and of the press, protected in principle by the constitution, are generally respected in practice in South Africa. Nevertheless, several apartheid-era laws that remain in effect permit authorities to restrict the publication of information about the police and national defense forces and to compel journalists to reveal sources. A proposed film and publication amendment bill was sent to Parliament in 2006; it would subject print and broadcast media to the same prepublication screening for “indecent content” that is currently required for films, computer games, and magazines. After vociferous protests from media outlets and press freedom advocates, the bill was revised in June 2007 to exclude print and broadcast media. Recent years have seen an increase in the use of interdictions and gag orders by both governmental and nonstate actors. In July, a Pretoria high court prevented the *Mail & Guardian* newspaper—as well as other media—from publishing details of alleged corruption at the state-owned South African Broadcasting Corporation (SABC).

South Africa features vibrant press freedom advocacy and journalists’ organizations, and 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. The SABC dominates broadcast media. Although editorially independent, the SABC has come under fire for displaying pro-government bias and for encouraging self-censorship. A 2006 internal SABC report that found several outspoken government critics had been barred from SABC airwaves continued to generate controversy in 2007; in March, prominent civic actors—including COSATU and the FXI—accused the government of blacklisting and purging critics from the SABC. In July, the SABC dropped legal action to prevent the screening of a documentary about President Thabo Mbeki; the SABC-commissioned film had twice been canceled from screening on state television.

Members of government and other political figures continued to reveal a heightened sensitivity to media criticism, in some cases accusing critical journalists of racism and betraying the state. In August, a major controversy emerged after *The Sunday Times* published articles claiming health minister Tshabalala-Msimang’s recent liver transplant was caused by alcoholism, that she jumped transplant queues, and that she had stolen from a patient while a medical superintendent in Botswana. After the minister took legal action, a Johannesburg High Court ordered the newspaper to return copies of the minister’s records to a Cape Town clinic and to pay legal fees; the paper was allowed to continue reporting on the story. Subsequently, the editor and deputy editor of *The Sunday Times* were the subjects of police investigations for stealing medical records, and President Mbeki criticized the behavior and ownership structure of the media. In November, close political allies of Mbeki were involved in the purchase of the Johncom media group—which owns *The Sunday Times*. In December, the ruling African National Congress (ANC) resolved to investigate the establishment of a national media tribunal to regulate irresponsible reporting.

Journalists are very occasionally harassed and assaulted. In July, the editor of an oppositionist online newspaper in Zimbabwe was shot in Johannesburg by three unknown assailants.

Most South Africans receive the news via radio outlets associated with the SABC. However, efforts are being made to expand the number and broadcasting range of community radio stations via the Independent Communications Authority of South Africa

(ICASA). While the SABC's three stations claim most of the television market, the country's two commercial television stations, e.tv and M-Net, are reaching ever greater proportions of the population. Internet access is unrestricted and growing rapidly, although many South Africans cannot afford the service fee.

South Korea

Status: Free

Legal Environment: 9

Political Environment: 12

Economic Environment: 9

Total Score: 30

Despite steps by the Roh government to limit journalists' access to official buildings, South Korea's media environment remained among the freest in Asia in 2007. Freedom of the press is guaranteed under South Korean law and is generally respected in practice. Censorship of the media is against the law, though the government censors films for sex and violence. Article 7 of the 1948 National Security Law allows imprisonment for praising or expressing sympathy for North Korea. President Roh Moo-hyun's tenure has been marked by disputes with conservative media outlets, and critics alleged that the liberal government was seeking to reduce the media's influence through two reform laws passed in January 2005. The Law Governing the Guarantee of Freedom and Functions of Newspapers included provisions that would require all newspapers to register with the government and would essentially limit the circulation of the three major conservative dailies. In June 2006, however, the Supreme Court struck down these measures by a vote of seven to two.

Violence against journalists is rare in South Korea, but in March 2007, at least eight journalists were beaten by riot police while covering a protest against a free-trade agreement with the United States. The police issued an apology the following day, but no investigation or sanctions against the offending officers ensued. The Roh government's animosity towards the media was also apparent in measures approved in May 2007 and implemented in October under which the authorities closed all pressrooms in government buildings except for one in the Central Government Complex. The Government Information Agency (GIA) called the closures part of media reform designed to upgrade the "support system for news coverage," but journalists and international media watchdogs have criticized the measures as an attempt to restrict access to information. Under the new regulations, journalists are not permitted to enter government buildings without prior authorization and can interview ministers and other civil servants only after receiving state permission.

South Korea has vibrant and diverse media, with numerous cable, terrestrial, and satellite television stations and over 100 daily newspapers in Korean and English. Many newspapers depend on large 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 internet is generally unrestricted by government regulations, though some websites have been blocked for posting pro-North Korean content and the

government requires all website operators to indicate whether their sites might be harmful to youths. Approximately 70 percent of the population was recorded as being online in 2007 and a significant number of young people get their news exclusively from online sources. The South Korean online media are especially vigorous and innovative. For example, in 2000 an interactive internet news site called OhMyNews was launched, allowing citizens to submit their own news articles for immediate publication on the site.

Spain

Status: Free

Legal Environment: 5

Political Environment: 13

Economic Environment: 5

Total Score: 23

Spain has a free and lively press, with more than 100 newspapers covering a wide range of perspectives and actively investigating high-level corruption. Freedom of speech is protected by Spanish law and is generally respected in practice. Threats to press freedom include antiterrorism legislation and high awards in defamation suits against journalists. Recently, a judge ordered the garnishing of the pension of Patxi Ibarondo, the editor of *La Realidad*, who was originally charged with libel in 2001 for comments about a regional party secretary of the Popular Party. The libel suit forced the closure of *La Realidad* that same year. In July, two cartoonists were fined 3000 euros each for “insulting the crown” for their depiction of the crown prince Felipe having sex with his wife Princes Letizia. The offending issue of the newspaper was ordered to be confiscated by a judge., because it violated the Criminal Code that punishes “insults” to the royal family. The cartoonists in question were eventually fined 3,000 euros each.

In January, the political environment worsened following a breakdown of peace talks between the Spanish government and the Basque separatist group *Euskadi Ta Askatasuna* (ETA, or Basque Fatherland and Freedom), after an airport bombing. Journalists who oppose the political views of ETA continue to be targeted by the group, forcing many journalists to employ bodyguards. Daily newspaper ownership is concentrated within large media groups like Prisa and Zeta. Internet access is not restricted, however authorities monitor websites with material espousing hate-speech or advocating anti-Semitism and shut one down in April, according to the US State Department’s 2007 report on Human Rights.

Sri Lanka

Status: Not Free

Legal Environment: 19

Political Environment: 31

Economic Environment: 17

Total Score: 67

Media freedom continued to decline in 2007, as media outlets faced increased censorship and other restrictions on reporting, and journalists faced a heightened level of attacks and intimidation, particularly in the war-torn north and east of the country. Although freedom of expression is provided for in the constitution, a growing number of laws and regulations restrict this right. The Official Secrets Act bans reporting on information designated “secret.” Those convicted of gathering secret information can be sentenced to up to 14 years in prison; although no journalist has ever been charged under the act, it has been used to threaten them. Emergency regulations reintroduced in August 2005 allow the government to bar the publication, distribution, performance, or airing of any print or broadcast material deemed likely to cause public disorder; however, it did not use this authority during 2006. In September 2006, unofficial prepublication censorship concerning issues of “national security and defense” was imposed by the government’s Media Centre for National Security. The Emergency (Prevention and Prohibition of Terrorism and Specified Terrorist Activities) Regulations, introduced in December 2006, contain excessively broad language that local rights activists noted could restrict media freedom. Within a month of the new regulations’ enactment, several journalists were summoned for questioning and asked to reveal their sources, one was detained, and a senior correspondent openly admitted to self-censoring his column. Contempt-of-court laws are occasionally used to punish reporters who investigate judicial misconduct. The distribution and suspension of broadcast licenses appears to be sometimes arbitrary and politically-influenced, as seen in the October suspensions of licenses of five private FM stations belonging to the Asia Broadcasting Corporation, a network which is perceived to report critically on current events. Official rhetoric has become more unfriendly toward journalists and media outlets perceived to be “unpatriotic” or critical, with high-level officials regularly making statements equating any form of criticism with treason. The government’s attitude was indicated by an attempt in June—introduced by the Justice Minister and supported by the president but opposed by other cabinet members and later quietly withdrawn—to reinstate a criminal defamation law that had been repealed in 2002 which would include prison terms for violators. In another aborted effort, in October an executive order banning the media from covering military operations and arms deals was issued and then withdrawn after several days.

The level of threats and harassment against journalists and media outlets continued to grow in 2007. Journalists throughout Sri Lanka, particularly those who cover human rights issues, corruption, or official misconduct, face regular intimidation and pressure from both senior and junior-level government officials. Cases included those of Champika Liyanarachchi, editor of the prominent *Daily Mirror*, who was called by Defense Secretary Gotabhaya Rajapaksa in April, and T.M.G. Chandrasekara, news director of the state-run Sri Lanka Rupavahini Cooperation (SLRC) television station, who was physically assaulted by a government minister and a group of his supporters in December. Several other journalists were temporarily arrested. In November, Leader Publications, a major printing house that publishes the *Sunday Leader* and *Morning Leader* newspapers, was targeted in an arson attack that completely destroyed its facilities; both papers are known for their critical, pro-opposition views and have faced numerous threats, including a prior arson attack. In several other instances, police or security forces manhandled reporters as they attempted to cover the news, barring access

to certain events and deleting or otherwise censoring photographic images. In a growing trend, journalists and civil society groups perceived as being supportive of Tamil interests have also drawn ire from Sinhalese nationalist groups. Several journalists decided to leave the country for short periods of time, including prominent defense correspondent Iqbal Athas, who fled three times during the year following repeated threats. Increased threats coupled with expanded legal restrictions have led a growing number of journalists to practice self-censorship. Previous cases of attacks and killings of journalists have not been adequately investigated or prosecuted.

Media freedom is particularly restricted in the war-torn north and east of the country, where journalists are caught between government forces, the Liberation Tigers of Tamil Eelam (LTTE) separatist rebel group (which does not permit free expression in the areas under its effective control), and other armed political factions and paramilitary groups. As a result, journalists' ability to cover the news freely has been severely curtailed and those that do face steep repercussions for doing so. At least five journalists were killed and numerous others were abducted or otherwise intimidated during the year. Despite its calls for protection, the largest-circulation daily in Jaffna, *Uthayan*, faced repeated attacks and harassment in 2007, including abduction of its staff; as a result, the paper's editor and news editor lived semi-permanently at the paper's offices as they were too afraid to go outside. A number of Tamil newspapers have been banned or seized by various factions, and distributors have been attacked or warned not to sell certain papers; as a result, several independent outlets have closed due to threats against them. In November, the air force bombed the LTTE-run Voice of Tigers radio station, killing five media workers. Foreign journalists' ability to cover events in the region was also compromised, with one film crew being expelled from Jaffna in October.

While numerous privately owned newspapers and broadcasters scrutinize government policies and provide diverse views, private outlets have become more polarized, shrinking the space for balanced coverage. The Colombo-based 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. Cases of overt financial pressure on critical outlets were reported during the year. In March the government froze the assets of the Standard Newspapers group, publisher of the weekly Sinhala-language *Mawbima* and English-language *Sunday Standard*, after they refused to alter their editorial policy; both papers closed shortly thereafter due to the freeze. Business and political interests exercise some control over content through selective advertising and bribery. Owing to the closure of a major road, newspapers on the Jaffna peninsula faced shortages of newsprint and other key supplies, hindering their production abilities.

Access to the internet and to foreign broadcasts is generally not restricted, but only 1.4 percent of the population used the internet in 2006 because of the high costs involved. However, in June the government reportedly ordered the country's two largest internet service providers (ISPs) to restrict access to *TamilNet*, a pro-LTTE news Web site, a ban which lasted through year's end. In October, several Sinhala-language websites were singled out for criticism by government politicians, and later that same month, unidentified gunmen wounded internet journalist Kumudu Champika Jayawardana of ethalaya.org, which is linked to the Sinhala-language Sirasa TV channel.

Sudan

Status: Not Free

Legal Environment: 26

Political Environment: 29

Economic Environment: 23

Total Score: 78

Despite the ongoing conflict in Darfur and the failed attempts to broker peace between the government of Sudan and the Darfuri rebel movements, the media environment remained relatively stable during 2007, marked by a freer environment and less violence against journalists in the southern part of the country. The signing of the Comprehensive Peace Agreement (CPA) in 2005, which ended the civil war between the north and the south, initiated a process of constitutional reform that brought about some positive changes for the media, such as the lifting of official censorship and an interim constitution that provides for freedom of thought and of expression. However, these rights are not respected in practice, and Sudanese authorities continue to use arbitrary measures to limit press freedom. One way that authorities control the media is through the government-influenced National Press Council, which is responsible for licensing and has the power to suspend journalists and newspapers. Restrictions on covering the Darfur region continued in 2007 with a ban in March on coverage of the prosecution of crimes committed in Darfur, and a ban in May on publishing information on Darfuri rebel activities. Draft media laws on freedom of information, public service broadcasting, and the establishment of new print and broadcast regulators are in the early stages of review, although press freedom advocacy groups have expressed concerns about the absence of discussion during the drafting process and restrictive provisions that would allow for continued government control over the media.

Throughout 2007, journalists faced harassment, attacks, intimidation, and direct censorship at the hands of both government and nongovernmental forces. Among other instances of harassment, on February 1, authorities closed the private Arabic-language daily *Al-Sudani* for several days due to coverage of the murder of Mohammed Taha Mohammed Ahmed, the former editor-in-chief of the private daily *Al-Wifaq* who was beheaded in 2006, which violated a ban on covering the case. In May, the minister of justice charged *Al-Sudani* with defamation following an editorial calling for the minister's resignation due to corruption allegations, and detained the paper's editor along with another journalist for several days. In June, authorities detained four journalists with private Khartoum-based papers for attempting to report on protests against the Kajbar Dam in the northern Nubian region, and several journalists working for the private *Al-Midan* and *Al-Sahafa* newspapers received death threats in December for reporting on the Darfur conflict. Authorities continued to limit the foreign media's coverage of Darfur, and in April, BBC correspondent Jonah Fisher left the country following an expulsion order that was issued in March for his coverage of the region.

There are many private newspapers in Sudan—though none are currently able to function regularly in Darfur—and private ownership is common. Although most

newspapers experienced intense scrutiny from authorities, they represented a wide range of views, from state-owned Arabic and English outlets, to those that represent a southern Sudanese perspective, to critical opposition publications. Some private papers employ columnists that regularly criticize President Omar al-Bashir's policies. In late 2007, the country's first free newspaper, *Al-Hadath*, was launched in Khartoum, and while it has since changed its business model due to distribution problems, it managed to obtain a significant share of the market. The al-Bashir administration in Khartoum runs one Arabic- and one English-language newspaper. In contrast to the more diverse press, the government dominates the broadcast media, the main source of information for much of Sudan's population. Television broadcasts are formally censored, and radio content is required to reflect the government's views. However, Arabic satellite channels such as Al-Jazeera and Al-Arabiya are popular in Sudan and are increasingly relied upon as an alternative to the progovernment domestic television and radio stations. In addition, some foreign radio stations are available, such as the British Broadcasting Corporation, which broadcasts in Khartoum and other points in the north and south, as well as several opposition and clandestine stations available via shortwave frequencies.

Internet penetration in Sudan is among the highest in sub-Saharan Africa, with just under nine percent of the population able to access this medium in 2007. However, internet access is limited to urban areas, and is still low by global standards. The government has not traditionally displayed much interest in censoring this new medium, apart from the blocking of pornographic content and proxy servers, and there were generally no restrictions on access to news websites. Political debates flourished on forums such as sudaneseonline.com, sudaneseoffline.com and sudanile.com, which are also highly popular among the Sudanese diaspora. However, there were reports that the government monitored email activity.

Press freedom conditions in southern Sudan are better than in areas controlled directly by Khartoum. Journalists in the south are not as restricted as those in the north and have more leeway to criticize government policies. There were reports, however, that the editor of the Juba-based English-language newspaper *Citizen* was detained for a day due to the paper's coverage of an alleged corruption scandal within the finance ministry. In addition, many Sudanese from the south displaced by the civil war still remain in the more populous north of the country, and most facilities for the production and distribution of media content are concentrated in Khartoum.

Suriname

Status: Free

Legal Environment: 5

Political Environment: 12

Economic Environment: 6

Total Score: 23

The coalition government generally respects freedom of expression and of the press, as provided for in the country's constitution. However, little investigative journalism takes place, and some journalists practice self-censorship on certain issues. According to the

Association of Surinamese Journalists (SVJ), poor salaries and lack of training leading to unprofessional conduct are undermining the profession. In the only overt act of censorship during the year, on May 10 the state-owned Suriname Television Foundation (STVS) was forced to cancel its "Suriname Today" discussion program after the country's Vice-President, Ram Sardjoe, requested that the producers not air planned segments addressing Taiwan's efforts to get Suriname to switch its diplomatic allegiance from China. Chinese diplomats in the capital, Paramaribo, also had also pressed for the program to be dropped, and apparently visited the station to speak to the management. Sardjoe said his request was in the national interests of the country, but the SVJ denounced a "flagrant violation of the right of free expression of the citizens and the right of the press to express opinions." There are two privately-owned, Dutch-language daily newspapers, *De Ware Tijd* and *De West*, and seven radio stations, including the government-owned Stichting Radio Omroep Suriname (SRS). There are a number of community radio stations. Both television stations - Algemene Televisie Verzorging and Surinaamse Televisie Stichting - are state owned. There are no government restrictions on the internet though only 6 percent of the population was able to access it in 2007.

Swaziland

Status: Not Free

Legal Environment: 25

Political Environment: 26

Economic Environment: 25

Total Score: 76

Freedom of expression is restricted in Swaziland, especially regarding political issues or matters concerning the royal family. There are very few legal protections for journalists and media workers. While the 2006 constitution provides for freedom of speech, the king may waive these rights at his discretion. The 1938 Sedition and Subversive Activities Act bans publication of any criticism of the monarchy, and self-censorship is widespread, particularly regarding the king's lavish lifestyle. The 1968 Proscribed Publications Act also empowers the government to ban publications if they are deemed "prejudicial or potentially prejudicial to the interests of defense, public safety, public order, public morality, or public health." The law has been used several times in recent years to punish newspapers that criticized the monarchy. Access to information is limited. In June, journalists were barred from entering Mbabne Government Hospital and from talking to hospital employees after a series of media reports exposed the allegedly negligible death of a four-year old girl.

Harsh defamation laws are also used to stifle the press. In March 2007, Member of Parliament Maqhawe Mavuso sued the semi-private *Swazi Observer* for defamation over an article about an alleged assault involving Mavuso. In July, the editor of the private "Nation" magazine, Bheki Makhubu, was sued for defamation by MP Marwick Khumalo after Makhubu wrote an article accusing Khumalo of corruption. Neither case has yet gone to trial. Swazi courts do occasionally dismiss and overturn defamation charges against journalists. In 2006, the Supreme Court overturned massive fines

(approximately US\$116,000) levied against the independent *Times of Swaziland* in a 2005 defamation case brought by the late deputy prime minister Albert Shabangu. In 2007, the government dismissed a similar suit brought against the paper by the education minister Themba Msibi. The government routinely warns against negative news coverage, and journalists are subject to harassment and assault by both state and nonstate actors. In July, parliament investigated charges of contempt against *Times of Swailand* editor Mbongeni Mbingo after Mbingo penned an editorial criticizing Speaker of the House Prince Guduza. In October, Mbingo was cleared of the charges.

The two major newspapers in circulation are the *Times of Swaziland* and the *Swazi Observer*. The *Times*, founded in 1897, is the oldest newspaper in the kingdom and the only major news source that is free of government control; the *Swazi Observer* is owned by a royal conglomerate. Both newspapers continued to criticize government corruption and inefficiency in 2007 but steered clear of the royal family. In The Swaziland Television Authority, which is both the state broadcaster and the industry regulatory agency, dominates the airwaves. There is one independent radio station, Voice of the Church, which focuses on religious programming. A member of the royal family owns the country's lone private television station. However, broadcast and print media from South Africa are received in the country, and state broadcasters retransmitted Voice of America and British Broadcasting Corporation programs without censorship. The government does not restrict internet-based media, though only 3 percent of the population used the internet in 2007.

Sweden

Status: Free

Legal Environment: 2

Political Environment: 5

Economic Environment: 4

Total Score: 11

Sweden has strong legal protections for press freedom under the Freedom of the Press Act and the Fundamental Law of Freedom of Expression. Journalists' sources are protected by law, as is access to information for all citizens. Tensions continue between the media and Muslim groups in Scandinavia, stemming from the 2005 Danish cartoons depicting the prophet Muhammad. In September 2007, artists Lars Vilke and Editor Ulf Johansson of *Nerikes Allehanda* received death threats via the internet for publishing cartoons of the prophet. Al Qaeda in Iraq offered a bounty for the artists' murders. Also in September, police raided the home of a prizewinning TV reporter, Trond Sefastsson, according to *The Local*. Sefastsson's computer and investigative materials were seized by police. The reporter admitted to collecting 400,000 kroner from the family of a convicted criminal that he claims was paid to him for legal counsel.

Public broadcasting has a strong presence in Sweden, consisting of Sveriges Television and Sveriges Radio. Public television and radio is funded through a license fee. 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 also supported by the state. According to the British Broadcasting Corporation, Sweden is among the top consumers of newspapers in the world. Access to the internet is unrestricted by the government, and 77 percent of the population used the medium in 2007, one of the highest proportions of internet users in the world.

Switzerland

Status: Free

Legal Environment: 5

Political Environment: 3

Economic Environment: 5

Total Score: 13

Media freedom is guaranteed in the constitution and generally respected by the government. The penal code prohibits racial hatred or discrimination. Even though the law does not explicitly prohibit anti-Semitic speech or Holocaust denial, there have been convictions for such forms of expression. Dogu Perincek, a Turkish politician who publicly denied the Armenian genocide while in Switzerland, was convicted in March 2007 and ordered to pay a fine; he vowed to appeal. Transparency legislation adopted in December 2004 went into effect on July 1, 2006. The law applies only to documents produced after July 1, 2006, and contains numerous exceptions.

In 1997, a Swiss federal court found two journalists guilty of inciting an official to disclose a secret, an act considered to be a criminal offense under Article 293 of the Swiss criminal code. However, in April 2006 the European Court of Human Rights overturned the ruling, arguing that a reporter's right to protect his or her sources superseded the domestic Swiss judgment. An editor and two journalists working for *Sonntagsblick* – one of the most popular newspapers in the country – were acquitted in April 2007 after being tried by a military tribunal, and awarded compensation. The three were responsible for a 2006 story about an Egyptian fax that had been intercepted by the Swiss Intelligence Service which referred to confidential allegations of CIA prisons in Eastern Europe. The Swiss Defense Ministry charged the journalists with violating “military secrecy,” which is punishable by up to five years in prison. Broadcast media are dominated by the Swiss Broadcasting Corporation, a public service association subject to private law that operates 7 television networks and 18 radio stations. The corporation is dependent on the government for financing, although its news reporting is politically neutral. Owing to market forces and the multilingual nature of the country, most private stations are limited to local and regional broadcasts. Nearly all homes are connected to cable networks, which provide access to international commercial stations. Daily newspapers are owned by large media conglomerates, which have steadily pushed smaller publications out of the market. The internet is unrestricted by the government and accessed by 69 percent of the population.

Syria

Status: Not Free

Legal Environment: 29

Political Environment: 33

Economic Environment: 21

Total Score: 83

The Syrian government continued to place severe restrictions on press freedom in 2007. The internet has been increasingly used by critical journalists to voice dissent, although the government has aggressively cracked down on internet freedom in recent years. Although the constitution provides for freedom of speech and of the press, a constellation of repressive laws restricts such rights in practice. First among them is the Emergency Law, in place since December 1962, which broadly mandates the censorship of letters, publications, broadcasts, and other forms of communication. The 2001 Press Law sets out broad control over newspapers, magazines, other periodicals, and virtually all else printed in Syria. It also forbids writing on a wide variety of topics, including reports that touch on what authorities consider to be “national security” or “national unity.” Decree No. 6 of 1965 criminalizes “publishing news aimed at shaking the people’s confidence in the revolution.” Other laws criminalize “opposition to the revolution, its goals, or socialism.” At a June 2005 conference of the ruling Baath Party, the Ministry of Information said it was planning to introduce a new press law, but two and a half years later, the law had not been introduced. Syria’s first independent press freedom organization, Hurriyat, which was created in 2006 was forced to cease working in 2007 as two of its founders were in prison and a third had left Syria.

Security services detained eight journalists and online writers over the course of 2007, and dozens of people who had criticized the regime or were suspected of opposition to the government were detained. Ali Derbak was arrested on January 28, apparently for writing a poem criticizing Shi’a militias in Iraq. He was released on March 22. Syrian human rights organizations reported that security services held Abd al-Raziq Eid, an academic and prominent civil-rights advocate, for 13 hours because of an article he had written for Beirut’s *Al-Safeer*. The domestic intelligence service held Muhanad Abdel al-Rahman and Alaa al-Din Hamdoun, two journalists reportedly affiliated with an exiled opposition group, for the first weeks of March before releasing them on March 27, the Syrian Organization for Human Rights reported. Security officials detained Ubayd Muhammed, a reporter for Kurdistan Satellite TV, and his wife for two weeks as they were trying to leave the country on March 23. Muhammed alleged he was tortured in custody.

Except for a handful of radio stations that do not broadcast news or report on political issues, radio and television outlets are all state-owned. Private and political party-affiliated newspapers sometimes publish mild criticism of the government, while reporting with relatively greater freedom on social issues and instances of economic corruption. Newspapers such as *Al-Watan* and *Al-Iqtisad*, owned by businessmen with close connections to the government, occasionally criticize the government’s performance, but within limits. *Baladna*, owned by the son of the former head of intelligence, was banned for 47 days after it published a cartoon satirizing Syria’s legislative assembly. The Ministry of Information bans issues of the foreign press if they

contain material the government deems a threat to public order or national security. The London-based, Saudi-funded, regional daily *Al-Sharq al-Awsat* was unavailable for most of 2007. Satellite dishes are common, and the government makes no attempt to interfere with satellite broadcasts. Recently, Syrian television has broached topics formerly considered taboo and conducted interviews with opposition figures.

The government censors the internet and monitors its use, but some of Syria's 1.5 million Internet users employ a range of techniques to circumvent censorship. On July 25, Communications and Technology Minister Amr Salem issued a decree requiring Web sites to publish the name and email address of anyone writing on it, and threatened to ban Web sites that did not comply. Soon after, the ministry blocked access to *damaspost.com*, a popular news Web site, after a commenter accused prominent journalists of nepotism. On June 7, Military Intelligence officers detained Karim Arbaji, 29, and held him incommunicado on charges that he moderated the website *akhawia.net*, a popular site for Syrian youth to discuss social and political issues. On June 30, Military Intelligence officers arrested blogger Tareq Bayasi, 22, and also held him incommunicado, apparently for criticizing Syria's security services online. His whereabouts remained unknown at year's end. On September 23, the Supreme State Security Court sentenced Ali Zein al-Abideen Mej'an to two years in prison for "undertaking acts or writing or speeches unauthorized by the government ... that spoil its ties with a foreign state" because he posted comments online criticizing Saudi Arabia. In a slight increase over the previous year, nearly 8 percent of Syrians accessed the internet in 2007.

Taiwan

Status: Free

Legal Environment: 7

Political Environment: 7

Economic Environment: 6

Total Score: 20

Taiwan has the freest media environment in East Asia due to its commitment to judicial independence, economic freedom, and a highly competitive media market. The constitution provides for freedom of speech and of the press, and the government generally respects these rights in practice. Taiwanese media are vigorous and lively, regularly criticizing government policy and top officials. Reports on high-level corruption were particularly common in 2007, with scandals implicating President Chen Shui Bian, his family members and several opposition politicians a key topic of coverage. Media observers have raised concerns, however, over a rise in sensationalism and potential loss of quality. During the year, the National Communications Commission (NCC) fined several television stations after they ran footage later found to have been misrepresenting events. While publications from mainland China are subject to screening and potential import bans by the Government Information Office (GIO), a wide variety of materials from the PRC were available in stores, as well as on the internet.

Physical violence against journalists is rare and both local and foreign reporters are able to cover news freely. In one incident in March 2007, a controversy erupted surrounding an Associated Press (AP) story in which Taiwan's Vice President Annette

Lu was referred to using derogatory terms originating with the PRC government. Initially the GIO announced that the responsible reporter's visa would be revoked, but reversed its position the following day; AP later interviewed Lu, providing an opportunity for her to counter the views expressed in the original article. In another incident related to media certification, international media watchdogs criticized the United Nations for barring accreditation to Taiwanese journalists seeking to cover the World Health Assembly (WHA) in Geneva in May 2007. Prior to 2004, Taiwanese journalists had reportedly been permitted to cover the WHA, but this authorization was withdrawn under pressure from Beijing.

Taiwan has over 360 privately owned newspapers, and numerous radio stations, including the English-language International Community Radio Taipei. Satellite television is broadcast on 143 channels. In 2005 cable television was available to 85 percent of the population, the highest cable viewership in Asia. According to a study conducted by Shih Hsin University in Taipei, 95 percent of Taiwanese watch television and 75 percent read newspapers. Print media are completely independent, but electronic media and broadcast television stations had previously been subject to government influence through the authority of the GIO to regulate programming and licensing. In a positive development, that arrangement ended in early 2006, when the NCC was established. The NCC's independence was subsequently questioned, however, and provisions of its founding legislation were declared unconstitutional by the Council of Grand Justices in June 2006 because of requirements for partisan membership selection. Following the legislature's amendment of the law in December 2007, new appointments are to be made in 2008 by the premier, with parliamentary approval. 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 radio and broadcast companies. The government refrains from restricting internet access, which is currently accessed by nearly 70 percent of the population. However, several nongovernmental organizations claimed that law enforcement agencies monitored chat-room and bulletin-board exchanges among adults in order to identify and prosecute individuals posting sexually suggestive messages.

Tajikistan

Status: Not Free

Legal Environment: 25

Political Environment: 28

Economic Environment: 24

Total Score: 77

Freedom of speech is guaranteed by the constitution, but the media situation remained largely moribund in the wake of successful government efforts in 2004-2006 to force independent reporting to the margins. In August, President Imomali Rahmon signed amendments criminalizing libel and defamation on the internet with penalties of up to two years in prison. This innovation followed a tightening of restrictions on the media in

2006. The long-ruling president also demonstrated his particular understanding of the role of the press in society when he called on the media to “raise patriotism.”

In a welcome development, the Supreme Court sentenced Aslan Usmanov to a 15-year prison term for the 1995 murder of journalist Muhiddin Olimpur, former head of the BBC’s Persian Service in Tajikistan and one of a number of unsolved murders of journalists dating back to the country’s 1992-1995 civil war. Usmanov, a field commander with the United Tajik Opposition at the time of the killing, was convicted of masterminding the murder.

While 2007 saw no reports of violence against journalists, harassment took other forms. In July, the prosecutor’s office in Dushanbe opened a criminal libel case against Editor-in-Chief Saida Qurgonova and reporters Muhayo Nozimov and Farangis Nabieva of the newspaper *Ovoza* for an article that was critical of the singer Raikhona Rahimova. The case, which began at the Supreme Court in Dushanbe in October, highlighted the potential effects of the country’s recently tightened libel legislation, as it involved an article that quoted critical comments from an internet forum about a performance Rahimova had given in Afghanistan. Although the case was resolved amicably, it served to put journalists on notice that their use of online sources could land them in legal difficulties possibly leading to stiff fines or even prison time.

The independent newspaper *Nerui Sukhan*, one of a number of media outlets sidelined in 2004-2006 for falling afoul of licensing regulations, remained out of print in 2007. The BBC was also unable to regain its FM broadcast license in 2007. Registration difficulties also affected the NGO Internews, which was blocked from plans to open community radio stations.

State-run media had a dominant presence, particularly in the broadcast realm. All three television stations with a nationwide reach – Tojik, Sughd, and Khatlon – were state-run. It should be noted, however, that the independent regional television station Somoniyon regained its license in 2007. The state retained powerful tools for exerting control over print and broadcast media through direct and indirect ownership, licensing requirements, control of printing and transmission facilities, and subsidies. The internet was freer, although official efforts to block websites critical of the government in 2006, the passage of new internet-focused libel legislation in 2007, and the low rate of internet penetration in Tajikistan – estimated at less than one-half of one percent – rendered the relative freedom of the medium a limited blessing in the country’s overall media environment.

Tanzania

Status: Partly Free

Legal Environment: 15

Political Environment: 18

Economic Environment: 15

Total Score: 48

With no reported attacks on the press during the year, the media environment in Tanzania improved slightly in 2007. Although the constitution provides for freedom of speech,

several other laws limit the ability of the media to function effectively. Authorities are empowered to register and ban newspapers under the Newspaper Registration Act “in the interest of peace and good order,” while the Broadcasting Services Act provides for state regulation of electronic media, and the National Security Act allows the government to control the dissemination of information to the public. Libel laws impose criminal penalties as a way of intimidating journalists. There is no Freedom of Information law in place though a draft bill was tabled in February 2007. In April 2007, the government also tabled the Media Services Bill, which contains changes to defamation laws that would be more favorable to journalists and provisions on the protection of confidential sources. However, it also requires the licensing of all journalists by the Media Standards Board, members of which are appointed by government. The Bill had not been passed by year’s end. Unlike in 2006, there were no reports of extra-legal intimidation of journalists in 2007.

The situation in Zanzibar still remains more restrictive than in the rest of the country. Journalists in Zanzibar must be licensed and must obtain a permit prior to cover police activities. The state prohibits any independent radio or television broadcasts, although locals can receive private broadcasts from the mainland. Zanzibar’s first independent private newspaper, *Dira*, remains banned.

There are numerous media outlets, including 47 FM radio stations, 537 registered newspapers, and a dozen television stations. Only four radio stations have a national reach—state-run Radio Tanzania, as well as the privately owned Radio One, Radio Free Africa, and Radio Uhuru—and all are viewed as sympathetic to the ruling party. The government reportedly continues to withhold advertising from critical newspapers or those that report favorably on the opposition. Private firms that are keen to remain on good terms with the government allegedly follow suit, thus making it difficult for critical media outlets to remain financially viable. Nonetheless, even though the government occasionally pressures outlets to suppress unfavorable stories, independent media outlets like *Thisday*, and even some state-owned newspapers, regularly criticize official policies. While there were no explicit government restrictions on the internet, there were reports that government officials monitored internet content and activity. Nonetheless, only 1 percent of the population accessed the internet in 2007.

Thailand

Status: Partly Free

Legal Environment: 17

Political Environment: 24

Economic Environment: 15

Total Score: 56

Despite the new constitution’s restoration of legal protections for freedom of expression, Thailand’s military-led government continued to significantly restrict media freedom throughout 2007 through the passage of one of the world’s harshest Internet crime laws, tight controls on the state-run broadcasting sector, and the manipulation of the media in efforts to influence the outcome of the October constitutional referendum and the long-

awaited general elections on December 23. The continuation of martial law in 35 out of the country's 76 provinces for most of the year also contributed to a compromised situation for the media, especially local radio broadcasters.

2007 brought a mix of positive and negative legislative changes. The October 2006 interim constitution, which failed to explicitly protect freedom of expression, was replaced by a new constitution in October 2007 that restores and even extends the 1997 constitution's freedom of expression guarantees. Moreover, the National Legislative Assembly (NLA) replaced the country's draconian 1941 Printing and Publishing Act, which reserved the government's right to shut down media outlets, with the Publishing Registration Act in late August. The new act bears fewer restrictions as well as lighter penalties for violations. However, a new Computer Crime Act was passed in May and came into effect in July that threatens harsh punitive measures, including prison terms of up to five years, for the publication of forged or false content considered to endanger individuals, the public, or "national security" as well as the use of proxy servers to access government-restricted material. The new legislation was first invoked to bring charges against a blogger and a webmaster in late August; charges were dropped in October without explanation but watchdog groups fear the new law will have a chilling effect on online media, the country's strongest outlet for free discussion.

An amended National Security Act, officially approved in the fall, is also considered a new potential threat to press freedom as it allows an Internal Security Operations Command to use emergency powers that include suspending the media in the face of vaguely defined "new forms of threats." Meanwhile, several older laws that reserve the government's right to restrict the media to preserve public order and prevent criticism of the king, royal family or Buddhism remain in force. In October, parliament rejected proposals put forward by the NLA that would have extended the country's already restrictive lese majeste laws to include protection from criticism for children of the monarch and for the royal advisers of the country's Privy Council. Access to information is guaranteed under the new constitution "unless the disclosure of such information shall affect the security of State, public safety, interests of other persons which shall be protected, or personal data of other persons as provided by law."

Defamation legislation under the penal code is harsh and proved a favorite tool of the former Thaksin regime for silencing critical voices. Use of libel suits to silence government critics has declined since Thaksin's ouster from office yet defamation charges were brought against journalists for insults against head of the Council for National Security (CNS), coup leader, and subsequently deputy prime minister, Sonthi Boonyaratglin. In February, the news talk show of Sondhi Limthongkul—a former Thaksin critic—was cancelled after criticizing the central bank's financial policies. In April, a Bangkok court sentenced two talk show hosts to two years in prison for saying that deputy Bangkok governor Samart Ratchapolasit had taken bribes on two occasions.

The country's print media has remained largely unaffected by military rule and continued to feature a variety of coverage of the year's numerous controversial developments including suspension of the Thai Rak Thai party and the constitutional referendum. The broadcasting sector and online media have been obstructed much more significantly. On January 10, the CNS invoked Military Order No. 10, passed on September 20, 2006, urging media cooperation in promoting "peace and national unity," for the first time; it convened roughly 50 television and radio media executives to ask the

country's media outlets from being used as platforms for Thaksin and his support base to launch their return. Programs that refused to cooperate were warned that they would be removed. CNN broadcasts of Thaksin were blocked the same week, and three community radio stations were closed down in May for airing interviews with Thaksin (although they were subsequently permitted to resume broadcasting).

The CNS employed the state's tight grip on the broadcasting sector to try to influence both the constitutional referendum vote in October and the legislative elections in December. While tv programs featured some debate on the referendum, the government prohibited the publication of "dissent" messages as well as calls for a "no" vote and threatened sanctions against "organized campaigns" to reject the charter. Radio commentators in the provinces were reportedly pressured to not speak out against the new constitution. As part of a host of campaign restrictions issued by the Election Commission in October, effectively intended to disadvantage smaller, newer parties, all broadcasting media outlets were prevented from hosting candidates from one party without hosting candidates from all parties. Moreover, in another—unsuccessful—attempt to prevent Thaksin's base from ultimately gaining ground in the elections, the government in March tried to prevent the launch of a pro-Thaksin news station called People's TV (TV) by denying it the internet access needed to launch. PTV, effectively the station of the People's Power Party (largely comprised of former members of Thaksin's Thai Rak Thai), managed to launch anyway but its first broadcast was instantly blocked by authorities. PTV programs continued to be blocked in subsequent months.

The CNS continued to censor the internet and block web sites deemed a threat to the military regime, including two in May that covered Thaksin in a favorable light and criticized the junta. Youtube was banned in April after airing a video deemed insulting to the king and thus a violation of the country's lese majeste laws; the ban was lifted in August when Google, the owner of Youtube, agreed to block any offensive videos.

Several press freedom watchdog groups have expressed concerns about heightened self-censorship since the September 2006 coup; while the threat of defamation charges has slightly decreased; the number of radio station closures and , particularly in television programming, and the Southeast Asia Press Alliance noted that websites typically supportive of Thaksin shifted to strictly covering the latest news. However, print and broadcast media continued to report news critical of the interim government and the CNS as well as Thaksin's statements and activities later in the year.

Radio and television remain under the control of the state—the military in 2007— or formerly state-affiliated private businesses. Government control of the media increased in March when the Public Relations Department took over Thailand's only independent nonstate-owned broadcast television station, iTV, (formerly run by one of Thaksin's former assets) claiming that it had illegally changed its operating concession with the former prime minister's office and thus owed significant fines. First threatening to suspend it altogether, protests prompted the station's relaunch—as "Thailand's Independent Television"—with government funds. The internet is accessed by approximately 13 percent of the Thai population. Government censorship of the internet has occurred since 2003, largely to prevent circulation of pornography or illegal products; after the coup, internet censorship shifted to prohibiting potentially disruptive political messages, while sites considered a threat to national security, including those of Muslim separatist groups, continue to be blocked in light of persistent violence in the south.

Togo

Status: Not Free

Legal Environment: 23

Political Environment: 29

Economic Environment: 22

Total Score: 74

Freedom of speech and of the press have legal protection in Togo, but these are often ignored or overlooked by the administration. In 2004, in a deal to end trade sanctions from the European Union, President Gnassingbe Eyadema initiated legal improvements to the status of press freedom, including abolishing prison sentences for libel and prohibiting the government from seizing and closing media outlets without judicial approval. However, following Eyadema's death in 2005, these legal improvements were disregarded as his son Faure Gnassingbe took over the presidency and began targeting and harassing independent media outlets in the wave of violence intended to secure his hold on power.

The situation has improved over the last two year's as Gnassingbe's seat in the presidency is now secure, but many of the authoritarian habits of his administration have not disappeared. In particular, the High Authority for Audiovisual Communications (HAAC), which was intended to be an independent body to protect press freedom and ensure ethical standards is now used more as the censorship arm of the administration and resides permanently in the breast pocket of the presidency. In fact, the greatest threat faced by Togolese journalists in 2007 was from the HAAC's arbitrary banning of journalists or suspension of media outlets. According to the legislation passed in 2004 by Eyadema, a court order is required to close a media outlet; no judicial consent was given for any of the HAAC's 2007 suspensions. A total of four different media outlets were temporarily banned during the year including one radio station, Radio Victoire, which was suspended for "unprofessional conduct" after refusing to ban a controversial foreign journalist, Jacques Roux, from a radio discussion. Three newspapers were also suspended beginning in June. *The Trumpet* received the longest sentence of the three, remaining shuttered until October, for a series of articles critical of the University of Lome. Another paper, *The Republic Courier*, received its suspension for an article directly critical of the HAAC. Similarly, an individual journalist and press freedom advocate, Daniel Lawson-Drackey, was indefinitely banned by the HAAC from practicing journalism or from working with any media outlets after he criticized the minister of territorial administration. Nana FM, a radio station closely associated with Lawson-Drackey, was explicitly banned from working with him.

The other factor seriously jeopardizing the independence of the Togolese press is the culture of impunity that has pervaded the country since 2005. A number of direct attacks on journalists were perpetrated in 2005, none of which have since been investigated, no culprits arrested, no trials begun. While no instances of physical attacks or harassment against journalists were reported for 2007, journalists are well aware that no action is likely to be taken if they report such crimes.

Despite frequent attempts at intimidating the press, Togo does house a lively and diverse independent media, even though many private print and broadcast outlets are heavily politicized. There are innumerable media outlets in Togo, though the cost of regularly maintaining such an outlet is high causing many to publish or broadcast infrequently. The government runs Togo's only daily publishing newspaper, *Togo Press*, and the only national television station, Togo Television, while four private television stations are only able to operate in a limited geographical space. Access to the internet was generally unrestricted. While there are reports that its content has been monitored, 5.4 percent of the population was able to access this new medium in 2007.

Tonga

Status: Partly Free

Legal Environment: 11

Political Environment: 10

Economic Environment: 10

Total Score: 31

Freedom of the Press is guaranteed under the constitution and generally respected in practice. Despite a crackdown on the pro-democracy newspaper *Kele'a* in the beginning of the year, media freedom has improved in Tonga under the new monarch, King Siaosi Tupou V. Tongan soldiers temporarily closed the offices of *Kele'a* without explanation in February, charging its editor, Tavake Fusimalohi, with sedition and criminal defamation. Fusimalohi, founder and executive editor of the regional Pacific Islands News Association (PINA) and formally general manager of the state-owned Tonga Broadcasting Commission (TBC), was honored with the 2007 Pacific Media Freedom Award in May. Kalafi Moala, a prominent Tongan publisher, government consultant and media advocate, however, later asserted in a widely circulated article that there had been no crackdown on the media in 2007 and that the closure of *Kele'a* was due to persistent publication on Sundays in breach of the law.

In spite of the small size of the nation and population, the kingdom has a remarkably diverse range of media. Some of the newspapers, such as *Taimi 'o Tonga* and *Kele'a*, are printed in New Zealand. The government publishes the *Tonga Chronicle*, or *Kalonikali Tonga*, while the independent news website *Matangi Tonga* (originally a magazine) is now well-established and one of the most reputable publications in the South Pacific. The TBC owns one AM and one FM station and the free-to-air Television Tonga station. There are also two privately owned television stations and three private radio stations.

Trinidad and Tobago

Status: Free

Legal Environment: 6

Political Environment: 10

Economic Environment: 7**Total Score: 23**

Freedom of the press is enshrined in the constitution. Freedom of information legislation is in place, but the government has been criticized for gradually narrowing the categories of public information accessible under the law. A major issue is the authorities' interventions in the context of simmering ethnic tensions between the African and East Indian communities. In January, the ruling People's National Movement (PNM), which is generally supported by Afro-Trinidadians, was heavily criticized for the action taken against television operator and commentator Inshan Ishmael. The owner of the Islamic Broadcasting Network, Ishmael emerged as a leader of a protest movement that in January announced a shut-down of businesses and schools as a way of registering public dissatisfaction with the government's failure to deal with soaring crime rate. In the build-up to the protest, the state-run Trinidad and Tobago Telecommunications Authority (TATT) blocked the broadcast of Ishmael's television program. Then, on January 24, the day before the work-stoppage, Ishmael was arrested by armed police. He was later charged under the Anti-Terrorism Act. The leader of the recently-formed Congress of the People party, Wilson Dookeran, denounced the arrest as a "deliberate move to stifle freedom of the media." In March, the charges against Ishmael were dropped.

There are 3 daily newspapers - *Trinidad and Tobago Express*, *Newsday*, and *The Trinidad Guardian* – and 3 political weeklies. There are 4 television stations, including the state-owned CNMG TV, and in May a new cable station, WIN TV, was launched. In November, the BBC Caribbean Service joined an already crowded radio field – there are 36 stations - when it launched its FM frequency service. There are no government restrictions on the internet for the 12 percent of the population that was able to gain access in 2007.

Tunisia**Status: Not Free****Legal Environment: 27****Political Environment: 30****Economic Environment: 24****Total Score: 81**

Despite continued prosecution of critical reporters and tight government control over media outlets, citizens' access to information improved slightly in 2007 due to the increased availability of satellite television and increased internet usage. The constitution guarantees freedom of the press except under "conditions laid down by law," but the government did not respect these rights in practice. The Press Law criminalizes defamation, and those who violate it can be imprisoned and fined. The print media are also required by law to obtain registration from the Ministry of the Interior, while authorities continue to vet and censor newspapers published locally as well as those coming from outside the country. In a move that ended overt censorship, the president signed a law in January 2006 abolishing a procedure whereby all printed material had to

receive government approval prior to publication. Nevertheless, self-censorship and government interference in distribution following publication remained routine. According to the U.S. State Department, in one incident in March 2007, the authorities reportedly purchased all copies of the opposition weekly *Al-Mawqif* to prevent circulation of a photo showing Tunisian and Israeli parliament members participating together in a Euro-Mediterranean parliamentary council meeting in Tunis.

Journalists who cross the government's red lines face harassment, beatings and potential imprisonment. According to Reporters Sans Frontieres, at least a dozen journalists were physically attacked by police in 2007. Lotfi Hidouri of *Kalima* and Ayman Rezki of an Italy-based Tunisian satellite channel were reportedly beaten by police and Rezki's boss was briefly detained. In another incident, Slim Boukhdir, a contributor to the London-based *Al Quds al Arabi* and several online news sites was arrested in November 2007 and sentenced the following month to one year in prison on questionable charges of "assaulting a government employee in the exercise of his duty."

Tunisia's print media comprise several private pro-government and government-owned newspapers. Editors of the private media are close associates of President Ben Ali's government and typically praise the leadership and its policies, while the government reportedly withholds advertising funds from publications that do not provide sufficiently favorable coverage. A small number of independent newspapers, including *Al-Mawqif*, attempt to cover human rights issues and to publish mild criticisms of the government despite the difficult conditions, but their circulation is small owing to financial constraints. Many foreign satellite stations can be viewed in Tunisia, although the government has been known to block France 2 and Al-Jazeera for their negative coverage of Ben Ali.

Nearly 16 percent of the population accessed the internet in 2007, almost double the year before. The government blocks access to a number of sites, particularly those belonging to domestic human rights organizations, opposition groups, and Islamist associations, as well as websites that post material critical of the Tunisian government. In November 2006, a collaborative university study found that the government blocked roughly 10 percent of the 2,000 websites it tested. Punishments for online dissidents are severe and remain similar to those for print and broadcast journalists who publish information deemed objectionable by the government.

Turkey

Status: Partly Free

Legal Environment: 20

Political Environment: 20

Economic Environment: 11

Total Score: 51

With heightened polarization regarding issues of secularism, nationalism, and separatism, reform efforts toward enhanced freedom of expression stalled in 2007. The restrictive measures of the new Turkish penal code, which came into force in June 2005, continued to overshadow and undermine positive reforms achieved in the country's effort to meet European Union (EU) membership requirements, including a new Press Law in 2004 that

replaced prison sentences with fines. The EU accession process and perceptions that the ruling Justice and Development Party intends to undermine the country's secular traditions have prompted a nationalist movement that is driving a legalistic crackdown on free expression by journalists and writers.

Constitutional provisions for freedom of the press and of expression exist but are matched with provisions that restrict it and, in practice, are only partially upheld. According to Bianet, a Turkish press freedom organization, the number of prosecuted journalists, publishers, and activists dropped to 254 in 2007 from 293 in 2006 (after a dramatic jump from 157 in 2005). Yet the same organization reports that 55 individuals were tried over the year under the penal code's especially controversial Article 301 alone. This provision allows for prison terms of six months to three years for "the denigration of Turkishness" and has been used to charge journalists for crimes such as stating that genocide was committed against the Armenians in 1915, discussing the division of Cyprus, or writing critically on the security forces. Book publishers, translators, and intellectuals have also faced prosecution for "insulting Turkish identity." In January, Hrant Dink—editor-in-chief of the Armenian weekly *Agos*, who was prosecuted for a second time under Article 301 in July 2006 for confirming his recognition of Armenian genocide allegations—was the victim of a carefully plotted assassination carried out by a 17 year old. Charges against Dink under Article 301 were subsequently dropped, but both his son and the owner of *Agos* were convicted on the same charges for the same case in October. In November, two policemen were charged with knowing about plans to kill Dink and failing to report it; the trials of all 19 people charged in connection with the murder were ongoing at year's end.

Article 277 of the penal code was invoked in 2007 to charge 14 people with "attempting to influence court decisions." Article 216 penalizes "inflaming hatred and hostility among peoples" and is most frequently used against journalists who write about the Kurdish population or are perceived to degrade the armed forces. 23 people were charged on this count in 2007 and, in May 2007, a court of appeal overturned the prior acquittal of two professors charged under this article in 2005 for a report in which they discussed the term "citizenship of Turkey" as it relates to minorities, a concept being debated in preparation for a new "civil" constitution. The court ruled that the discussion constituted a "social danger" and more specifically, "... a danger to the unitary state and the indivisibility of the nation." Nationalist lawyers groups, such as the Great Lawyers' Union, credited by many human rights groups for leading the push for prosecutions, continued to bring insult suits over the year.

Despite a September 2006 declaration of commitment by Prime Minister Recep Tayyip Erdogan to revise Article 301 and heightened pressure from international press freedom watchdog groups to abolish it following Dink's murder, no progress was made by year's end; many believe the government dropped the issue in the context of election concerns. Erdogan himself continued to launch a number of defamation suits against members of the media; in October, newly elected President Abdullah Gül promised changes in the period ahead. Convictions against journalists are made much less frequently than are prosecutions, but trials are time-consuming and expensive. A total of six convictions were made for charges under Article 301 in 2007 (nine were acquitted). In a positive development, the Supreme Court of Appeals confirmed a lower court's prior decision to drop the Article 301 case against Turkish writer Orhan Pamuk in August.

While Bianet also reports that the number of threats and attacks on the press increased in 2007, threats and harassment remain significantly more prevalent than acts of violence. The Dink assassination marked the culmination of a deliberate plot believed to be developed by nationalist forces, or the “deep state”—a vague network involving members of the state bureaucracy, military and intelligence apparatus. It was not a popular or commonplace crime, and journalists’ work is not regularly compromised by fears of violence. Instability in the southeastern part of the country does infringe upon journalists’ freedom to work, however. In April, three employees of a Christian publishing house in the Malatya province of southeastern Turkey were brutally murdered and a newspaper owner was killed in the southeastern province of Van in September, though no evidence proved the murder to be related to freedom of the press. The issue of police violence against journalists was raised by the abduction, assault, and death threats against journalist Sinan Tekpetek by police in Istanbul in late July.

June 2006 amendments to the Antiterror Law allow for imprisoning journalists for up to three years for the dissemination of statements and propaganda by terrorist organizations. The new legislation raises concerns that the broad definition of terrorism could allow for arbitrary prosecutions, particularly for members of the pro-Kurdish press who are sometimes charged with collaborating with the Kurdish Workers Party (PKK). According to Bianet, 83 people were charged in cases of “terrorism” over the year.

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. It is frequently subject to political pressure. Some editors and journalists practice self-censorship out of fear of violating legal restrictions, and Turkish press freedom advocates contend that self-censorship has become more prevalent as a result of the onslaught of prosecutions under the new penal code. Owner of the weekly *Nokta* magazine stopped its publication in April after the magazine’s investigative articles on the military prompted a police raid on its offices. Charged with spreading PKK propaganda under the Anti-Terrorism Law, the *Gündem* newspaper was suspended for 15-30 day periods four times over the year. Broadcasting bans were reportedly issued against a few stations during the pre-election period, and the government censored coverage of PKK attacks in southeastern Turkey in October.

Media are highly concentrated in four major conglomerates, which subtly pressure their editors and journalists to refrain from reporting that will harm their business interests. This could include avoiding criticism of the government or potential advertisers, both of which could have contracts with other arms of the companies.

Turkey’s broadcast media are well developed, with hundreds of private television channels, including cable and satellite as well as commercial radio stations. State television and radio provide limited broadcasting in minority languages, now including four local radio and television stations in Kurdish. This marks a major step forward for freedom of expression, although critics say that the broadcasts are too restricted and quality is poor. The quality of Turkish media is low with a greater prevalence of columns and opinion articles than pure news, but independent domestic and foreign print media are able to provide diverse views, including criticism of the government and its policies. An estimated 22.5 percent of the Turkish population accessed the internet in 2007. The video-sharing web site, YouTube was blocked in March and again in September for

airing videos perceived to insult government leaders and founder of the Turkish republic, Mustafa Kemal Atatürk.

Turkmenistan

Status: Not Free

Legal Environment: 30

Political Environment: 37

Economic Environment: 29

Total Score: 96

While the death of President Saparmurat Niyazov in December 2006 raised hopes for positive change in Turkmenistan's long-desperate media environment, the main story in 2007 was a lack of tangible improvements. President Gurbanguly Berdymukhammedov, who won a dubious landslide victory in February, made a number of encouraging promises but failed to follow through on them, leaving Turkmenistan one of the most repressive nations on earth.

The government undertook no investigation into the death of Radio Free Europe/Radio Liberty (RFE/RL) correspondent Ogulsapar Muradova in police custody in September 2006 despite credible reports that she died under torture. Meanwhile, correspondents for RFE/RL in Turkmenistan continued to experience harassment in 2007 in the form of surveillance and blocked mobile phones. Russia's ITAR-TASS maintained the only foreign bureau in Turkmenistan; other correspondents, including RFE/RL correspondents, continued to encounter insurmountable obstacles to accreditation and were forced to work unofficially. In April, independent journalist Sona Chuli-Kuli was detained and interrogated; the authorities released her only after she pledged not to work with foreign media.

The government retained its absolute monopoly over all media, directly controlling not only media outlets, but also the printing presses and other infrastructure on which they depended. The authorities maintained a ban of foreign newspapers and periodical subscriptions, with the lone exception of the private but government-sanctioned Turkish newspaper *Zaman*. The dismissal of Culture Minister Enebai Atayeva in June came with criticism that she had allowed excessive liberalization on state-controlled television, although there was scant evidence of any real loosening of restrictions there (despite the removal of the former president's image from the bottom of the screen in state television broadcasts in July). There were even signs that the state intended to crack down on satellite dishes, which had been one of citizens' only means of access to outside information. In November, President Berdymukhammedov called for the removal of satellite dishes from apartments and their replacement by a single dish on each building. A December cabinet decision confirmed his decision.

President Berdymukhammedov began the year with a promise in January to lift restrictions on the internet, but when the country's first internet café opened in Ashgabat a month later, it featured armed guards at the door and prohibitive prices. The number of internet cafes in the country reportedly rose to 15 by year's end, but access to regional news resources located outside Turkmenistan and émigré opposition websites was

blocked. Internet usage in the country is estimated at 1% of the population. In a symbolic expression of the government's halting moves toward liberalization and ongoing desire for control, a brief experiment in allowing unmonitored comments on the state-controlled Altyn Asyr website in October ended quickly after some users posted remarks critical of former President Saparmurat Niyazov.

Tuvalu

Status: Free

Legal Environment: 3

Political Environment: 11

Economic Environment: 12

Total Score: 26

Article 24 of the constitution safeguards freedom of expression, though government regulations and a monopoly over the small media market sometimes limit this right in practice. According to the US State Department, the government tried to influence reporting by the Tuvalu Media Corporation (TMC) in 2007. TMC controls the country's only newspaper, *Tuvalu Echoes*, and radio station, Radio Tuvalu; the TMC reportedly censors content considered to be in opposition to the government. The TMC was decorporatized in December making it a department in the Prime Minister's Office starting in 2008. There are no television broadcasts. Tuvalu ISP is the sole internet provider for the 13.2 percent of the population with the means to access this new medium. However, only 16 percent of those connected can access the internet at any one time owing to a poor telecommunications infrastructure.

Uganda

Status: Partly Free

Legal Environment: 20

Political Environment: 20

Economic Environment: 13

Total Score: 53

Although the constitution provides for freedom of expression in Uganda, laws enacted in the name of national security have negated the constitutional provisions in practice. For example, in October three journalists working for the *Monitor*, a popular private newspaper, were arrested and charged with sedition in relation to a story alleging soldiers were secretly trained as policemen in order to maintain the police forces under military control. Several statutes also require journalists to be licensed and meet certain standards.

In a continuation of a trend seen in 2006, journalists were harassed, intimidated, and censored in Uganda in 2007. In March, the Ugandan Journalists Association (UJA)

called for the government to protect journalists covering court cases against opposition groups and critical demonstrations and end police harassment of these reporters. This push by the UJA came after two separate cases of police brutality against journalists working for the private *New Vision*—Chris Ahimbisibwe, a reporter and Richard Semakula, a photographer—while covering cases in regional high courts. In October a private radio station in southwest Uganda was forced off the air for several days after unknown assailants poured acid on its transmitter in an attack believed to have been prompted by a program critical of the local government. A rival station had earlier dropped the same program after a meeting with local security officials. However, it was the official media regulator, the Broadcasting Council (BC), that was primarily responsible for government efforts to censor the media. For example, in February 2007 Nation Television Uganda went off the air after officials at the BC switched off the station's transmitter and confiscated its network receivers for alleged "noncompliance of the industry's technical standards." The station remained closed at the end of the year. Similarly, in August the BC suspended a presenter of the popular Capital FM radio station for alleged violation of the "minimum broadcasting standards." During a show in which the station hosted a lesbian gay activist who used what the BC considered to be "unacceptable language," the suspended host said he had "no problem" with homosexuality while the other two presenters opposed it.

Independent media outlets, including more than two dozen daily and weekly newspapers as well as about 100 private radio and television stations, have mushroomed since the government loosened control in 1993; they are often highly critical of the government and offer a range of opposition views. However, high annual licensing fees for radio and television stations place some financial restraints on the broadcast media. A ban on new radio stations, which was imposed in 2003 and widely disregarded in practice without penalty, was lifted this year for upcountry radio stations; however, it still holds for Kampala. The state broadcasters, including Radio Uganda, the only national radio station, wield considerable clout and are generally viewed as sympathetic to the government. There are no official restrictions on internet access. Access to the Internet increased during the year, with approximately 2.5 percent of the population accessing it in 2007.

Ukraine

Status: Partly Free

Legal Environment: 14

Political Environment: 19

Economic Environment: 20

Total Score: 53

Much of 2007 was consumed by political conflict within the government and parliament between the country's three dominant politicians—President Viktor Yushchenko, pro-Western Yulia Tymoshenko and pro-Russian Viktor Yanukovich—which stalled reforms and left journalists working in chaotic and highly politicized conditions. The fragile

governing coalition between Yushchenko and Prime Minister Yanukovich collapsed in May, leading to parliamentary elections in September and the appointment of Tymoshenko as Prime Minister in November.

The legal framework generally provides for media freedom and has been respected by the national government following the 2004 Orange Revolution, in which Yushchenko won the presidency. Criminal libel was eliminated in 2001, but some officials use civil libel lawsuits filed in the country's politicized court system to silence critical news reporting. In January, a court in the city of Dniprodzerzhynsk fined the newspaper *Dzerzhinets* 140,660 hryvnia (US\$29,071) in civil libel penalties and ordered its property seized after the newspaper published articles about a corrupt local police chief. Political infighting distracted the government from reforming politicized state media outlets as well as the state bureaucracies, where secrecy and corruption remain widespread. In the beginning of the year, Yanukovich's conservative Party of Regions pressured state media outlets for more favorable news coverage and tried unsuccessfully to oust an outspoken reformist politician as chairman of the parliament's Committee on Freedom of Speech and Information. The Parliamentary Election Law prohibits the media from engaging in vaguely defined "election campaigning" and provides sanctions for this offense, but this provision was not used against media outlets during the September parliamentary election.

Despite President Yushchenko's promise to solve the September 2000 abduction and murder of journalist Heorhiy Gongadze, his government has made limited progress in the case. The trial of the three police officers charged with the slaying continued throughout 2007 while a fourth suspect, a senior police official, remained a fugitive. Gongadze's family and press freedom advocates question why prosecutors are ignoring evidence that former President Leonid Kuchma ordered Gongadze's murder, suspecting Yushchenko's administration of protecting the former president.

In 2007, threats and harassment against the media continued as the country's weak and politicized criminal justice system failed to protect journalists from regional politicians, businessmen and criminal groups. In February, the 9 Kanal television news director, Anatoly Shinkarenko, was attacked and seriously beaten by two men he said were associates of a local politician he had been investigating. Prosecutors and police regularly failed to take action against suspects identified in previous attacks. In July, prosecutors in Kyiv cited a "lack of evidence" when stating that they would not press charges against a Party of Regions politician who reportedly attacked two STB television journalists outside the parliament in August 2006. During the campaign for the September parliamentary election, hidden political advertising was widespread in the private media while the politicized state media provided significant positive coverage to Yushchenko and Yanukovich.

With hundreds of state and private television and radio stations and numerous print and electronic news outlets, Ukraine's media remained diverse. However, many major outlets are owned by regional business magnates with close ties to the government while others are dependent on state subsidies, making self-censorship widespread and slanting news coverage in favor of specific economic or political interests. Transparency of media ownership remains poor because businessmen and politicians often preferred to hide their ownership and editorial influence over news programs. Additionally, Ukraine's print distribution system remains problematic and dependent on the national postal

service. Some of these deficiencies were partly offset by strong economic growth, which increased media advertising revenues as well as the popularity of business reporting. The government did not restrict internet access or require internet publications to register in 2007, but it had the ability to monitor websites and the e-mails of the 11.5 percent of the population that used the internet regularly. The country's growing economy continued to expand demand and readership of news and other websites.

United Arab Emirates

Status: Not Free

Legal Environment: 23

Political Environment: 23

Economic Environment: 22

Total Score: 68

Despite high-profile attempts to lure international media outlets to Dubai, concentration of media ownership and restrictive legal provisions continued to constrain press freedom in the United Arab Emirates (UAE) in 2007. While the constitution of the UAE provides for freedom of speech and of the press, in practice, the government uses its judicial and executive powers to restrict those rights. UAE Federal Law No. 15 of 1980 for Printed Matter and Publications, which covers all aspects of the media, is considered one of the most restrictive in the Arab world. The law gives the government control over content and prohibits criticism of government, rulers and ruling families, and friendly governments. The law also subjects all publications to state licensing and stipulates that journalists can be prosecuted under the penal code. Press law in the UAE authorizes the state to censor both domestic and foreign publications prior to distribution. In September 2007, two newspaper employees of the *Gulf Times* were sentenced to two months in jail on defamation charges after reporting on a local story. In a positive development, however, the conviction was later reversed on appeal, as the judges were apparently influenced by statements made by the Vice President that imprisonment should no longer be punishment for violations of the press law.

Though there were no physical attacks against journalists reported in 2007, reporters in the UAE suffer from several forms of intimidation and harassment. While native journalists often face warnings and threats in response to pushing the limits of permissible coverage, non-citizen journalists, who account for more than 90 percent of those working in the UAE, face harsher measures, including termination and deportation. Extreme forms of self-censorship are widely practiced, particularly with regard to topics such as local politics, culture, religion, friendly governments, or any other subject deemed by the government to be politically or culturally sensitive. The only place where an amount of press freedom exists is the Dubai Media City (DMC), a zone where foreign media outlets that produce content intended for audiences outside the country operate relatively freely. Media outlets and journalists based in the DMC are regulated by the Technology and Media Free Zone Authority. While such outlets generally focus solely on international issues and refrain from covering local concerns, they too are subject to the 1980 law and penal code whenever they transgress in their coverage of local issues.

All media outlets are either owned by the government or closely affiliated with it. Privately owned newspapers, such as the Arabic daily *Al-Khaleej* and its sister, the English-language *Gulf News*, are heavily influenced by the government. Most major papers receive government subsidies and rely heavily on the official UAE news agencies for content. Almost all Arabic language broadcast media targeting the domestic audience is state-owned, and provides only the official view on local issues. In 2005, the government of Dubai formed the Arab Media Group to operate as its media arm. The group publishes two newspapers and controls two local radio stations. Even though it promises a freer and more professional outlook, the group still operates under the 1980 Press Law.

The UAE is considered a regional leader in its ability to censor the internet. Over 38 percent of the population uses the internet, but the only internet service provider in the country is owned and operated by a government corporation, the Emirates Telecommunications Corporation (Etisalat). Both high-speed and dial-up users find themselves directed to a proxy server that blocks materials deemed inconsistent with the “religious, cultural, political, and moral values of the country” and maintains a list of banned websites. In January, the government enacted a sweeping 2006 Information and Privacy Cybercrime Law. The law criminalizes use of the internet to commit a range of crimes—including violating political, social, and religious norms—and subjects offenders to prison terms and fines.

United Kingdom

Status: Free

Legal Environment: 6

Political Environment: 7

Economic Environment: 5

Total Score: 18

With a history of aggressive reporting and an editorially independent public broadcasting system, the United Kingdom maintained its free press environment in 2007. The law provides for freedom of the press, and the government generally respects this right in practice. However, several laws are in place that weaken press freedom. Legislation from the 1980s dictates that journalists deemed to have information vital to a police investigation can be forced to give evidence at trial. In the aftermath of the July 2005 bombings on the London underground, the government passed the Prevention of Terrorism Act 2005 (which came into effect in April 2006) that includes provisions for the criminalization of forms of free speech considered by the government to be “encouragements of terrorism,” even without proof of a direct link to a terrorist act. A religious hatred bill introduced in 2006 criminalized incitement of religious hatred or violence. The Freedom of Information Act has drawn criticism in the past year for a number of broad exceptions and limitations on time-consuming and expensive requests. Libel laws traditionally have heavily favored the plaintiff in the United Kingdom, with the defendant bearing the burden of truth. However, a Law Lords ruling in October 2006 held that if journalists acted “fairly and responsibly,” and the article was in the public

interest, a newspaper could not be forced to pay damages for “relevant but defamatory allegations.”

Several arrests in 2007 raised concern regarding freedom of information and expression in the UK. In May, civil servant David Keogh and parliamentary researcher Leo O’Conner were sentenced to six and three months in prison respectively under the Official Secrets Act for disclosing a confidential memo containing the minutes of a meeting between George Bush and Tony Blair. A gagging order prohibiting the press from reporting on the content of the memo was repealed in August. In July, three men were each jailed for 6 years for soliciting murder after they participated in 2006 demonstrations outside the Danish Embassy in London. The three were caught on camera chanting statements such as “7/7 on its way,” and “Bomb, bomb the UK.” A fourth man was convicted of inciting religious hatred and jailed for four years. In November, a reporter for the Milton Keynes Citizen was charged with abetting misconduct of a public officer after she allegedly received leaked information. She faces possible jail time if convicted. She was detained overnight in May, and had her home and office searched.

There were no physical attacks on the media during the year. However, journalists reporting on sensitive political issues regularly face intimidation in Northern Ireland. Continuing investigations into the 2001 murder of journalist Martin O’Hagan have produced few results, with eight separate suspects arrested and released owing to lack of evidence. It is believed that O’Hagan was killed for his investigations into cooperation among Northern Irish police, military intelligence, armed groups, and drug gangs. In September 2007, on the anniversary of O’Hagan’s murder, the editor of the *Andersontown News* received a death threat from a loyalist paramilitary group.

British media are free and largely independent from government interference. The United Kingdom has a strong tradition of public broadcasting, and the British Broadcasting Corporation, although funded by the government, is editorially independent. Ownership of independent media outlets is concentrated in the hands of a few large companies, including those headed by Rupert Murdoch, and many of the private national papers remain aligned with political parties. Few commercial radio news stations exist—in fact, 8 of the 11 radio news stations are affiliated with the BBC—but several independent news television channels operate throughout the country, including ITV and British Sky Broadcasting. Authorities may monitor internet messages and e-mail without judicial permission in the name of national security and “well-being.” However, surveillance must be approved by the secretary of state, and there are departments in place to handle public complaints of abuse as well as interception warrants. An estimated 62 percent of the population was able to access the internet without restriction in 2006.

United States

Status: Free

Legal Environment: 5

Political Environment: 8

Economic Environment: 4

Total Score: 17

Press freedom is vibrant in the United States, with intense coverage devoted to scandals involving government figures, the more controversial dimensions of the war on terrorism, and the Iraq war. While the United States has faced a controversy over demands by prosecutors that journalists reveal confidential sources or provide access to research material in the course of criminal investigations, 2007 saw progress towards the enactment of a “press shield” law that would give journalists qualified protection against prosecution in such cases. The year was also notable for the adoption of a law strengthening federal freedom of information policies.

Press freedom enjoys a strong foundation of legal protection in the federal Constitution, in state and federal laws, and in court decisions. The Supreme Court has repeatedly issued decisions that take an expansive view of freedom of expression and of the press. In particular, court decisions have given broad protection to the press from libel or defamation suits that involve commentary on public figures. An exception to judicial support for press freedom involves demands by prosecutors for information gathered by reporters in the course of their journalistic investigations, including material from confidential sources. During 2007, Josh Wolf, a “freelance blogger” was released after having spent 226 days in federal custody for refusing to hand over video tapes he recorded of a July 2005 demonstration in San Francisco. Wolf was released after posting the video on the Internet. In another case, two San Francisco reporters, Lance Williams and Mark Fainaru-Wade, were threatened with imprisonment by a judge in a case involving steroid use by prominent athletes for refusing to reveal the identity of a confidential source. The threat of imprisonment ended when the source, a defense attorney, acknowledged his role in leaking grand jury testimony to the journalists.

As a result of these and other cases, Congress took up a bill that would grant journalists a qualified right not to reveal news sources in federal cases. The law, called the Free Flow of Information Act, passed the House of Representatives by an overwhelming margin. The measure would allow journalists to withhold sources except in cases where the testimony would be critical to the outcome of a trial, in cases of potential terrorism, or where the testimony or information would fulfill a “compelling public interest.” The measure also excludes from coverage amateur bloggers and journalism students. More than 30 states already have such “shield laws.”

The Bush administration had come under criticism for what some said were restrictions on the release of documents under the Freedom of Information Act. At the end of 2007, however, Bush signed into a revised Freedom of Information Act that will expedite the document request process and provide mediation in cases where a federal agency is reluctant to release material.

There were several instances of violence, or threats of violence, to journalists during the year, most of which targeted reporters or editors of media with a predominantly minority or immigrant audience. In the most notorious case, Chauncey Bailey, editor of the *Oakland Post* in California, was murdered on the street, apparently in response to articles he had published that alleged involvement in criminal activities of a local Muslim bakery. A reporter for the *Miami Herald*, Leonard Pitts, Jr., was the object of hate calls and intimidating emails for articles about race, crime, and media bias. In New York, editors of two Urdu language newspapers, the *Pakistan Post* and the *Urdu Times*, were threatened and copies of the newspapers seized from distribution points and destroyed. Federal authorities continued to detain two foreign journalists. Sami Al-Hajj, a

Somali-born Al-Jazeera journalist, continued to be held without charge by U.S. forces at Guantanamo Bay. He was originally arrested in Pakistan in 2001 in the initial push for results in the war on terror. However, Al-Haj's lawyer contends that his detention is based on the U.S. government's belief that a link exists between Al-Jazeera and al-Qaeda and that no evidence has been produced against his client. Through year's end, American military authorities continued to imprison Bilal Hussein, an Associated Press reporter, who was arrested in Iraq in 2006 on security related charges. Authorities cited alleged involvement with Iraqi insurgents, although no details have been forthcoming.

In recent years, reporters from several prominent newspapers, including *The New York Times*, *The Washington Post*, and *The Wall Street Journal*, have published a series of investigative articles that have called into question various aspects of the Bush administration's war on terror and its conduct in the Iraq war, including details of prisoner abuse in Iraq, extraordinary renditions and "ghost prisoners," allegations of prisoner abuse in Guantanamo, warrantless surveillance of American citizens, and American government access to the Society for Worldwide Interbank Financial Telecommunication in search of material that might involve money transfers by terrorists. Some of these revelations have drawn sharp criticism from President Bush and other administration officials and threats to bring criminal charges against *The New York Times*. No charges, however, have been brought against any newspaper.

Media coverage of political affairs is aggressive and often polarized. The press itself is frequently a source of controversy, with conservatives and supporters of the Bush administration accusing the media of anti-administration bias and liberals accusing the press of timidity in coverage of administration misdeeds. The appearance of enhanced polarization is driven to some degree by the growing influence of blog sites, many of which are aggressively partisan. Nonetheless, most American 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.

The media in the United States are overwhelmingly under private ownership. Nevertheless, National Public Radio, an entity funded partly by the government and partly by private contributions, enjoys a substantial audience. From time to time, conservatives have accused NPR of a liberal bias in its coverage and Republicans have occasionally tried to reduce funding for the network or eliminate it altogether. More recently, controversy over NPR has simmered and congressional funding has been approved by substantial margins. Under U.S. 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 agency deemed acts of indecency.

The United States is home to more than 1,400 daily newspapers geared primarily toward local readerships. The number of dailies has declined gradually over the past two decades, and many of the country's largest and most prestigious newspapers have encountered financial difficulties in recent years, owing mainly to competition from the internet. Newspapers have instituted staff reductions and, in some cases, have cut back on their coverage of national and international news (and on maintaining foreign news

bureaus) in favor of a more local focus. Many predict a major transformation of the newspaper business in coming years, with some newspapers closing and others focused increasingly on bolstering their electronic editions. However, the primary form of news dissemination in the country is through television news networks like CNN, Fox News, and CBS. Media concentration is an ongoing concern in the United States. This controversy has intensified in recent years following the purchase of media entities, especially television networks, by large corporations with no previous experience in journalism. The FCC commission regularly considers policies that would lift restrictions on the domination of the national or local media markets by a limited number of entities, with a particular focus on limits on a single corporation's ownership of both television stations and newspapers in a single local market. In a 2007 ruling, the FCC voted by a narrow margin to lift certain restrictions on television-newspaper cross ownership in the 20 largest media markets. The action was sharply criticized by some press freedom advocates, and efforts were launched in Congress to reverse the decision.

At the same time, diversity of the U.S. media has expanded with the mushrooming of cable television and, especially, the internet. Nearly 72 percent of Americans are Internet users, according to a 2007 survey, placing it ninth in the world in an assessment of Internet penetration. The number and influence of internet sites and blogs have expanded greatly in recent years, and blogs have proven to be an important source of information in certain political controversies. Blogs devoted to public policy questions often lean to the highly partisan, and though their proliferation adds to the richness of press diversity, it also contributes to ideological polarization. Several of the United States-based Internet corporations have come under intense criticism for having cooperated with censorship policies introduced by China and other authoritarian countries and for having provided China with information that resulted in the prosecution and imprisonment of several Internet journalists. In 2007 Yahoo! announced that it was establishing a special fund to compensate the families of cyberdissidents jailed as a result of the company's cooperation with government requests for information about the source of Internet communications.

Uruguay

Status: Free

Legal Environment: 10

Political Environment: 10

Economic Environment: 10

Total Score: 30

Although general conditions for the press in Uruguay remain better than in the majority of countries in the region, some legal and political obstacles continue to raise problems for freedom of expression and democratic journalism. Defamation laws are still used to intimidate journalists, particularly those who report on government wrongdoing during the last military dictatorship. Discretionary allocation of official advertising discourages news organizations from producing reports that are critical of the national and state

governments. A silver lining in the Uruguayan media landscape in 2007 was the passing of a law that allows the legalization of community broadcasting stations.

Access to public information remains problematic. In September 2007, the Uruguayan Press Association (UPA) brought a denunciation against the state to the Interamerican Commission of Human Rights. The complaint was triggered by the rejection of journalist Daniel Rabinovich's request for information to the city of San Jose. The city council as well as a local judge had rejected the petition to provide information about statements made by the General Accountant regarding the city's budget. Other cases that express continuous problems for access to public information included the decision of a judge to reject the petition made by journalists to attend a legal hearing on the situation of children living in streets in Uruguay and the rejection of the UPA's request made to the National Telecommunications Agency to provide information about official advertising.

Defamation laws also create persistent troubles for journalists. María Celeste Alvarez brought a lawsuit against Channel 5 journalist Ana María Mizrahi after Mizrahi interviewed Jose Luis Rodriguez, a former member of "Tupamaros" (as the leading guerrilla movement in the 1970s became known). In the interview, Rodriguez stated that Alvarez's father (the brother of former military president Gregorio Alvarez and killed by the Tupamaros in 1972) assassinated one of his comrades in prison. Journalists are not legally responsible for declarations made by third parties. Also, the continuation of the defamation case that condemned journalist Carlos Dogliani to five months in prison in 2006 continued to attract a great deal of debate and concern. The APU and the Uruguayan Institute for Legal and Social Studies submitted to Congress a draft of a law to remove all legal punishment from defamation.

Uruguayan journalists expressed concerns about several episodes of censorship and interference in journalistic work by political and economic interests. They accused the leading daily, *El País*, of censoring an investigation on the company that controls the television rights for soccer games. Also, they denounced combined pressures from the local mayor and the owner of a radio station on a journalist who had interviewed a city council member who made derogatory comments against the mayor. Death threats were received by a journalist who reported on untruthful advertising of a chat/electronic mail service, and criticisms of journalists made by Vice President Rodolfo Nin Novoa and the mayor of Rio Negro were also the subject of concern for press associations.

Media ownership continued to be relatively concentrated, but Uruguay has a diverse media system, with more than 100 privately owned papers, though some are linked directly to political parties. There are over 100 private radio stations and at least 20 television stations, as well as one state-owned radio station and one television station that are regulated by the official broadcasting service, SODRE. A bright spot in Uruguay's media legislation was the passing of the "community media" law in December 2007. The law establishes that a third of available broadcasting frequencies will be given to community media, mainly to small radio stations (estimated to be around 200 in the country). "Community media" are defined as radio and television stations that offer public services independently from the State, and given by non-profit civic associations. The law establishes that licenses will be granted through "open, transparent, and public" competition. Press associations had originally drafted the proposed law. Internet use

remains above the regional average (around 20 percent), and no government restrictions have been registered.

Uzbekistan

Status: Not Free

Legal Environment: 29

Political Environment: 38

Economic Environment: 25

Total Score: 92

The aftermath of government clampdowns in 2005-2006 left an already barren media landscape even more desolate in 2007. Despite nominal constitutional guarantees, Uzbek authorities showed no respect for freedom of speech or of the press. Uzbek law limits political criticism, and public insult of the president is a crime punishable by up to five years in prison. After a new media resolution tightening controls in 2006, President Islam Karimov in January signed legislation holding media accountable for their “objectivity” and defining websites as media outlets.

After domestic unrest in 2005, the Uzbek authorities undertook a concerted campaign against foreign-funded media, and in 2007 the British Broadcasting Corporation, Radio Free Europe/Radio Liberty, and Voice of America remained unable to broadcast from within Uzbekistan. Deutsche Welle correspondents in Uzbekistan experienced harassment in 2007. Correspondent Natalya Bushuyeva fled the country after the authorities filed tax evasion and other charges against her that could have led to a three-year prison sentence. In April, prosecutors filed charges against three other Deutsche Welle correspondents, although those charges were later dropped. In October, Sid Yanyshv, a reporter for the UK-based Institute for War and Peace Reporting, was attacked by unidentified individuals.

State-controlled Uzbek media mounted a coordinated smear campaign against Alisher Saipov, an ethnic Uzbek and Kyrgyz citizen who ran an Uzbek-language newspaper in southern Kyrgyzstan that was critical of President Islam Karimov. The campaign described Saipov as a Western stooge and traitor. Shortly thereafter, Saipov was shot to death in Osh, Kyrgyzstan in October, although no direct evidence has emerged to support suspicions of possible Uzbek involvement in the killing.

In two particularly disturbing developments, an accused rights activist and journalist was released from jail after a public confession, and an independent journalist remained confined in a psychiatric hospital. Umida Niyazova, a human rights activist and independent journalist, was arrested in January and charged with transporting contraband. She was convicted in May, sentenced to a seven-year prison term, and subsequently freed, but only after she blamed international organizations for her plight. The incident took on a dark light in view of past evidence of coerced confessions in the Uzbek justice system. Meanwhile, Jamshid Karimov, an independent journalist and nephew of the president, was one of five journalists who remained jailed in 2007. Karimov was confined to a psychiatric hospital in September 2006; he remained confined in 2007 amid reports that his health was deteriorating.

The government in 2007 continued to control national dailies and television stations, as well as publishing houses or printing presses. Virtually all media were linked either directly or indirectly to the state, and the government used them to present a carefully constructed picture of an ideal reality, with occasional forays into limited criticism. The closure in July of *Odam Orasida*, an Islamic-oriented weekly in Tashkent, may have been linked to its willingness to write about such taboo issues as prostitution and homosexuality, although other reports suggested that the authorities decided to close it when its circulation rose to 24,000 and its popularity began to outpace that of staid official publications.

The Uzbek authorities also appeared to step up their efforts to crack down on freedom of speech in the internet. While exiled Uzbek journalists were able to operate news sites from abroad with a focus on rights issues, reports pointed to increased blocking of opposition and independent websites in the lead-up to a December presidential election that saw President Karimov reelected easily to a constitutionally dubious third term. Blocking efforts extended beyond websites with materials critical of the government to proxies and anonymizers, further hampering access to outside points of view. Although some estimates of the number of Uzbek internet users ranged as high as 2 million (roughly 6% of the population), many of them accessed the web in institutional settings where state controls and the possibility of surveillance meant that they were unlikely to obtain sorely needed independent perspectives on events in Uzbekistan.

Vanuatu

Status: Free

Legal Environment: 6

Political Environment: 8

Economic Environment: 9

Total Score: 23

The island nation of Vanuatu continues to have a small, but vibrant press. Freedom of expression is protected under Article 5.1.g of the constitution, and this right is generally respected in practice. In 2007, the government agreed to join Transparency International Vanuatu and Media Association blong Vanuatu (MAV) in drafting Vanuatu's first freedom of information bill. The draft was pending at year's end. Although officials do not actively interfere with media coverage, journalists have been censored or intimidated on occasion. There are private print media, but only one radio and one television station on the island, both state-owned. Radio broadcasts have increased since the installation of new transmitters at the beginning of 2006. The internet run by the Vanuatu Broadcasting and Television Corporation and is not restricted by the government, though it is accessed by only 3.4 percent of the population.

Venezuela:

Status: Not Free

Legal Environment: 26

Political Environment: 29

Economic Environment: 19

Total Score: 74

A hostile political atmosphere under the government of President Hugo Chavez has fostered a steady decline in press freedom over the past several years, and that trend continued in 2007. The major event of the year was the non-renewal of popular opposition-aligned television station RCTV's broadcast license. In general, state initiatives have eroded the influence of private media, in which the previous dominance of pro-opposition outlets has been dwindling. Among other actions, the government has enacted legislation prohibiting the broadcast of certain material, intimidated and denied access to private media, and harassed journalists employed at such outlets.

The legal environment for the press remains poor. The Law of Social Responsibility in Radio and Television, signed in December 2004, contains vaguely worded restrictions that can be used to severely limit freedom of expression. For example, the law forbids graphic depictions of violence between 5 a.m. and 11 p.m. on both television and radio. Supposed violations of this act were among the reasons given for the nonrenewal of RCTV's license. In March 2005, the penal code was revised to make insulting the president punishable by 6 to 30 months in prison. Furthermore, comments that could "expose another person to contempt or public hatred" are subject to one to three years in prison as well as a severe fine. Inaccurate reporting that "disturbs the public peace" carries a prison sentence of two to five years. Dozens of legal processes remained open in 2007, and there were several convictions, including of opposition daily *Tal Cual*, which was fined over US\$18,000 for seemingly innocuous comments in a satirical piece that mentioned Chavez's daughter.

Government *cadena*s (announcements) require that broadcasters cease regular programming to transmit official messages. Independent journalists complained that a lack of access impeded their reporting; they were often denied entry to military ceremonies and other official events that state media representatives were allowed to attend. Despite weeks of student-led protests and denunciations by numerous human rights and media groups, RCTV was forced off the air on May 27, 2007. Media watchdogs questioned the decision's motivation, legality, and lack of transparency. In a survey by regional watchdog Instituto de Prensa y Sociedad (IPYS), 30% of journalists declared that the station's closure would make them think twice about publishing certain information. In December, Venezuelans rejected by a narrow margin a package of constitutional amendments that would have given the president greater power to declare states of emergency and eliminated the requirement that freedom of information be maintained during these periods.

Direct assaults on the media continued to occur regularly in 2007. Tensions were particularly high during street protests, which peaked during the periods preceding the RCTV closure and the constitutional referendum. Opposition station *Globovision* remained a primary target of physical aggression and denial of access, as well as verbal attacks threatening investigations and the possible cancellation of its license. The IPYS survey revealed that 56% of journalists had suffered some sort of verbal or physical threat

or attack during the previous year. The state does little to nothing to discourage such harassment; the same survey noted that only 9% of reporters were inclined to ever formally complain about threats, attacks, and harassment. In May prominent government ally Eva Golinger unveiled a list of 33 journalists who had participated in cultural exchange programs financed by the US State Department. Along with some congressional allies, she called for investigations into whether the reporters were engaged in espionage. However, even some government supporters, notably National Assembly president Desiree Santos and former vice president Jose Vicente Rangel, acknowledged that the accusations were extreme and wreaked of McCarthyism.

The government controls five national television stations, a national radio network, and a wire service, all of which have benefited from budget increases. Such government-run stations operate alongside multiple private television and radio stations in the country. Local and regional media are particularly dependent on government advertising revenue, leaving them vulnerable to economic retaliation for criticism. According to responses to the IPYS study, fear of offending the government and ad-buyers were the two primary reasons for a high level of editorial-directed self-censorship. The president has a weekly television show and exercises his power to preempt programming to ensure extensive coverage of government announcements in private media. During the run-up to the referendum the local Media Monitoring Group analyzed time spent covering the “yes” and “no” options and found that while some private stations were quite lopsided against the referendum, state outlets were even more dramatically tilted to one side. There are no government restrictions on the internet, which had over three million users (nearly 13 percent of the population) by the end of 2006.

Vietnam

Status: Not Free

Legal Environment: 27

Political Environment: 30

Economic Environment: 23

Total Score: 80

Following a relative easing of restrictions on the press in 2006 as Vietnam prepared for accession to the World Trade Organization, 2007 was marked by what Human Rights Watch termed “one of the worst crackdowns on peaceful dissent in 20 years.” Over a dozen journalists and activists who had pushed for a more open media or had posted online essays calling for democratic reform were sentenced to long prison terms or house arrest. Nevertheless, several media outlets continued to press the limits of permissible coverage and Internet access increased.

Although the 1992 constitution recognizes the rights to freedom of opinion, expression, and association for all citizens, the propaganda and training departments of the ruling Communist Party of Vietnam (CPV) control all media and set press guidelines. In addition, a 1999 law requires journalists to pay damages to individuals or groups found to have been harmed by press articles, even if they are true. Reporting considered to be

against the national interest can be charged under the criminal code and anti-defamation provisions. During 2007, several writers imprisoned for online postings were sentenced under the penal code's article 88, which punishes conducting anti-government propaganda. On July 1, 2006, in response to increasingly vibrant reporting by both the traditional and internet-based news media, the government passed a decree which defined over 2,000 additional violations of the law in the areas of culture and information and imposed hefty fines for offenders, with a particular focus on protecting "national security."

The ruling CPV generally views the media as a tool for dissemination of Party and State policy. Although journalists cannot cover sensitive political or economic matters or openly question the CPV's single-party rule without fear of reprisals, they are more often allowed to report on crime and official corruption, and such reports have become increasingly common. Nevertheless, several media outlets suffered retribution for testing the limits of permissible coverage in 2007. According to the U.S. State Department, two deputy chief editors of the *Tuoi Tre* daily were removed from their posts over a series of 2006 articles on corruption. In addition, VietnamNet, a main online news outlet, was fined \$2,000 after publishing an editorial about disputed islands in the South China Sea in contravention to a government order to remain silent on the issue. As part of a broad crackdown on those calling for democratic reforms, staff members of several underground publications were imprisoned during the year. Father Nguyen Van Ly, a Catholic priest and editor of *Tu Do Ngon Luan* (Free Expression), which launched in April 2006, was sentenced in March to eight years in prison. Six other individuals involved in the publication were also sentenced to prison or placed under house arrest. In April, police detained journalist and writer Tran Khai Thanh Thuy who serves on the editorial board of the dissident newsletter *To Quoc* (Fatherland). She remained in custody at year's end. In 2007, the government also cracked down harshly on Vietnam's fledgling community of online pro-democracy writers, sentencing six cyberdissidents to prison terms within one week in May; included in the group was Nguyen Van Dai, a prominent human rights lawyer, who was sentenced to five years in prison as a result of essays published on the internet, including on the BBC's Vietnamese-language website. A more positive development was the release of cyberdissident Nguyen Vu Binh, who was granted an amnesty by the president in June, apparently because of bad health. Nguyen had served five years of a seven-year sentence for posting articles about democracy on the Internet and maintaining e-mail contact with pro-democracy groups abroad. Though restrictions on foreign media outlets' hiring local journalists have reportedly eased somewhat, foreign reporters continue to be monitored closely, and their movements within the country are restricted. In March, the authorities refused to renew the visa of BBC correspondent Bill Hayton, forcing him to leave the country.

There is only one national television station in the country, state-owned Vietnam Television, although cable does carry some foreign channels. Radio is mainly controlled by the government-run Voice of Vietnam; only one other national private station operates in the country. All print media outlets are owned by or under the effective control of the CPV, government organs, or the army, although several newspapers, including *Thanh Nien*, *Nguoi Lao Dong*, and *Tuoi Tre* (owned by the Youth Union under the CPV), have attempted to become financially sustainable and to stop relying on state subsidies. Nevertheless, several underground publications have been launched in recent years,

including Free Expression, Fatherland and Tu Do Dân Chu (Freedom and Democracy); they reportedly continue to circulate despite recent arrests of staff members. Foreign periodicals, although widely available, are sometimes censored, and the broadcasts of stations such as Radio Free Asia are periodically jammed.

Access to satellite television broadcasts and the internet is growing, especially in urban areas. Currently, more than 21 percent of Vietnamese reportedly have internet access. The first online news site, vietnamnet.vn, publishes in Vietnamese and English, while vietnamjournalism.com, a blog run by a local journalist, discusses professional and ethical issues. Website operators continue to go through internet service providers (ISPs) that are either public or part public owned, like Vietnam Data Communications, which is controlled by the Ministry of Post and Telecommunications and caters to nearly a third of all internet users. ISPs are required by law to block access to designated websites that the government considers politically unacceptable, though many foreign news sites remain accessible. Cybercafés are required by law to register the personal information and record the sites visited by users. In September, the government shut down Intellasia.com, an online news and investment site, blocking access from inside the country and causing the server to crash. Following a raid on the offices and repeated threats from the authorities, its Australian owner and publisher Peter Leech fled the country.

Yemen

Status: Not Free

Legal Environment: 26

Political Environment: 31

Economic Environment: 21

Total Score: 78

While the rights to freedom of expression and a free press are guaranteed under Article 41 of the Constitution, the government continued to use the restrictive 1990 Press and Publications Law to prosecute journalists and violate the rights of the media. Despite steps initiated in 2004 to enact a revised press law, debates continued through the end of the year without resolution. Article 103 of the press law prohibits journalists from criticizing the head of state, or publishing material that undermines public morality, prejudices the dignity of individuals by smears and defamation, or distorts the image of the Yemeni, Arab or Islamic heritage. Penalties for such press violations can range from fines to prison sentences of up to one year. Journalists can also be prosecuted under the Penal Code for such crimes as apostasy, which may carry the death penalty. The Press and Publications Office and the Court of Publications normally process cases involving press violations. However, four journalists were referred to the Prosecutor's Office specializing in terrorism and national security in July after the Ministry of Defense filed a complaint against the independent *Al-Shara'a* newspaper for a series of published articles on the conflicts in the northern province of Sa'ada. Charges included harming national security and stability, undermining the morale of the army, and publishing military secrets. If convicted, the defendants could face the death penalty. On July 30, the offices

of *Al-Shara'a* were raided by armed men who threatened to kill the owners and editors, Nabil Subaie and Nayef Hassan.

Terrorism charges were also brought against Abdel Karim al-Khaiwani, editor of the opposition news website *Al-Shoura*, after his home was raided on June 20th. Al-Khaiwani was accused of conspiring with antigovernment rebels and belonging to a terrorist cell based on material confiscated from his home that included photographs of a conflict area in Sa'ada. A media blackout was imposed at the end of January forbidding journalists from entering the Sa'ada area, where armed confrontation between the government and followers of the assassinated Zaidi cleric, Hussein Badr el Din al Huthi, has persisted for three years. After being released on bail in July, Al-Khaiwani was abducted and physically assaulted by a group of men on August 27 who threatened to break or remove his hand in order to keep him from continuing to criticize the President. At year's end, Al-Khaiwani was still awaiting trial on terrorism charges.

Local press freedom group Women Journalists Without Chains (WJWC) reported 131 violations against the press in 2007, close to double the number committed in 2006. Throughout the year, journalists were fined, arrested, detained, imprisoned, abducted, had their lives and jobs threatened, had their offices and homes raided, and were prevented from reporting on a spectrum of issues and events. A number of journalists were physically assaulted by security forces in October while covering one of the weekly peaceful sit-ins organized by the Civil Society Coalition in Freedom Square. These demonstrations in Sana'a, which started in June, protested press freedom violations such as the blocking of numerous websites, the banning of mobile phone news services, and the lack of the right to operate private media. Foreign correspondents for satellite television stations such as the Dubai-based satellite TV station Al-Arabiya also faced harassment and were detained by government officials while trying to cover local demonstrations. Perpetrators of violence against the press are rarely prosecuted, and the government seems to support an environment of complete impunity for these crimes, failing to conduct serious investigations or denounce the assaults. There were no further developments in the investigation of the 2006 murder of *Al-Nahar* journalist Abed al-Osaily, who criticized the government's handling of a local water project.

Fear and intimidation served to perpetuate the widespread practice of self-censorship among journalists and media owners. Investigative journalism is not encouraged due to potential penalties under the press law, in addition to the obstacles posed by low budgets, small staff, and poor institutional infrastructure. Nevertheless, Yemen's print media continued to offer relatively diverse coverage of local and international news. In the last few years, criticism of the government and reporting on issues that were previously considered taboo has increased. However, the government has responded in kind with a media crackdown. Newspapers may be confiscated and prevented from distribution due to content considered potentially damaging to national security or in violation of the press laws; yet, press articles are not reviewed by a state censorship board prior to publication. Supporting institutes for journalists' rights include the Yemeni Journalists' Syndicate (YJS) and a number of nongovernmental organizations whose mandates specifically focus on freedom of the press.

Three official newspapers and two independent papers circulate daily, in addition to an estimated 50 independent and 30 party-affiliated papers published less frequently. While a number of licenses for new print media were licensed during the year, over 60

requests have been denied since 2006. Newspaper licenses must be renewed every year and may be revoked at any time. Media revenue based on sales or subscriptions is minimal due to the country's economic situation; almost half of Yemenis live under the poverty line, with about two thirds living in rural or remote areas. Low salaries for media workers left many journalists susceptible to bribes. The government maintained its complete monopoly of all broadcast media, with two television channels, and two national and four regional radio channels, despite a statement of intention by the Minister of Information in June to introduce a licensing mechanism for private broadcast media. Due to high illiteracy rates-an estimated 50 percent of Yemenis are illiterate-the majority of the population was therefore limited to the news of the state-run television and radio programs. For those who could afford it, satellite television provided access to international news and entertainment programs. While only 1.2 percent of Yemen's population used the Internet in 2007 due to economic obstacles, the rate of growth of users was 1700 percent between 2000 and 2007. The Ministry of Telecommunications filters Internet information and censors websites, particularly during periods of political events such as the 2006 elections. The government owned the country's two Internet service providers, TeleYemen and YemenNet. Prohibitions on what could be published on the Internet included material deemed obscene or subversive on either political or religious grounds. While a number of opposition political websites and independent news sites were blocked during the year, the censoring of web content was not as widespread as in some neighboring Arab countries.

Zambia

Status: Not Free

Legal Environment: 20

Political Environment: 24

Economic Environment: 20

Total Score: 64

Freedom of speech is constitutionally guaranteed, but the government continues to restrict this right in practice. The Public Order Act, among other statutes, has at times been used to harass journalists. The IBA and ZNBC Acts, which together set up independent boards for the regulatory body and the national broadcaster, have not yet been fully implemented despite being passed in December 2003. Until early 2007, there was a major controversy over the appointment of the ZNBC Board of Directors under the new legal framework. While media institutions interpreted the new law to mean that the Minister of Information had no say over the names presented to him, the government took the opposite view. In March 2007, the Supreme Court overturned an earlier judgment by the High Court that had confirmed the media institutions' interpretation. As a result of the Supreme Court ruling, it was obvious that the government got the final say in appointments to the Board of Directors. Even so, in spite of promises from the government that the IBA board would be appointed in August 2007, no appointments have yet been made. The draft Freedom of Information bill is also yet to be passed.

Government officials continued to harass journalists in 2007. On May 17, 2007, Information and Broadcasting Services Minister Mike Mlongoti threatened to revoke an operating license for Petauke Explorers, a local commercial radio station in Petauke district, for featuring the president of one of the leading political parties in an on-air paid-for interview. Separately in July 19, 2007, police in Lusaka prevented Q-FM, a private radio station, from mounting their broadcasting equipment that would enable them to cover live a demonstration outside the gates of Parliament organized by the OASIS forum and Collaborative Group on the Constitution. Police said that the permit issued to the conveners of the demonstration did not include live coverage of the event. In November, Radio Lyambai was banned from broadcasting live call-in shows, because the station was “becoming a platform for confrontation, controversies and a channel of insults and misinformation.”

The government controls two widely circulated newspapers, the *Times of Zambia* and *Zambia Daily*, and the state-owned, pro-government Zambia National Broadcasting Corporation dominates the broadcast media. As a result of prepublication review at government-controlled newspapers, journalists commonly practice self-censorship. In September, Zambia's Minister of Information and Broadcasting Services, Mike Mulongoti, warned journalists at the state-owned *Daily Mail* and *Times of Zambia* not to criticize the government. Opposition political parties and nongovernmental organizations complained of inadequate access to mass media resources. However, a group of independent newspapers widely criticize the government, and an independent radio station, Radio Phoenix, presents nongovernmental views. The privately owned TV stations that are available are not locally owned and relay content from foreign TV stations. Internet access is not restricted by the government, though its use is hindered by lack of widespread access—only 4.4 percent of the population was able to access the internet in 2007.

Zimbabwe

Status: Not Free

Legal Environment: 29

Political Environment: 33

Economic Environment: 27

Total Score: 89

Press freedom in Zimbabwe remained extremely restricted, as President Robert Mugabe's government continued to exert tight control over domestic media and attempted to block the efforts of foreign outlets to circulate unfiltered news within the country. Despite constitutional provisions for freedom of expression, officials display an openly hostile attitude toward media freedom, and a draconian legal framework continues to effectively inhibit the activities of journalists and media outlets. The 2002 Access to Information and Protection of Privacy Act (AIPPA) requires all journalists and media companies to register with the government-controlled Media and Information Commission (MIC), and gives the information minister sweeping powers to decide who is able to work as a journalist. A number of private newspapers have been denied licenses since the AIPPA

came into force, most notoriously the Daily News, Zimbabwe's only independent daily, which was shuttered in 2003. Repeated constitutional challenges to the AIPPA by the Associated Newspapers of Zimbabwe (ANZ), publisher of the Daily News, have proven unsuccessful. Although the MIC was restructured in October, its chairperson, Dr. Tafataona Mahoso, who had been found in previous court rulings to be biased against the ANZ, was retained, casting doubts on the commission's ability to adjudicate fairly on the case.

Authorities continue to employ a range of restrictive legislation—including the Official Secrets Act, the AIPPA, the Public Order and Security Act (POSA), and criminal defamation laws—to harass journalists. Section 15 of the POSA and Section 80 of the AIPPA criminalize the publication of “inaccurate” information, and both laws have been used to intimidate, arrest, and prosecute reporters. The 2005 Criminal Law (Codification and Reform Bill) increased prison sentences for similar violations to a maximum of 20 years, and a February 2006 amendment tightened the “presidential insult” and “communication of falsehoods” provisions of the POSA. Both local and foreign journalists are regularly arrested on charges of practicing journalism without a license. Cases in 2007 include those of Bright Chivhuri, editor of the Zimbabwe Congress of Trade Unions magazine, *The Worker*, who was charged in Plumtree in March, as well as Peter Moyo of South Africa's private E.TV station and several other local journalists, who were arrested in Mutare in February while covering a story on illegal mining activities, and Time correspondent Alex Perry, arrested in March for covering a similar story. Professional and media monitoring organizations—such as the Zimbabwe Union of Journalists, the Media Monitoring Project of Zimbabwe, and the local chapter of the Media Institute of Southern Africa (MISA)–Zimbabwe—are subjected to official harassment. These three groups were jointly involved in advocating for the introduction of an independent media council, intended to replace the MIC as part of a self-regulatory system. In December, the government proposed amendments to AIPPA and POSA, but these were dismissed by MISA as cosmetic changes that would not radically improve the legal environment for media freedom.

Journalists are routinely subjected to verbal intimidation, physical attacks, arrest and detention, and financial pressure at the hands of the police, government officials, and supporters of the ruling party. Instances of arbitrary arrest and detention occur primarily when reporters are trying to cover politically charged stories. In early 2007, a particularly bad wave of repression occurred in the context of the government's crackdown on the opposition MDC party. Several journalists were arrested and mistreated in detention, including Gift Phiri, a reporter for *The Zimbabwean*. In April, a former cameraman for state television, Edward Chikomba, was abducted, beaten, and murdered, allegedly for leaking footage of the beating of MDC leader Morgan Tsvangirai to foreign news outlets. Watchdog groups raised concerns following the leaking in September of a purported government “blacklist” of journalists who had been targeted for surveillance and possible arrest; those named included Phiri and others who had already been subjected to threats, such as Abel Mutsakani, a former Daily News editor and the founder of ZimOnline, who survived an assassination attempt in South Africa in July, as well as Bill Saidi, acting editor of *The Standard*, who received an envelope in January containing a bullet and a threatening message.

Foreign journalists are not allowed to reside full-time in the country and are regularly denied visas to file stories from Zimbabwe. 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 March, Jan Raath and Peta Thornycroft, prominent correspondents for Britain's The Times and the Daily Telegraph, were accused of reporting "fabricated stories" and were threatened with unspecified reprisals in a government press release, according to the Committee to Protect Journalists. Publisher Trevor Ncube, who owns several newspapers in both Zimbabwe and South Africa, has faced harassment as authorities have repeatedly attempted to strip him of his citizenship and confiscate his passport. During the past several years, dozens of Zimbabwean journalists have fled the country, and according to a report by the Committee to Protect Journalists (CPJ), more than 90 currently live in exile, predominantly in South Africa and the United Kingdom.

The government, through the Mass Media Trust holding company, controls several major daily newspapers, including the Chronicle and the Herald; coverage in these news outlets consists of favorable portrayals of Mugabe and the ruling party and attacks on perceived critics of the regime. Several independent weeklies such as the Standard and the Zimbabwe Independent continue to publish, although many journalists practice extensive self-censorship. In March, Sunley Chamunorwa, the editor of the Financial Gazette, was dismissed from his job after he reportedly refused to bow to pressure from the Central Intelligence Office (CIO) regarding the paper's editorial line and published a story concerning the business dealings of a powerful official. The privately-owned Daily Mirror, which is controlled outright by the CIO, was forced to stop publishing during the year due to a lack of funds. Some foreign newspapers, mostly from South Africa, are available, although the authorities have threatened to restrict their importation. In October 2006, police raided the Harare distribution offices of the Zimbabwean, an independent weekly printed in South Africa, and confiscated documents.

In general, newspapers have poor distribution networks outside the urban areas and have become relatively expensive, placing them beyond the reach of most Zimbabweans. Printing expenses have increased dramatically because of soaring prices for newsprint and paper, causing many outlets to restrict their print runs. According to MISA's Africa Media Barometer, state-run companies do not advertise in private papers, and state-run media outlets do not accept advertising from companies known to be aligned with the opposition. Owing to poor economic conditions and salaries that do not keep pace with inflation, corruption and cash incentives for coverage have become rampant.

The state-controlled Zimbabwe Broadcasting Corporation runs all broadcast media, which are subject to overt political interference and censorship. 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, and additionally provides for a monopoly by the state-owned Transmedia company regarding the ownership of frequency transmitters, although Transmedia is currently not even to provide adequate service to existing broadcast outlets. Broadcasting licenses have been consistently denied to independently owned radio stations, despite calls by a parliamentary committee for the broadcast sector to be opened up. Access to broadcast media in rural areas is hampered

by deteriorating equipment and a lack of transmission sites; according to MISA, only 30 percent of the country receives radio and television coverage from the state-controlled broadcaster, although the government has reached an agreement with China to help upgrade this infrastructure. Meanwhile, also using Chinese technology, authorities began jamming the signals of the increasingly popular foreign-based radio stations that broadcast into Zimbabwe in 2005, including those of SW Radio Africa, a London-based station run by exiled Zimbabwean journalists, the Voice of America's Studio 7 service, and the Voice of the People. In April, the Iranian government agreed to help fund a new state radio station designed to counter Western broadcasts. Although satellite television services that provide international news programming remain largely uncensored, their prohibitive 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, but Zimbabwe nonetheless has a relatively high rate of internet access for Africa, at almost 10 percent of the population. The law allows the government to monitor e-mail content. In August, the government passed the controversial Interception of Communications Act, which would allow officials to intercept telephonic and electronic communications to prevent a "serious offense" or a "threat to national security"; the law would establish a monitoring center and would require internet service providers (ISPs) to pay the cost of surveillance. Online newspapers run by Zimbabweans living abroad are popular among those with internet access.