



FREEDOM
OF THE
PRESS 2005







FREEDOM OF THE PRESS 2005

A Global Survey of Media Independence

EDITED BY
KARIN DEUTSCH KARLEKAR

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Karin Deutsch Karlekar, a senior researcher at Freedom House, served as managing editor of this year’s survey. Overall guidance for the project was provided by Arch Puddington, director of research, and by Christopher Walker, director of studies. Mark Rosenberg, researcher, and Ana Jelenkovic, research intern, were involved in all stages of the research, writing, and editing process. Research, editorial, proofreading, and administrative assistance was provided by Amy Phillips, Sanja Tatic, Alex

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Survey Methodology

The 2005 survey, which provides analytical reports and numerical ratings for 194 countries and territories, expands a process conducted since 1980 by Freedom House. The findings are widely used by governments, international organizations, academics, and the news media in many countries. Countries are given a total score from 0 (best) to 100 (worst) on the basis of a set of 23 methodology questions divided into three subcategories. Assigning numerical points allows for comparative analysis among the countries surveyed and facilitates an examination of trends over time. The degree to which each country permits the free flow of news and information determines the classification of its media as “Free,” “Partly Free,” or “Not Free.” Countries scoring 0 to 30 are regarded as having “Free” media; 31 to 60, “Partly Free” media; and 61 to 100, “Not Free” media. The criteria for such judgments and the arithmetic scheme for displaying the judgments are described below. The ratings and reports included in *Freedom of the Press 2005* cover events that took place between January 1, 2004, and December 31, 2004.

Criteria

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

Everyone has the right to freedom of opinion and expression;
this right includes freedom to hold opinions without interference

and to seek, receive, and impart information and ideas through any media regardless of frontiers.

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

This survey does not assess the degree to which the press in any country serves responsibly, reflecting a high ethical standard. The issue of “press responsibility” is often raised to defend governmental control of the press. Indeed, a truly irresponsible press does a disservice to its public and diminishes its own credibility. However, governmental efforts to rein in the press on the pretext of making the press “responsible” have far worse results in most cases. This issue is reflected in the degree of freedom in the flow of information as assessed in the survey.

Sources

Our data come from correspondents overseas, staff and consultant travel, international visitors, the findings of human rights and press freedom organizations, specialists in geographic and geopolitical areas, the reports of governments and multilateral bodies, and a variety of domestic and international news media. We would particularly like to thank other members of the International Freedom of Expression Exchange (IFEX) network for providing detailed and timely analyses of press freedom violations in a variety of countries worldwide.

Methodology

Through the years, we have refined and expanded our methodology. Recent changes to our methodology are intended to simplify the presentation of information without altering the comparability of data for a given country over the 25-year span or the comparative ratings of all countries over that period.

Our examination of the level of press freedom in each country currently comprises 23 methodology questions divided into three broad categories: the legal environment, the political environment, and the economic environment. For each methodology question, a lower number of points is allotted for a more free situation, while a higher number of points is allotted for a less free environment. The diverse nature of the questions seeks to encompass the varied ways in which pressure can be placed upon the flow of information and the ability of print, broadcast, and Internet-based media to operate freely; in short, we seek to provide a picture of the entire “enabling environment” in which the media in each country operate. Each country is rated in these three categories, with the higher numbers indicating less freedom. A country’s final score is based on the total of the three categories: a score of 0 to 30 places the country in the Free press group; 31 to 60 in the Partly Free press group; and 61 to 100 in the Not Free press group.

- The **legal environment** category encompasses an examination of both the laws and regulations that could influence media content and the government’s inclination to use these laws and legal institutions to restrict the media’s ability to operate. We assess the positive impact of legal and constitutional guarantees for freedom of expression; the potentially negative aspects of security legislation, the penal code, and other criminal statutes; penalties for libel and defamation; the existence of and ability to use freedom of information legislation; the independence of the judiciary and of official media regulatory bodies; registration requirements for both media outlets and journalists; and the ability of journalists’ groups to operate freely.
- Under the **political environment** category, we evaluate the degree of political control over the content of news media. Issues examined include the editorial independence of both state-owned and privately owned media; access to information and sources; official censorship and self-censorship; the vibrancy of the media; the ability of both foreign and local reporters to cover the news freely and without harassment; and the intimidation of journalists by the state or other actors, including arbitrary detention and imprisonment, violent assaults, and other threats.

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

Checklist of Methodology Questions for 2005

A. LEGAL ENVIRONMENT (0–30 POINTS)

1. Do the constitution or other basic laws contain provisions designed to protect freedom of the press and of expression and are they enforced? (0–6 points)
2. Do the penal code, security laws, or any other laws restrict reporting and are journalists punished under these laws? (0–6 points)
3. Are there penalties for libeling officials or the state and are they enforced? (0–3 points)
4. Is the judiciary independent and do courts judge cases concerning the media impartially? (0–3 points)
5. Is freedom of information legislation in place and are journalists able to make use of it? (0–2 points)
6. Can individuals or business entities legally establish and operate private media outlets without undue interference? (0–4 points)
7. Are media regulatory bodies, such as a broadcasting authority or national press or communications council, able to operate freely and independently? (0–2 points)
8. Is there freedom to become a journalist and to practice journalism? (0–4 points)

B. POLITICAL ENVIRONMENT (0–40 POINTS)

1. To what extent are media outlets' news and information content determined by the government or a particular partisan interest? (0–10 points)
2. Is access to official or unofficial sources generally controlled? (0–2 points)
3. Is there official censorship? (0–4 points)
4. Do journalists practice self-censorship? (0–4 points)

5. Is media coverage robust and does it reflect a diversity of viewpoints? (0–4 points)
6. Are both local and foreign journalists able to cover the news freely? (0–6 points)
7. Are journalists or media outlets subject to extralegal intimidation or physical violence by state authorities or any other actor? (0–10 points)

C. ECONOMIC ENVIRONMENT (0–30 POINTS)

1. To what extent are media owned or controlled by the government and does this influence their diversity of views? (0–6 points)
2. Is private media ownership transparent, thus allowing consumers to judge the impartiality of the news? (0–3 points)
3. Is private media ownership highly concentrated and does it influence diversity of content? (0–3 points)
4. Are there restrictions on the means of journalistic production and distribution? (0–4 points)
5. Does the state place prohibitively high costs on the establishment and operation of media outlets? (0–4 points)
6. Do the state or other actors try to control the media through allocation of advertising or subsidies? (0–3 points)
7. Do journalists receive payment from private or public sources whose design is to influence their journalistic content? (0–3 points)
8. Does the economic situation in a country accentuate media dependency on the state, political parties, big business, or other influential political actors for funding? (0–4 points)

Legend

	LEGAL ENVIRONMENT: 0–30 POINTS
	POLITICAL ENVIRONMENT: 0–40 POINTS
	ECONOMIC ENVIRONMENT: 0–30 POINTS
	TOTAL SCORE: 0–100 POINTS
Country	
Status: Free (0–30)	
Partly Free (31–60)	
Not Free (61–100)	





Press Freedom in 2004

Karin Deutsch Karlekar

Press freedom saw modest gains in a number of key countries, including Ukraine and Lebanon, which received status upgrades in 2004. Several countries in the Middle East and North Africa region also showed positive trends. However, these improvements were outweighed by a worsening in the overall level of press freedom worldwide as measured by the global average score, continuing a three-year trend of decline. Notable setbacks occurred in the United States and elsewhere in the Americas, while increased restrictions were also detected in parts of Asia, Sub-Saharan Africa, and the former Soviet Union.

The annual *Freedom of the Press* survey assesses the degree of print, broadcast, and Internet freedom in every country in the world, analyzing events that take place during each calendar year. Ratings are determined on the basis of an examination of three broad categories: the legal environment in which media operate, political influences on reporting and access to information, and economic pressures on content and the dissemination of news. Under the legal category, we assess the laws and regulations that could influence media content as well as the government's inclination to use these laws and legal institutions to restrict the media's ability to operate. The political category encompasses a variety of issues, including editorial pressure by the government or other actors, censorship and self-censorship, the ability of reporters to cover the news, and the extralegal intimidation of and violence against journalists. Finally, under the economic category we examine issues such as the structure,

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transparency, and concentration of media ownership; costs of production and distribution; and the impact of advertising, subsidies, and bribery on content. The survey provides a numerical rating from 0 (the most free) to 100 (the least free) for each country and categorizes the level of press freedom as “Free,” “Partly Free,” or “Not Free” based on each country’s numerical rating.

In 2004, out of 194 countries and territories surveyed, 75 countries (39 percent) were rated Free, 50 (26 percent) were rated Partly Free, and 69 (35 percent) were rated Not Free. The year saw a slight improvement in press freedom worldwide as measured by a shift in category. Overall, 1 country, Namibia, moved from Partly Free to Free, while 4 countries (Guatemala, Guinea-Bissau, Lebanon, and Ukraine) improved from Not Free to Partly Free. Only 2 countries—Kenya and Pakistan—registered a negative category shift in 2004 from Partly Free to Not Free.

In terms of population, the survey found that 17 percent of the world’s inhabitants live in countries that enjoy a Free press, while 38 percent have a Partly Free press and 45 percent have a Not Free press. The relatively negative picture painted by examining population figures can be explained by the fact that China, with its large population, is rated Not Free, and the almost equally populous country of India is rated Partly Free, thus vastly decreasing the percentage of people worldwide who have access to Free media. This situation represents a decline over the past year, as the percentage of people who live in countries with a Not Free media environment has increased by two points.

The overall level of press freedom worldwide, as measured by the global average score, also worsened in 2004 to 45.94, continuing a three-year downward trend. Both the overall global average score and the averages for the political and economic categories worsened, with the political environment category showing a particular decline.

The five worst-rated countries in 2004 continue to be Burma, Cuba, Libya, North Korea, and Turkmenistan. In these states, independent media are either nonexistent or barely able to operate, the role of the press is to act as a mouthpiece for the ruling regime, and citizens’ access to unbiased information is severely limited. The numerical scores for these five countries have barely changed in relation to the previous year, reflecting a level of extreme repression and stagnation for the media.

Regional Trends

Americas: In the Americas, 17 countries (49 percent) were rated Free, 14 (40 percent) were rated Partly Free, and 4 (11 percent) were rated Not Free in 2004. Although just under half the countries in the region have media that remain classified as Free, during the past four years the percentage of countries whose media are classified as Free has slipped from 60 percent to 49 percent. The year 2004 presented a mixed picture. Positive movement was seen in the cases of Guatemala, which was upgraded from Not Free to Partly Free, and Haiti, which registered a significant numerical improvement. However, negative trends were noted in a number of countries, particularly Argentina, Mexico, Peru, the United States, and Venezuela.

Guatemala, which had been downgraded in 2003, was moved back to being rated Partly Free in 2004. An atmosphere of increasing tension between the press and the previous administration was reversed in January 2004 with the inauguration of President Oscar Berger. Attacks against and intimidation of the media decreased, while the new administration promised to address the prevailing atmosphere of impunity. Gains were also seen in Haiti, which registered a substantial numerical improvement in 2004 following the ouster of President Jean-Bertrand Aristide's regime in February. Although media freedom in Haiti remains curtailed by ongoing political instability and violence, as well as a crumbling economy, there has been less official harassment of the press under the new interim government.

Nevertheless, negative movements in a number of countries in the Americas during 2004 outweighed these improvements. In Argentina, selective disbursal of official advertising is used to induce the privately owned press to produce less critical coverage, while a pro-government paper censored an investigative report on alleged official corruption by one of its own journalists during the year. In Mexico, a dramatic increase in attacks against the press—including four murders of journalists during the year, the highest number in the region—led to a decline in score for 2004. Meanwhile, Peru saw further backsliding as journalists came under pressure from defamation lawsuits and other forms of legal harassment, as well as an increase in threats and physical attacks. Reporters in the rural areas as well as those who investigate stories concerning local corruption were particularly vulnerable to these forms of intimidation. Press freedom in Venezuela was further circumscribed in 2004 by a new media content

law, passed in December, that mandated large fines and closures for media outlets that air various forms of prohibited content, while tensions remained high between the Chavez government and the mostly pro-opposition private press.

The United States continues to be one of the better performers in the survey. Nevertheless, media freedom was tested during the year by a number of legal cases in which prosecutors sought to compel journalists to reveal sources or turn over to the courts notes or other material they had gathered in the course of their investigations. Additionally, doubts concerning official influence over media content emerged with the disclosures that several political commentators received grants from federal agencies and that the Bush administration had significantly increased the practice of distributing government-produced news segments.

Asia-Pacific: The Asia-Pacific region exhibited a relatively high level of freedom, with 18 countries (45 percent) rated Free, 7 (17.5 percent) rated Partly Free, and 15 (37.5 percent) rated Not Free. When one examines the figures in terms of population, the outlook is less positive; only 7 percent of the region's population had access to Free media in 2004. However, this is due primarily to the fact that China, with its large population, continues to be ranked Not Free, while India is rated Partly Free. Asia is also home to two of the worst-rated countries in the world, Burma and North Korea, which have extremely repressive media environments. In 2004, Pakistan's rating was lowered from Partly Free to Not Free, and several other countries exhibited negative numerical trends, including Nepal, Indonesia, and Thailand. Nevertheless, modest positive improvements were seen in Afghanistan, while Tonga's sharp 2003 decline was somewhat reversed in 2004.

In a setback for press freedom, Pakistan's rating dropped from Partly Free to Not Free to reflect increased harassment of journalists and media outlets by the authorities as well as the passage of a bill that increased penalties for defamation. Over the past two years, military authorities have used increasingly aggressive tactics to silence critical or investigative voices in the media; a number of journalists have been pressured to resign from prominent publications, charged with sedition, or arrested and intimidated by intelligence officials while in custody; and several media outlets have been shut down.

Conditions for the media deteriorated further in Nepal as members of the press were caught in the middle of a brutal civil war between the

government and a Maoist insurgency and faced increased intimidation and attacks from both sides during the year. Press freedom in Thailand declined further in 2004 as editors and publishers faced increased pressure from the government in the form of defamation lawsuits and more subtle forms of editorial interference and economic pressure. Likewise, in Indonesia journalists were increasingly subject to civil and criminal libel suits during the year. In addition, media freedom regressed somewhat because of restrictions on reporting in Aceh and a number of assaults, including mob attacks, on editorial offices.

Some positive trends in Asia were noted in the case of Afghanistan, where the adoption of a new constitution in January 2004 led to increased legal protections for the press and the right to free expression. Similarly, numerical gains were noted in Tonga, where the Supreme Court struck down a restrictive 2003 media law on the grounds that it was incompatible with guarantees for freedom of expression found in the constitution.

Central and Eastern Europe/Former Soviet Union: In Central and Eastern Europe and the former Soviet Union, the downward trend noted in the past two years stabilized somewhat in 2004. In this year's survey, 8 countries (30 percent) were classified as Free, 9 (33 percent) as Partly Free, and 10 (37 percent) as Not Free. The situation for the press in Central Asia, and to a lesser extent the Caucasus, remains deeply troubled, while the authoritarian governments of Belarus and Turkmenistan continue to provide extremely repressive environments for the media. Russia remained in the Not Free category after being downgraded in 2003 in the wake of government consolidation of broadcast media and the use of legislative and financial pressures to restrict critical coverage, particularly on sensitive topics such as the war in Chechnya.

However, in a positive development, Ukraine, which had been downgraded to Not Free in the 2003 survey, reversed course following the November 2004 Orange Revolution and was upgraded to once again be rated Partly Free. As thousands of Ukrainians took to the streets in late November to protest the fraudulent presidential election, journalists conducted a rebellion of their own, denouncing official censorship and intimidation and refusing to broadcast only pro-government views. The increased presence of independent and objective voices in both the print and broadcast media, as well as the positive attitude of the new government toward promoting press freedom, was cause for cautious optimism at year's end.

Middle East and North Africa: The Middle East and North Africa region continued to show the lowest regionwide ratings, with 1 country (5 percent) rated Free, 2 (11 percent) rated Partly Free, and 16 (84 percent) rated Not Free. Nevertheless, during the last two years there has been a small expansion in press freedom in the region as a whole as measured by the average regionwide total numerical score. In 2004, Lebanon was upgraded from Not Free to Partly Free, and modest numerical improvements were noted in Egypt. However, negative trends were observed in Yemen and in Iraq, which saw some slippage from its large numerical improvement during 2003.

A greater diversity in the private media market, particularly the broadcast media, led to Lebanon being upgraded from Not Free to Partly Free in 2004. In addition, the press began to issue stronger criticisms of the government toward the end of the year. Modest numerical improvements were noted in Egypt, Oman, and the United Arab Emirates as the continued explosive growth of pan-Arab satellite television channels provided inhabitants of the region with more diverse and unfiltered news. Greater diversity of outlets, and in particular access to satellite television and to the Internet, has considerably increased Egyptians' access to alternative sources of news and eroded the government's monopoly on controlling local and international information. During the year, Egyptian media were also able to operate in a somewhat freer legal and political environment.

In contrast, press freedom in Yemen deteriorated during the year as the result of a crackdown against the media in which the government closed several newspapers and jailed a prominent journalist. Backsliding was also seen in the case of Iraq, which registered significant numerical gains in 2003. Political instability and escalating violence led to the deaths of 15 Iraqi and foreign journalists and 16 media workers during the year, while unanswered questions about the power and role of new institutions created to regulate the media also continued to constrain press freedom.

Sub-Saharan Africa: The greatest movement in this year's survey took place in Sub-Saharan Africa, where 1 country declined in category while 2 countries registered positive category shifts. Overall, 8 countries (17 percent) were rated Free, 16 (33 percent) were rated Partly Free, and 24 (50 percent) remain rated Not Free. In 2004, Kenya was downgraded from Partly Free to Not Free, while negative trends were noted in Cote d'Ivoire and The Gambia. However, Namibia was upgraded from Partly

Free to Free, and Guinea-Bissau was upgraded from Not Free to Partly Free. Togo also registered a small but positive numerical shift during the year. Press freedom conditions continue to be dire in Equatorial Guinea, Eritrea, Sudan, and Zimbabwe, where authoritarian governments use legal pressure, imprisonment, and other forms of harassment to sharply curtail the ability of independent media outlets to report freely.

Kenya, a country that had been upgraded in 2003 during its democratic transition, returned to the Not Free category following a government crackdown on the tabloid press at the start of 2004. The Kenyan government also failed to liberalize the country's draconian media laws. The passage of restrictive media legislation, coupled with increased official intimidation of members of the press that culminated in the murder of a journalist in December, caused a substantial numerical decline in The Gambia in 2004. Negative trends were also noted in Cote d'Ivoire, where journalists were subject to increased harassment and intimidation amid escalating tension between government and rebel forces.

A generally stable and open environment for the press in which serious abuses against journalists have declined caused Namibia's rating to be upgraded from Partly Free to Free. Meanwhile, a change of government in Guinea-Bissau led to an easing of conditions for the press in 2004 in which a previously shuttered private radio station could reopen and journalists could work without fear of arrest or dismissal. In Togo, a generally repressive regime bowed to pressure from the European Union (EU) and passed positive amendments to an extremely restrictive media law, which led to a modest improvement in the country's numerical score.

Western Europe: Western Europe continued to boast the highest level of press freedom worldwide; in 2004, 23 countries (92 percent) were rated Free and 2 (8 percent) were rated Partly Free. Nevertheless, in 2003 Italy joined Turkey as the only countries in the region to be rated Partly Free. It was the first time since 1988 that media in an EU member state have been rated by the survey as Partly Free, and in 2004 media freedom in Italy remained constrained by the dominant influence of Prime Minister Silvio Berlusconi's media holdings. During the year, the media environment in most countries remained stable, while Turkey saw a modest numerical improvement. A new press code, coupled with revisions made to the penal code in September 2004, led to an easing of the legal environment for the Turkish press during the year.

A “Not Free” Country with Vibrant Media?

One of the apparent contradictions in the survey is how a country can be ranked Not Free and also enjoy independent media outlets that are able to publish what they wish. A number of countries that are designated Not Free and score in the 61 to 70 numerical range do indeed have some vibrant media. In this year’s survey, two countries that exemplify this paradox—Kenya and Pakistan—were downgraded to the Not Free category. While at first glance this designation would seem to be inaccurate, there are several explanations for it when seen in the context of the survey’s framework. The first caveat is that not all Not Free countries are equally repressive; this general category designation covers a wide range of numerical scores—from a country such as Kenya (61 points) to one such as North Korea (97 points)—and obviously these two countries have vastly different levels of press freedom that their respective numerical scores represent.

In addition, while the survey does measure media vibrancy and the ability of print and broadcast outlets to report on a wide variety of themes and to reflect different viewpoints, these issues are covered by only a portion of the survey’s 23 methodology questions overall. If a country scores badly on enough of the other survey questions, it may tip over into the Not Free category regardless of the presence of vibrant media within its borders. Another point to bear in mind is that under the survey’s scope, all forms of news media as well as their reach and impact within a country are examined. In the vast majority of countries, particularly in the developing world, the print media are substantially freer than the broadcast sector, which in many cases has remained under the control of the state. Therefore, the existence of a coterie of independent newspapers, each with a small subscription base, whose reach is confined largely to elites within urban centers must be balanced in our ratings against the strength and impact of radio and television networks whose coverage is considerably less free and balanced but which reach a much higher percentage of the population.

Paradoxically, the existence of vibrant media may actually reduce a country’s overall level of press freedom. If more media outlets are reporting on sensitive issues such as official corruption, ethnic or religious tension, or human rights, their staff are often more liable to be subject to either legal or physical harassment at the hands of government agents or other actors, all issues that are examined in our survey questions. For example,

Colombia and Bangladesh, where the level of violent intimidation of the press is extremely high, score badly enough to be placed in the Not Free category despite the presence of outspoken independent newspapers in both countries. In other countries such as Algeria or Ethiopia, press outspokenness has been met with increased levels of legal prosecution against media professionals, which in turn also negatively impacts a country's overall numerical score.

In the cases of Kenya and Pakistan, a combination of factors contributed to their Not Free ratings. Although Kenya has had greater political openness following the election of a new government in December 2002, the legal environment for the media has not yet been reformed despite official promises to do so. Criminal defamation laws, security laws, and onerous registration requirements continue to constrain the press. In addition to a crackdown on the tabloid press at the beginning of 2004, other cases of official harassment and extralegal intimidation are regularly reported. The government-controlled Kenya Broadcasting Corporation dominates the broadcast sector and provides sometimes-slanted coverage, while significant levels of corruption also affect media content.

Although the military government headed by General Pervez Musharraf initially had a generally lenient attitude toward the Pakistani press, this has evaporated over the past several years as his regime has become more intolerant of criticism and investigative reporting. Journalists who cover sensitive topics have been pressured to resign, detained and threatened by the intelligence services, or arrested and charged with sedition. Blasphemy laws as well as newly strengthened defamation legislation also pose a threat to press freedom. State-owned news media continue to dominate the broadcast sector, and the government also exerts pressure on independent media through selective allocation of advertising and outright bribery.

In conclusion, although media vibrancy is an essential component of press freedom, the overall level of media independence in each country is influenced by a variety of factors that, taken together, comprise the broader "enabling environment" for the media. Our research has shown that in many countries inadequate legal protections, coupled with moderate or high levels of intimidation by either the government or other actors, can combine to place a country in the Not Free category despite the presence of a vibrant independent print media sector.





GLOBAL AND REGIONAL TABLES



Freedom of the Press 2005

Rank	Country	Rating	Status	Rank	Country	Rating	Status
1	Finland	9	F	54	Chile	24	F
	Iceland	9	F		Trinidad & Tobago	24	F
	Sweden	9	F		Vanuatu	24	F
4	Denmark	10	F	57	Samoa	25	F
	Norway	10	F	58	Ghana	26	F
6	Belgium	11	F		Kiribati	26	F
	Luxembourg	11	F		South Africa	26	F
	Netherlands	11	F	61	Greece	28	F
	Switzerland	11	F		Hong Kong	28	F
10	New Zealand	12	F		Israel	28	F
11	Marshall Islands	13	F		Mauritius	28	F
	Palau	13	F		Sao Tome & Principe	28	F
13	Andorra	14	F	66	Namibia	29	F
	Bahamas	14	F		Nauru	29	F
	Liechtenstein	14	F		Papua New Guinea	29	F
	Monaco	14	F		South Korea	29	F
	Portugal	14	F		Uruguay	29	F
18	Ireland	15	F	71	Benin	30	F
	Jamaica	15	F		Botswana	30	F
20	Germany	16	F		East Timor	30	F
	San Marino	16	F		Fiji	30	F
	St. Lucia	16	F		Solomon Islands	30	F
	St. Vincent & Grenadines	16	F	76	Cape Verde	32	PF
24	Barbados	17	F	77	Bolivia	35	PF
	Canada	17	F		Bulgaria	35	PF
	Dominica	17	F		Italy	35	PF
	Estonia	17	F		Mongolia	35	PF
	Latvia	17	F		Philippines	35	PF
	United States	17	F	82	Croatia	37	PF
30	Australia	18	F		Senegal	37	PF
	Lithuania	18	F		Tonga	37	PF
	Malta	18	F	85	Dominican Republic	38	PF
	Micronesia	18	F		India	38	PF
	United Kingdom	18	F	87	Antigua & Barbuda	40	PF
35	Costa Rica	19	F		Brazil	40	PF
	Slovenia	19	F		Burkina Faso	40	PF
37	Belize	20	F		Peru	40	PF
	France	20	F		Serbia & Montenegro	40	PF
	Grenada	20	F	92	Argentina	41	PF
	Japan	20	F		Ecuador	41	PF
	Poland	20	F		El Salvador	41	PF
	Suriname	20	F	95	Lesotho	42	PF
	Tuvalu	20	F		Mexico	42	PF
44	Austria	21	F		Nicaragua	42	PF
	Hungary	21	F		Thailand	42	PF
	Slovakia	21	F	99	Comoros	44	PF
	Taiwan	21	F		Panama	44	PF
48	Cyprus	22	F		Uganda	44	PF
	Czech Republic	22	F	102	Bosnia-Herzegovina	45	PF
	Spain	22	F		Mozambique	45	PF
51	Guyana	23	F	104	Romania	47	PF
	Mali	23	F	105	Turkey	48	PF
	St. Kitts & Nevis	23	F	106	Madagascar	50	PF

Table of Global Press Freedom Rankings

Rank	Country	Rating	Status	Rank	Country	Rating	Status
107	Albania	51	PF	152	Cote d'Ivoire	69	NF
	Congo (Brazzaville)	51	PF		Malaysia	69	NF
	Honduras	51	PF		Nepal	69	NF
	Macedonia	51	PF	155	Iraq	70	NF
	Tanzania	51	PF	156	Bahrain	71	NF
112	Nigeria	52	PF		Kyrgyzstan	71	NF
113	Niger	53	PF	158	Azerbaijan	72	NF
114	Malawi	54	PF		Oman	72	NF
115	Guinea-Bissau	55	PF		The Gambia	72	NF
116	Georgia	56	PF		United Arab Emirates	72	NF
	Paraguay	56	PF		Venezuela	72	NF
	Sri Lanka	56	PF	163	Chad	73	NF
119	Guatemala	58	PF		Guinea	73	NF
	Indonesia	58	PF		Liberia	73	NF
	Kuwait	58	PF		Togo	73	NF
	Seychelles	58	PF	167	Burundi	74	NF
123	Sierra Leone	59	PF		Tajikistan	74	NF
	Ukraine	59	PF	169	Brunei	75	NF
125	Lebanon	60	PF		Kazakhstan	75	NF
126	Kenya	61	NF	171	Yemen	76	NF
	Pakistan	61	NF	172	Swaziland	79	NF
128	Cambodia	62	NF	173	Iran	80	NF
	Jordan	62	NF		Saudi Arabia	80	NF
	Qatar	62	NF		Tunisia	80	NF
131	Central African Republic	63	NF	176	Congo (Kinshasa)	81	NF
	Colombia	63	NF	177	China	82	NF
	Morocco	63	NF		Vietnam	82	NF
134	Algeria	64	NF	179	Laos	83	NF
	Armenia	64	NF		Somalia	83	NF
136	Mauritania	65	NF		Syria	83	NF
	Moldova	65	NF	182	IOT/PA*	84	NF
	Zambia	65	NF		Rwanda	84	NF
139	Angola	66	NF	184	Uzbekistan	85	NF
	Bhutan	66	NF	185	Belarus	86	NF
	Gabon	66	NF		Sudan	86	NF
	Haiti	66	NF	187	Equatorial Guinea	88	NF
	Singapore	66	NF	188	Zimbabwe	89	NF
144	Djibouti	67	NF	189	Eritrea	91	NF
145	Afghanistan	68	NF	190	Libya	95	NF
	Bangladesh	68	NF	191	Burma	96	NF
	Cameroon	68	NF		Cuba	96	NF
	Egypt	68	NF		Turkmenistan	96	NF
	Ethiopia	68	NF	194	North Korea	97	NF
	Maldives	68	NF				
	Russia	68	NF				

*Israeli-Occupied Territories/
Palestinian Authority

Status	Number of countries	Percent of total
Free	75	39%
Partly Free	50	26%
Not Free	69	35%
TOTAL	194	100%

Press Freedom Rankings by Region

Sub-Saharan Africa

Rank	Country	Rating	Status	Rank	Country	Rating	Status
1	Mali	23	F	25	Kenya	61	NF
2	Ghana	26	F	26	Central African Republic	63	NF
	South Africa	26	F	27	Mauritania	65	NF
4	Mauritius	28	F		Zambia	65	NF
	Sao Tome & Principe	28	F	29	Angola	66	NF
6	Namibia	29	F		Gabon	66	NF
7	Benin	30	F	31	Djibouti	67	NF
	Botswana	30	F	32	Cameroon	68	NF
9	Cape Verde	32	PF		Ethiopia	68	NF
10	Senegal	37	PF	34	Cote d'Ivoire	69	NF
11	Burkina Faso	40	PF	35	The Gambia	72	NF
12	Lesotho	42	PF	36	Chad	73	NF
13	Comoros	44	PF		Guinea	73	NF
	Uganda	44	PF		Liberia	73	NF
15	Mozambique	45	PF		Togo	73	NF
16	Madagascar	50	PF	40	Burundi	74	NF
17	Congo (Brazzaville)	51	PF	41	Swaziland	79	NF
	Tanzania	51	PF	42	Congo (Kinshasa)	81	NF
19	Nigeria	52	PF	43	Somalia	83	NF
20	Niger	53	PF	44	Rwanda	84	NF
21	Malawi	54	PF	45	Sudan	86	NF
22	Guinea-Bissau	55	PF	46	Equatorial Guinea	88	NF
23	Seychelles	58	PF	47	Zimbabwe	89	NF
24	Sierra Leone	59	PF	48	Eritrea	91	NF

Status	Number of countries	Percent of total
Free	8	17%
Partly Free	16	33%
Not Free	24	50%
TOTAL	48	100%

Americas

Rank	Country	Rating	Status	Rank	Country	Rating	Status
1	Bahamas	14	F	19	Dominican Republic	38	PF
2	Jamaica	15	F	20	Antigua & Barbuda	40	PF
3	St. Lucia	16	F		Brazil	40	PF
	St. Vincent & Grenadines	16	F		Peru	40	PF
5	Barbados	17	F	23	Argentina	41	PF
	Canada	17	F		Ecuador	41	PF
	Dominica	17	F		El Salvador	41	PF
	United States	17	F	26	Mexico	42	PF
9	Costa Rica	19	F		Nicaragua	42	PF
10	Belize	20	F	28	Panama	44	PF
	Grenada	20	F	29	Honduras	51	PF
	Suriname	20	F	30	Paraguay	56	PF
13	Guyana	23	F	31	Guatemala	58	PF
	St. Kitts & Nevis	23	F	32	Colombia	63	NF
15	Chile	24	F	33	Haiti	66	NF
	Trinidad & Tobago	24	F	34	Venezuela	72	NF
17	Uruguay	29	F	35	Cuba	96	NF
18	Bolivia	35	PF				

Status	Number of countries	Percent of total
Free	17	49%
Partly Free	14	40%
Not Free	4	11%
TOTAL	35	100%

Middle East & North Africa

Rank	Country	Rating	Status	Rank	Country	Rating	Status
1	Israel	28	F		United Arab Emirates	72	NF
2	Kuwait	58	PF	13	Yemen	76	NF
3	Lebanon	60	PF	14	Iran	80	NF
4	Jordan	62	NF		Saudi Arabia	80	NF
	Qatar	62	NF		Tunisia	80	NF
6	Morocco	63	NF	17	Syria	83	NF
7	Algeria	64	NF	18	IOT/PA*	84	NF
8	Egypt	68	NF	19	Libya	95	NF
9	Iraq	70	NF				
10	Bahrain	71	NF				
11	Oman	72	NF				

*Israeli Occupied Territories/
Palestinian Authority

Status	Number of countries	Percent of total
Free	1	5%
Partly Free	2	11%
Not Free	16	84%
TOTAL	19	100%

Press Freedom Rankings by Region

Asia-Pacific

Rank	Country	Rating	Status	Rank	Country	Rating	Status
1	New Zealand	12	F	21	Tonga	37	PF
2	Marshall Islands	13	F	22	India	38	PF
	Palau	13	F	23	Thailand	42	PF
4	Australia	18	F	24	Sri Lanka	56	PF
	Micronesia	18	F	25	Indonesia	58	PF
6	Japan	20	F	26	Pakistan	61	NF
	Tuvalu	20	F	27	Cambodia	62	NF
8	Taiwan	21	F	28	Bhutan	66	NF
9	Vanuatu	24	F		Singapore	66	NF
10	Samoa	25	F	30	Afghanistan	68	NF
11	Kiribati	26	F		Bangladesh	68	NF
12	Hong Kong	28	F		Maldives	68	NF
13	Nauru	29	F	33	Malaysia	69	NF
	Papua New Guinea	29	F		Nepal	69	NF
	South Korea	29	F	35	Brunei	75	NF
16	East Timor	30	F	36	China	82	NF
	Fiji	30	F		Vietnam	82	NF
	Solomon Islands	30	F	38	Laos	83	NF
19	Mongolia	35	PF	39	Burma	96	NF
	Philippines	35	PF	40	North Korea	97	NF

Status	Number of countries	Percent of total
Free	18	45%
Partly Free	7	17.5%
Not Free	15	37.5%
TOTAL	40	100%

Western Europe

Rank	Country	Rating	Status	Rank	Country	Rating	Status
1	Finland	9	F	14	Ireland	15	F
	Iceland	9	F	15	Germany	16	F
	Sweden	9	F		San Marino	16	F
4	Denmark	10	F	17	Malta	18	F
	Norway	10	F		United Kingdom	18	F
6	Belgium	11	F	19	France	20	F
	Luxembourg	11	F	20	Austria	21	F
	Netherlands	11	F	21	Cyprus	22	F
	Switzerland	11	F		Spain	22	F
10	Andorra	14	F	23	Greece	28	F
	Liechtenstein	14	F	24	Italy	35	PF
	Monaco	14	F	25	Turkey	48	PF
13	Portugal	14	F				

Status	Number of countries	Percent of total
Free	23	92%
Partly Free	2	8%
Not Free	0	0%
TOTAL	25	100%

Central and Eastern Europe / Former Soviet Union

Rank	Country	Rating	Status	Rank	Country	Rating	Status
1	Estonia	17	F		Macedonia	51	PF
	Latvia	17	F	16	Georgia	56	PF
3	Lithuania	18	F	17	Ukraine	59	PF
4	Slovenia	19	F	18	Armenia	64	NF
5	Poland	20	F	19	Moldova	65	NF
6	Hungary	21	F	20	Russia	68	NF
	Slovakia	21	F	21	Kyrgyzstan	71	NF
8	Czech Republic	22	F	22	Azerbaijan	72	NF
9	Bulgaria	35	PF	23	Tajikistan	74	NF
10	Croatia	37	PF	24	Kazakhstan	75	NF
11	Serbia & Montenegro	40	PF	25	Uzbekistan	85	NF
12	Bosnia-Herzegovina	45	PF	26	Belarus	86	NF
13	Romania	47	PF	27	Turkmenistan	96	NF
14	Albania	51	PF				

Status	Number of countries	Percent of total
Free	8	30%
Partly Free	9	33%
Not Free	10	37%
TOTAL	27	100%

Summary of Results

Regional Press Freedom Breakdown

Region	Free	Partly Free	Not Free	Number of Countries
Americas	17 (49%)	14 (40%)	4 (11%)	35
Asia-Pacific	18 (45%)	7 (17.5%)	15 (37.5%)	40
CEE/FSU	8 (30%)	9 (33%)	10 (37%)	27
Middle East & North Africa	1 (5%)	2 (11%)	16 (84%)	19
Sub-Saharan Africa	8 (17%)	16 (33%)	24 (50%)	48
Western Europe	23 (92%)	2 (8%)	0 (0%)	25
TOTAL	75 (39%)	50 (26%)	69 (35%)	194

Press Freedom by Population

Status	By Country	By Population (millions)
Free	75 (39%)	1,106 (17%)
Partly Free	50 (26%)	2,439 (38%)
Not Free	69 (35%)	2,843 (45%)
TOTAL	194 (100%)	6,388 (100%)



COUNTRY REPORTS AND RATINGS





Afghanistan

Status: Not Free

LEGAL ENVIRONMENT: 21
 POLITICAL ENVIRONMENT: 27
 ECONOMIC ENVIRONMENT: 20
 TOTAL SCORE: 68

Afghanistan's media continue to operate in a fragile setting, although some improvements were seen during the year, particularly in the legal environment for the press. Article 34 of the new constitution, passed in January 2004, provides for freedom of the press and of expression. An amended version of the 2002 Press Law, which was signed by President Hamid Karzai in April, prohibits censorship and recognizes the right of citizens to obtain information from the government. 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." The legislation also establishes a government-appointed commission with the power to decide if journalists who contravene the law should face court prosecutions or fines.

Journalists continue to be threatened or harassed by government ministers, the intelligence service, militias, and others in positions of power as a result of their reporting. Many practice self-censorship or avoid writing about sensitive issues such as Islam, national unity, or crimes committed by specific warlords. The two employees of the Kabul-based newspaper *Aftab* who were charged with blasphemy in 2003 fled the country and remain abroad, while the newspaper itself has not resumed publishing. Authorities in Herat temporarily interfered with the operations of an independent women's community radio station in June. In September, U.S. military personnel seized a BBC reporter from his house and took him to Bagram air base, where he was interrogated for 24 hours before being released with an apology.

Although registration requirements remain in place, authorities have granted more than 250 licenses to independent publications, and several dozen private radio stations and eight television stations are now broadcasting. National and local governments continue to own or control several dozen newspapers and almost all of the electronic media, and reporting at these news outlets is generally balanced. Nevertheless, a November 2004 report by the International Crisis Group noted that state-run media outlets covered President Karzai's campaign for the October presidential election more extensively than those of other candidates. Media diversity and freedom is markedly higher in Kabul,

and some warlords or political factions do not allow independent media in the areas under their control. However, pressures on journalists in Herat eased considerably following the ouster of Governor Ismail Khan in September. Access to the Internet and to international radio broadcasts, on which many Afghans rely for information, remains largely unrestricted. 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.

Albania

Status: Partly Free

LEGAL ENVIRONMENT: 18
 POLITICAL ENVIRONMENT: 17
 ECONOMIC ENVIRONMENT: 16
 TOTAL SCORE: 51

Press freedom is constitutionally guaranteed in Albania, and the media scene appears vibrant, with 20 dailies, over 40 radio stations, and more than 60 television stations covering a market of 3 million. However, Albania's legal framework remains inadequate, and the judiciary is subject to government pressure. Libel is a criminal offense and carries prison sentences of up to two years. Prime Minister Fatos Nano personally takes newspapers to court. In May, a Tirana court ruled that Nikolle Lesi, chairman of the Christian Democratic Party and publisher of *Koha Jone*, one of the strongest opposition newspapers, was guilty of libel for implicating Nano in corrupt activities. The London-based media watchdog Article 19 criticized the ruling as politically motivated and in violation of the country's laws and maintained that it threatened press freedom. A month later, the same court convicted another publisher for allegedly defaming Nano.

The independent media are active and diverse but remain vulnerable to government and partisan pressure, and their frequent (and obvious) bias in favor of either the government or the opposition has affected their credibility. Journalists stay clear from sensitive topics, particularly those relating to Nano and the ruling Socialist Party. The state-owned public broadcaster, Albanian Radio and Television (RTSh), focuses its coverage mostly on the government. Physical attacks have decreased, but the government has found new, indirect ways of manipulating the media. The socialist government maintains control of RTSh by appointing members of the broadcast regulatory agency, the National Council on Radio and Television (NCRT). The NCRT chairman resigned in 2004

owing to pressure from broadcasters. In August, the biggest opposition party, the Democratic Party, banned TV station News24 from covering its activities. Several journalists were detained for secretly filming the prime minister. Even though the government does not restrict Internet access, usage is limited primarily to Tirana.

According to a September 2004 report issued by the Organization for Security and Cooperation in Europe, the main challenge to the Albanian media sector is the growing relationship among politics, business, and media, which undermines press independence. Thanks to decreasing circulation, media have been forced into dependence on advertising purchased by state-owned or partially state-owned companies, which constitutes 60 percent of total advertising revenues. To ensure favorable coverage, the government awards procurement contracts and subsidizes media outlets by leasing state-owned facilities at low prices to media holdings that are less critical. The government's efforts to combat fiscal evasion turned into a means of political intimidation for those who criticize or oppose state policies when the prime minister singled out certain publishers and accused them of tax evasion.

LEGAL ENVIRONMENT: 23

POLITICAL ENVIRONMENT: 23

ECONOMIC ENVIRONMENT: 18

TOTAL SCORE: 64

Algeria

Status: Not Free

Algeria's constitution guarantees freedom of expression, and the country is home to dozens of French- and Arabic-language newspapers, including a lively, if often partisan, private press. But repressive laws, government dominance of broadcasting, economic constraints, and journalists' lack of access to information limit press freedom. In 2004, the Algerian government intensified its assault on opposition journalists. State of Emergency legislation (in effect since 1992) and restrictive 2001 penal code amendments stipulate jail sentences and fines for journalists who "defame, insult, or injure" government officials or institutions according to very broad criteria. The authorities consider coverage of many security issues and the military off-limits. The judiciary is not independent and often does not fairly adjudicate trials involving journalists.

The print media environment deteriorated in the run-up to the April 2004 presidential elections. Most newspapers lined up editorially behind incumbent Abdelaziz Bouteflika or his main challenger, Ali

Benflis, and mudslinging characterized much of the coverage. Bouteflika accused opposition journalists of being “terrorists of the pen” and “traitors.” After Bouteflika’s reelection, the government cracked down on opposition journalists who had criticized him or reported on alleged government corruption. Among other examples, in June *Le Matin* publisher Mohammed Benchichou was sentenced to two years in prison in what press freedom advocates saw as a disproportionate, politically motivated punishment for violating currency laws. Benchichou had waged a harsh campaign against Bouteflika in the pages of *Le Matin* and in a book published in 2004. In the same month, Ali Djerri, editor of *Er-Rai*, was sentenced in absentia to two months in prison for defaming a retired general and former Bouteflika adviser, and journalist and human rights activist Hafnaoui Ghoul was sentenced to a total of one year in prison for alleged defamation in his reporting on local government officials’ corruption and incompetence. After Ghoul staged a two-week hunger strike in August to protest the over two dozen defamation charges leveled against him, he was released from prison pending appeal. In one 24-hour period in December, 13 editors and journalists from leading national papers were summoned to an Algiers court. Some were sentenced to prison for defaming the president or state institutions, some received suspended sentences, and others faced new defamation charges.

Algerian journalists must also contend with an opaque political system in which obtaining accurate information from state officials is extremely difficult, a situation that contributes to much inaccurate reporting. Although a 1998 amendment to the information code allows private broadcast ownership, the government maintains control over national television and radio, whose coverage remains heavily biased in favor of government policies. Foreign programming, including France-based Berber-language channels critical of the Algerian government, is accessible through satellite dishes, which are widely available in the country. In June 2004, however, the government froze the activities of the Al-Jazeera correspondent in Algiers, the first clampdown on a foreign news outlet in a decade. The move followed the station’s broadcast of a debate in which guests criticized Bouteflika and senior army officials. According to the International Press Institute, state-controlled mosques often denounce independent media in sermons, in some cases urging violent action against specific journalists. In 2004, government harassment of journalists working for provincial and local papers increased.

The government also uses powerful economic tools to control the press. The state owns the main printing presses and controls the supply of paper and ink. Agence Nationale d'Édition et de Publicité, the state-owned advertising company, is the main source of advertising revenues on which newspapers rely. Papers often run up government debts, giving the authorities a handy pretext to shut down opposition publications. In 2004, *Le Matin* and *Es-Sabah*, both known for their anti-Bouteflika stance, were shut down for alleged financial violations, as were two other dailies, *Le Nouvel Algérie Actualité* and *El Djarida*. Since 2001, no censorship of the Internet has been reported. However, according to 2003 statistics, just 2.26 percent of the population, or 500,000 people, had Internet access.

Andorra

Status: Free

LEGAL ENVIRONMENT: 1
 POLITICAL ENVIRONMENT: 5
 ECONOMIC ENVIRONMENT: 8
 TOTAL SCORE: 14

Article 12 of the Andorran constitution formally provides for freedom of expression but also allows for laws regulating the right of reply, correction, and professional confidentiality. The Universal Declaration of Human Rights, which is binding in Andorra, likewise ensures press freedom. No major violations in this aspect were reported in 2004. The media scene is greatly influenced by the country's proximity to France and Spain; citizens receive broadcasts from both countries. The domestic press consists of two daily and several weekly newspapers, the most prominent of which are *Diari d'Andorra* and *El Periodic*. There are approximately 15 radio and 6 television stations. Internet access is open and unrestricted.

Angola

Status: Not Free

LEGAL ENVIRONMENT: 19
 POLITICAL ENVIRONMENT: 26
 ECONOMIC ENVIRONMENT: 21
 TOTAL SCORE: 66

Following the 2002 cease-fire between the government and UNITA rebels, media restrictions have become less stringent. But despite constitutional guarantees of freedom of the press, the Press Law restricts that freedom and government pledges to reform media legislation have not yet been realized. Libel of the president or his representatives is a

criminal offense, punishable by high fines or imprisonment. In March, the editor of the independent weekly magazine *Semanario Angolense* was sentenced to either 45 days in jail or to pay a fine for defamation. He was also forced to pay a large fine directly to one of the accusers. Particularly in the interior of the country, the judicial system has little independence to enforce legislation guaranteeing press freedom. 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. The Law on State Secrecy permits the government to classify information, at times unnecessarily, and those who publish classified information are persecuted. Private media are often denied access to official information or events. A special committee has policy and censorship authority over the media.

The government tolerated increasing criticism from private media during 2004. But improvements in media freedom are confined largely to Luanda, and in the interior of the country the situation remains troubling. Although less common than in previous years, arbitrary detention, harassment, and attacks on journalists continued to take place. In April, an Angola News Agency journalist was beaten by the police in Saurimo and then detained for one day, despite having presented press credentials. The Catholic Church's Radio Ecclesia, a source of independent news, is frequently harassed by the government and has been barred from extending its broadcasts to other areas of the country. For fear of reprisals, many journalists practice self-censorship. 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. The largest media sources are state run and carry little criticism of government officials. The official Radio Nacional de Angola has the widest coverage; the state also controls the only nonsatellite television station and owns the only daily newspaper. The capital, Luanda, has four private radio stations operating under government license. The private press, often viewed as the only section of the media to reflect diverse political views, is growing slowly; in 2003, four new weekly newspapers were established. However, the 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 unrestricted and is available in several provincial capitals.

Antigua and Barbuda

Status: Partly Free

LEGAL ENVIRONMENT: 12
 POLITICAL ENVIRONMENT: 14
 ECONOMIC ENVIRONMENT: 14
 TOTAL SCORE: 40

The constitution of the twin-island state of Antigua and Barbuda explicitly protects freedom of speech and of the press, and these rights have generally been respected. Conditions for the media improved somewhat following elections held in March, in which the long-ruling Antigua Labor Party (ALP) was defeated. Critics had consistently claimed that under the ALP and the Bird political dynasty, the opposition's access to the broadcast media had been restricted. In addition, several companies reportedly withheld advertising from one private radio station for fear of losing government contracts. The new government, headed by Prime Minister Baldwin Spencer, promised to depoliticize the media environment and introduce freedom of information legislation, but these pledges had not been implemented by year's end.

Currently, Antigua's print media include the *Daily Observer*, the *Antigua Sun*, and the *Worker's Voice*, which is published twice weekly by the ALP. There are two television stations, one of which is state owned, and six radio stations. As many outlets continue to be owned or controlled by political parties or members of the powerful Bird family, the potential for tension between the new government and media exists. In June, the prime minister accused ZDK Radio, which is run by the brother of former prime minister Lester Bird, of inciting unrest, and in October two of the family's broadcast outlets were shut down briefly after officials accused them of not paying their electricity bills, a move that the ALP alleged was politically motivated.

Argentina

Status: Partly Free

LEGAL ENVIRONMENT: 10
 POLITICAL ENVIRONMENT: 16
 ECONOMIC ENVIRONMENT: 15
 TOTAL SCORE: 41

Argentina's relative political stability has brought with it a climate in which the press has been able to operate freely, although not without some sustained official pressure. In 2004, the Argentine Senate debated,

but did not pass, legislation allowing unfettered access to public information, even as relations between much of the press and President Nestor Kirchner soured, in part because of a lack of access to him by independent reporters. Although Article 43 of the constitution protects the confidentiality of news sources, members of the national Congress became increasingly vocal in their demands to broaden the right to access both reporters' data banks and their confidential sources. In a positive development, in November the Chamber of Deputies approved an amendment to the country's Broadcasting Law that would permit broadcast licensing of civil society and nonprofit groups rather than restricting it to commercial businesses.

However, journalists—particularly those who report on corruption, irregular business dealings, and human rights abuses—are still subjected to threats and physical violence by the police and other actors. In a negative development, the pro-Kirchner *Página/12* censored one of its own journalists, who was preparing an investigative report on alleged government corruption, while one of the daily's journalists, erstwhile anticorruption crusader Horacio Verbitsky, launched personal attacks on his investigative colleague. The ensuing scandal, which *Página/12* workers said was not an "isolated" case of censorship, ended with the dissolution of the decade-old free press group Periodistas, which split between pro-government and anticensorship factions.

Nevertheless, a wide range of privately owned print and broadcast media freely criticize the government and provide a diversity of views. The media continues to enjoy broad credibility and influence, in part due to the discredit of public institutions and the major political parties (albeit somewhat diminished of late). Although the constitution provides for a free and independent press, the Kirchner government has both increased official advertising in the media and has channeled it disproportionately to news outlets it considers friendly, in an effort to induce more favorable coverage. Reliable reports say both national and provincial government agencies also withhold advertising to produce similar results. In recent years, Argentina's media industry has been consolidated, with several large conglomerates emerging in dominant roles. The trend has combined with a tendency by larger publications, themselves under serious financial pressures, to modulate their criticism of the government as a means of receiving official favor in the treatment of debts and a greater share of state-sponsored advertising.

Armenia

Status: Not Free

LEGAL ENVIRONMENT: 20
 POLITICAL ENVIRONMENT: 26
 ECONOMIC ENVIRONMENT: 18
 TOTAL SCORE: 64

Although Armenia has a significant independent and opposition print media and the constitution protects freedom of speech and of the press, the government continues to restrict full media freedom in the country. No significant changes to the existing legal framework for media were made during 2004, but there were some important court cases where the limits of journalists' rights have been tested. For the first time, there was a conviction in a case where journalists were attacked and prevented from carrying out their professional work. Photojournalist Mkhitar Khachatryan of the news agency PhotoLur and reporter Anna Israelyan of the opposition newspaper *Aravot Daily* were working on a story about illegal forest cutting and house constructions for people linked to the government when they were attacked by several men. A provincial court sentenced one of the attackers to six months in prison for assaulting the journalists. However, the people who allegedly ordered the assault never appeared in court.

In the meantime, security forces and unknown assailants carried out a series of brutal attacks on journalists who were reporting on opposition rallies in the spring. A cameraman from the Armenian office of the Russian Channel One was beaten and his camera smashed. In another incident, civilian attackers confiscated and smashed journalists' equipment, significantly preventing television coverage of the rallies and their violent dispersal. Although there was evidence of the attackers' identity, the authorities charged only two men, each of whom received a fine of less than US\$200, in stark contrast with the custodial penalties imposed on opposition activists for lesser offenses.

There are over 20 radio stations and more than 40 television stations, most of which are privately run. The president's office continues to provide policy guidance to Armenia's Public TV. Most newspapers are privately owned, but few have full independence from government or business interests, and major news sources are pro-government. There are also signs of decreasing access to alternative sources of information. In April, the Russian television channel NTV had its broadcasts suspended throughout Armenia after broadcasting footage of opposition protests.

The official explanation given for the suspension was “technical problems.” When NTV had not resumed broadcasting by the end of September, the government gave NTV’s frequency to another Russian channel, Kultura, which does not have political or social news programming. The private Armenian television station Kentron started a news and analysis program produced by Radio Free Europe/Radio Liberty, but the show was canceled only three days after it began broadcasts. Local nongovernmental organizations continue an unsuccessful campaign to renew the broadcasting rights for A1+ and Noyan Tapan, independent television channels that were shut down in 2002. In 2004, Yerkir Media, the first television station affiliated with a political party, began operating. Despite its political orientation, Yerkir Media is a new and alternative source of information that often criticizes government policy in its news reports.

LEGAL ENVIRONMENT: 4

POLITICAL ENVIRONMENT: 7

ECONOMIC ENVIRONMENT: 7

Australia

Status: Free

TOTAL SCORE: 18

Press freedom operates by convention rather than by constitutional guarantees. Journalists’ freedom to report and access information is tightly guarded by the Australian Press Council and the Media, Entertainment, and Arts Alliance, which represents more than 10,000 journalists. Nevertheless, the Australian Security Intelligence Organisation Act, amended in 2003, provides for a five-year prison sentence for journalists who fail to present themselves to the domestic security agency in response to a summons or fail to produce their sources or to pass on information they receive about a potential terrorist act. Defamation laws differ across state boundaries. However, in July the federal government proposed a national defamation law to eliminate problems publications face in complying with different defamation standards. Access to information remains costly, with government departments indirectly imposing procedural difficulties for journalists requesting access to government documents through freedom of information legislation. Journalists are subject to gag orders, leading to conflicts between a journalist’s right to report in the public interest and a source’s right of confidentiality. In March, a freelance journalist was subjected to an 18-week gag order by the Queensland Supreme Court

against publishing details about Elan Vital, a religious group based in Queensland, of which he was a former member.

Police raids on newspaper offices, while uncommon, do occur in Australia. In November, Australian federal police raided an indigenous newspaper office in the Northern Territory for leaked cabinet documents that revealed the government's initiatives to scale back Aboriginal welfare. With 75 percent of the news market owned by Murdoch's News Ltd., concentrated media ownership remains a concern. The federal government's relaxation of cross-media ownership rules exacerbated fears that greater media monopolies will hamper the robust investigation of government and corporate activities.

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. Seldom-used legal restrictions are in place that forbid reporting deemed detrimental to morality or national security. Libel and slander laws protect politicians and other government officials and in some cases lead to self-censorship. Amendments to the Private Television Act entered into force on August 1, 2004, and for the first time, nationwide private broadcasters are allowed to function. The state-owned Austrian Broadcasting Corporation (ORF) is now required to share one of its television frequencies with a new private commercial broadcaster, PULS TV, which went on the air in June 2004. Cable networks are required to rebroadcast nationwide programs, including ORF programs, and some regional programs. The broadcast media remain dominated by the ORF, which operates two television stations and four radio channels that provide balanced news coverage. However, cable and satellite offer access to a variety of German-language channels. Daily newspapers, both national and regional, have significant circulation and compete intensely. Foreign investors have a solid presence in the market, and ownership concentration is high; many radio stations have ties to print outlets in addition to ownership links between daily papers and weeklies. Press subsidies help newspapers survive and are designed to encourage pluralism. Internet access is unrestricted and widely available.

Azerbaijan

Status: Not Free

LEGAL ENVIRONMENT: 23
 POLITICAL ENVIRONMENT: 27
 ECONOMIC ENVIRONMENT: 22
 TOTAL SCORE: 72

The constitution guarantees freedom of speech and the right of citizens to receive information freely. However, in 2004, owing to the absence of an independent judiciary as well as significant financial pressures, the press remained dependent on the government and the oligarchs. The 1999 Law on Mass Media regulates the press. The government used criminal defamation suits, which allow for three-year prison sentences and high fines, to harass and bankrupt journalists and media outlets. Amid a slew of criminal and civil libel lawsuits this year, in a positive development, criminal defamation charges were dropped against Irada Huseynova, an exiled journalist. In 2004, parliament adopted the Law on Public Television, which provides for the transformation of Azerbaijan State Television, the largest broadcaster, into a public television station. International experts and observers have criticized the law and questioned whether it provides for adequate implementation and a completely independent public television station. An improved draft of the Law on Freedom of Information was submitted to parliament and is expected to be adopted during the spring 2005 session. Mass media have self-regulation bodies, the Press Council and the Broadcasting Council, but these remain under tight official control. Likewise, the National Council for Television and Radio, which is charged with issuing licenses and monitoring broadcasts, is inefficient and dependent on the government and did not issue any licenses during the year.

Reporters continue to face intimidation and attacks at the hands of the authorities. Elmar Huseinov and Einulla Fatullaeva, editorial staff of the weekly *Monitor*, were prosecuted and physically harassed, while Aydin Guliyev, editor of the opposition *Baki Khabar*, was kidnapped and beaten in July. Harassment of the opposition following the presidential election in October 2003 has affected mass media as well. Rauf Arifoglu, editor of the popular opposition daily *Yeni Musavat*, was detained following the elections and in October 2004 was sentenced to five years in prison for taking part in mass protests after the election.

More than 40 independent or opposition newspapers and over 20 television and radio stations are in operation, and the print media in particular provide diverse, if partisan, views. However, the government or

ruling elite own most of the printing presses, which print only state-owned or pro-government publications; Chap Evi, the sole independent printing press, had its electricity cut off several times throughout the year and was pressured to relocate. The government also hinders distribution of the opposition press by harassing independent newspaper vendors. The major source of news remains government-controlled television and radio, and the opposition has no access to television programs. The government requires Internet service providers to receive formal licenses from the Ministry of Communications and Information Technologies. A population too poor to buy newspapers, an underdeveloped market for advertising, and monopoly in the most profitable economic spheres are the main reasons the press is a nonprofit activity in Azerbaijan and is financially dependent on its sponsors. In a new development observed over the course of the year, talented journalists from opposition or independent newspapers are being lured by higher salaries and fees to publications controlled by government-friendly monopolies.

LEGAL ENVIRONMENT: 2

POLITICAL ENVIRONMENT: 6

ECONOMIC ENVIRONMENT: 6

Bahamas

Status: Free

TOTAL SCORE: 14

The constitution guarantees freedom of the press and speech. Harsh libel laws still exist, but they are not normally used to hinder the work of journalists. The International Press Institute reported that a ZNS radio reporter was suspended because of a controversial report and her employer's fear of legal action being taken against the station. In July, journalists attended a seminar hosted by the attorney general encouraging participants to petition the Constitutional Review Commission, which is reviewing the constitution with the intention of amending it. Traditionally, the Bahamian media provide a variety of political opinions and are generally free to criticize the government without interference. In June, the police force organized a seminar—the first of its kind—to improve relations with the media. Four dailies and one biweekly newspaper are all privately owned and widely read. The government supports the right to access public and independent information and does not restrict access to the foreign press or the Internet. Most radio stations are privately owned, except for ZNS1,

run by the state-owned Broadcasting Corporation of the Bahamas (BCB). BCB also owns one of two television stations in the country; the other is privately owned. The state-controlled media for the most part operate free of government influence. However, opposition parties routinely complain that their viewpoints receive less coverage than those of the ruling party.

LEGAL ENVIRONMENT: 23

POLITICAL ENVIRONMENT: 26

ECONOMIC ENVIRONMENT: 22

Bahrain

Status: Not Free

TOTAL SCORE: 71

The constitution allows for the right to press freedom, excluding opinions that undermine the fundamental beliefs of Islam or the “unity of the people” and those that promote “discord or sectarianism.” In practice, the government significantly restricts this right. While criticism in the press of government policies and the expression of opinions on domestic and foreign issues has increased in recent years, the 2002 Press Law includes 17 categories of offenses, 3 of which allow for prison sentences. The prime minister declared the Press Law to be “frozen” one week after its issuance; however, the government continues to enforce the law at its discretion.

The government owns and operates all radio and television stations in the country, and these outlets broadcast only official views. In August, the government announced plans to eliminate the Ministry of Information and establish the Bahrain Radio and Television Commission to regulate broadcast media. Print media are privately owned, but they usually exercise self-censorship in articles covering sensitive topics and are subject to harassment by the authorities. According to the U.S. State Department, in May the Ministry of Information confiscated the May 9–15 issues of *Al-Mushabid Al-Siyasi* magazine, which contained articles on a recent petition for constitutional change.

Broadcast media from neighboring countries are available, though the government continues to ban correspondents from the Qatar-based satellite channel Al-Jazeera. The government remains the country’s only Internet provider, though authorities have recently taken steps to liberalize the telecommunications sector. While usage is generally unrestricted, there are reports of government monitoring e-mails, and access to some opposition political Web sites is occasionally blocked.

Bangladesh

Status: Not Free

LEGAL ENVIRONMENT: 20
 POLITICAL ENVIRONMENT: 31
 ECONOMIC ENVIRONMENT: 17
 TOTAL SCORE: 68

Media continued to face a number of pressures in 2004, the most striking of which was the high level of violence directed against members of the press and the impunity enjoyed by those who attack them. 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 continue to be slapped with defamation charges or arrested under the Special Powers Act (which allows detentions of up to 90 days without trial) in reprisal for filing stories critical of government officials or policies. Editor and publisher Salah Uddin Shoaib Choudhury, who was arrested in November 2003 as he was about to depart the country to participate at a conference in Israel, was charged with sedition in February 2004. Choudhury remained in prison at year’s end, despite appeals that he be released on bail to receive medical treatment. Authorities have also reportedly limited official access to journalists from certain publications. The government remained sensitive to international scrutiny; foreign publications are subject to censorship, while foreign journalists and press freedom advocates have encountered increasing difficulties in obtaining visas to enter Bangladesh and are put under surveillance while in the country.

Journalists are harassed regularly and violently attacked by organized crime groups, political parties and their supporters, government authorities, the police, and extremist groups. Most commonly, they are subjected to such attacks as a result of their coverage of corruption, criminal activity, political violence, the rise of Islamic fundamentalism, and human rights abuses. In August, *Prothom Alo*, Bangladesh’s largest Bengali-language daily, was targeted after it published a series of investigative reports on militant Islamist activities in the southeastern region of Chittagong. Five journalists were killed during the year, and hundreds of others received death threats or were attacked, according to local watchdog group Odhikar. Impunity for those who perpetrate crimes against journalists is the norm. As a result, many journalists practice some level of self-censorship.

The independent print media continue to present an array of views, although political coverage at a number of newspapers is highly partisan, and a growing number of newspaper owners are either members of or otherwise affiliated with parties in the ruling coalition. The state owns

most broadcast media, whose coverage favors the ruling party. The few private broadcast outlets that have been granted licenses are required to air 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 are dependent. Although Internet access is generally unrestricted, authorities reportedly monitor some journalists' e-mail.

LEGAL ENVIRONMENT: 3

POLITICAL ENVIRONMENT: 6

ECONOMIC ENVIRONMENT: 8

Barbados

Status: Free

TOTAL SCORE: 17

Freedom of the press is constitutionally guaranteed and largely unrestricted. Media in Barbados operate in a very open environment and are free of censorship and government control. Journalists have, however, complained about the island's severe libel laws. All the media, state controlled and privately owned, are independent, express diverse political and social views, and regularly criticize state policies. Two daily newspapers, two weeklies, and a bimonthly newspaper are all privately owned. Radio stations in Barbados include the state-owned Caribbean Broadcasting Corporation (CBC), which operates three stations, as well as six private stations. The CBC also operates CBC-TV, the island's sole television station. There have been some complaints that the government uses its influence to limit reporting on certain sensitive issues. In October, the Association of Caribbean Media Workers criticized the CBC for refusing to air an edition of *The Press Club*, a weekly current affairs program. The edition reportedly highlighted aggressive police conduct in restricting media access during the high-profile Barbados wedding of American golfer Tiger Woods.

LEGAL ENVIRONMENT: 26

POLITICAL ENVIRONMENT: 32

ECONOMIC ENVIRONMENT: 28

Belarus

Status: Not Free

TOTAL SCORE: 86

Despite constitutional provisions for freedom of the press, the state restricted such rights in practice and increasingly asserted control over the press, particularly in the run-up to the flawed October 17 parliamentary

elections and referendum enabling President Alyaksandr Lukashenka to seek a third term in 2006. Courts prohibit criticism of the government by broadly interpreting harsh libel laws, which provide for prison sentences or high fines for libeling the president or government officials. The government used media laws to suspend more than 25 independent and opposition newspapers throughout the year, including 11 in the month before the elections. Foreign journalists are required to register with the Ministry of Foreign Affairs. In June, Mikhail Podolyak, a Ukrainian freelance journalist, was deported by the KGB for harming national interests by criticizing Lukashenka. He is banned from entering Belarus for five years.

The government controls the content of television broadcasts, and state-controlled media are biased in favor of the government. During the campaigning, opposition candidates received minimal and disparaging coverage. The independent and private press is active and expresses diverse and critical views, but many journalists practiced self-censorship due to increased government attacks on independent media. On Election Day, security forces assaulted both local and foreign journalists covering opposition demonstrations and arrested other journalists visiting polling stations. Several days later, well-known journalist Veronika Cherkasova was stabbed to death in her apartment. Cherkasova was a journalist for the opposition newspaper *Solidarnost* and covered politically sensitive issues, which her colleagues believe was the motive behind her killing. In November, Pavel Mazheyka, head of the Hrodna branch of the Belarusian Association of Journalists, was sentenced to seven days in jail for participating in a protest against pressure on the independent media. In April, authorities closed the investigation into the 2000 kidnapping of Dmitry Zavadsky, once Lukashenka's personal cameraman, despite the Council of Europe's report in January, which implicated government officials.

The government has a monopoly over the broadcast market and provides state-controlled media with considerable subsidies. Circulation of the independent press is low. Authorities put pressure on managers of state enterprises to advertise only in state media and on distributors and printing presses not to work with independent media. In January, the Belarus postal service and the state distributor canceled their 2004 contracts with one of the top-selling independent papers, *Belorusskaya Delovaya Gazeta*. The government telecommunications company has a monopoly over Internet service, which results in high prices and low usage and allows the government to monitor all Internet activity.

Belgium

Status: Free

LEGAL ENVIRONMENT: 2
 POLITICAL ENVIRONMENT: 4
 ECONOMIC ENVIRONMENT: 5
 TOTAL SCORE: 11

Freedom of the press is guaranteed by the constitution and generally respected by the government. Protection of journalists' sources has been a contentious issue in the country for several years. In late March, the legal committee of the Belgian parliament adopted a draft Law on Protection of Sources, but the law was not yet adopted at year's end. In March, Brussels police raided the home and office of Hans-Martin Tillack, a correspondent of the German weekly *Stern*, and detained him for 10 hours. The raid was allegedly authorized on behalf of the European Antifraud Office (OLAF), which accused Tillack of paying European Union (EU) officials for information in one of his 2002 investigative reports about EU corruption. A Luxembourg court subsequently denied Tillack's petition to prevent OLAF from inspecting material seized from him. The Belgian press is largely private and independent. A dual oversight board maintains balanced reporting on state-controlled television and radio broadcasts. Belgium's Flemish public broadcaster VRT and its journalists staunchly denied allegations that VRT coverage was biased in favor of an extreme far-right party in the June regional elections. Newspapers have gone through increasing concentration in ownership since the 1960s as corporations have been steadily buying up papers. As a result, today a handful of corporations run most of the country's newspapers. The government does not limit access to the Internet.

Belize

Status: Free

LEGAL ENVIRONMENT: 8
 POLITICAL ENVIRONMENT: 7
 ECONOMIC ENVIRONMENT: 5
 TOTAL SCORE: 20

Belize has a free and open media system, although laws allow for some government control. The government may imprison (up to three years) or fine (up to \$2,500) journalists or others who write in a critical way about the public financial disclosures of government officials. The Belize Broadcasting Authority also has the right to prior restraint of all broadcasts for national security reasons or reasons of national emergency. However, the government has not moved against journalists or invoked these rights for many years. There are no daily newspapers in Belize, but there is a lively

market for weeklies, with 10 circulating nationally or regionally. Two weeklies are supported directly by political parties. The country also has 10 radio stations, some of which are networked nationally, and 2 television networks, along with a variety of cable outlets. There were no direct threats to journalists like the problems experienced by investigative reporter Melvin Flores in 2003. Flores fled to the United States after receiving threats because of his reporting on corruption. The media scene is notable for its diversity of opinions, with little or no fear of government reprisals for criticism.

Benin

Status: Free

LEGAL ENVIRONMENT: 10

POLITICAL ENVIRONMENT: 10

ECONOMIC ENVIRONMENT: 10

TOTAL SCORE: 30

Constitutional guarantees for freedom of expression were put to the test in 2004 when four journalists were prosecuted for defamation and two were imprisoned. The jailing was the first since 1996 and marked a sour retreat from tolerance of criticism. All the prosecutions involved the 1997 Law on Criminal Libel, while three of the cases were spurred by two employees of the state media regulatory entity, the High Authority for Audio-Visual Media & Communications (HAAC). In June, one of the persecuted journalists, Patrick Adjumonsi, publications director of the daily *L'Aurore*, was sentenced in absentia to six months in prison and a symbolic fine of one CFA franc (less than one U.S. cent) for allegedly defaming the two HAAC employees. In August, Adjumonsi was arrested and released six days later, after his original sentence was overturned. By year's end, he faced a new trial and could serve more time in prison. The HAAC employees also pressed charges against two journalists from the private daily *La Pyramide*, both of whom were sentenced to six months in prison and a fine of one CFA franc. The convictions were overturned temporarily on appeal, assuring for now that Benin remains one of Africa's most open environments for the media. Earlier in the year, Jean-Baptiste Hounkonnou, publication director of the independent daily *Le Nouvel Essor*, was imprisoned after he received a six-month prison sentence for defamation. After serving six weeks, he was granted a provisional release and faces additional imprisonment if his appeal is rejected.

The independent press remains highly critical of both government and opposition leaders and their policies despite the recent prosecutions. About 20 private newspapers and periodicals appear alongside 3 television

channels (2 of them privately owned) and several radio stations. There are not enough readers and advertisers to sustain the large number of media outlets, and the government owns the most influential media. Poor pay for journalists makes them susceptible to bribery, and there are frequent reports of violations of professional ethics.

Bhutan

Status: Not Free

LEGAL ENVIRONMENT: 20
 POLITICAL ENVIRONMENT: 24
 ECONOMIC ENVIRONMENT: 22
 TOTAL SCORE: 66

Freedom of expression and of the press is restricted. In the absence of a constitution or clearly defined legislation concerning the operation of the media, the legal environment for the press remains opaque. Criticism of King Wangchuk and Bhutan's political system has by tradition been prohibited. Bhutan's only regular publication, the weekly *Kuensel*, generally reports news that puts the kingdom in a favorable light, although it does provide occasional coverage of criticism of government policies during assembly meetings. *Kuensel's* online edition, which is updated daily and contains reader feedback, provides a somewhat livelier forum for discussion and debate. In past years, journalists working for *Kuensel* have reportedly been subjected to threats from the government, but no cases of official harassment were made public during 2004. The broadcast media, which consist of the state-run Bhutan Broadcasting Service radio station and television station, do not carry anti-government positions and statements. Cable television services are privately run and carry uncensored foreign programming. However, while they are thriving in urban areas, their growth has been somewhat hampered by a high sales tax and the absence of a broadcasting law. Internet access is growing and is unrestricted, and a second Internet service provider started operations in 2004.

Bolivia

Status: Partly Free

LEGAL ENVIRONMENT: 13
 POLITICAL ENVIRONMENT: 15
 ECONOMIC ENVIRONMENT: 7
 TOTAL SCORE: 35

Although the constitution provides for press freedom, the ongoing political crisis in the country, economic conditions, and restrictive libel

laws continued to impact reporting in 2004. According to the Bolivian penal code, individuals found guilty of insulting, defaming, or slandering public officials for carrying out their duties may be sentenced to up to two years in jail, with longer sentences in cases involving the president, vice president, or a minister. These statutes contribute to self-censorship. An independent body called the Press Tribunal is authorized to evaluate journalists' work and address allegations that journalists have violated the constitution or citizens' rights. In January, in the first judgment since the tribunal's creation in 1929, the body found a reporter not guilty of charges of injuries and defamation.

Journalists reporting on corruption and the ongoing protests against official policies reported difficulties in carrying out their work; police forces prevented journalists from covering some events by forcibly removing them. Carmen Torres, a reporter with *La Patria*, received death threats after publishing accounts of illegal trafficking of exotic animals.

Privately owned print and broadcast media provide a range of views and frequently criticize the government, and state-run outlets generally operate freely. However, media ownership remains highly concentrated. With much of the population illiterate or speaking indigenous languages, community radio stations play a critical role in the dissemination of news and reporting. In May, government ministers and President Carlos Mesa ratified the Decree on Community-Based Radio Broadcasting, which legally recognizes community-based broadcasting and opens space for expanding local radio networks. This decree also complies with one of the recommendations made by the Inter-American Commission on Human Rights regarding radio broadcasting.

LEGAL ENVIRONMENT: 8

POLITICAL ENVIRONMENT: 21

ECONOMIC ENVIRONMENT: 16

Bosnia-Herzegovina

Status: Partly Free

TOTAL SCORE: 45

The constitution and the human rights annex to the Dayton peace accords provide for freedom of the press in Bosnia-Herzegovina. Although defamation and libel were decriminalized in 2003, many individuals and institutions file civil defamation suits asking for excessive compensation. However, the number of these suits decreased in 2004 compared with those of previous years. Many journalists in Bosnia are aligned with particular political interests, and political parties frequently

attempt to influence media content. In July, delegates from the Bosnian Croat Party called for a separation of Bosnia's public broadcaster into three channels, one for each regional language (Bosniak, Croatian, and Serbian). The request, however, did not pass the initial reading in the Parliament.

Media outlets that attempt to report objectively are often threatened and/or verbally attacked by various public officials. For example, during local elections several Serb ultranationalist parties in the largely Serbian Republika Srpska accused the editorial board of *Nazavisne Novine* of working against the interests of their ethnic group, while the vice president of the Party of Democratic Action (SDA), the ruling Bosniak party, implied that journalists from the federal RTV Sarajevo would be fired if they failed to portray the SDA in a more favorable light. In March, reporters from TV Gorazde filed a complaint against the station's executive, claiming he attempted to limit their free and objective reporting. Serious investigative journalism remains a dangerous activity for Bosnian reporters. In July 2004, an unidentified person detonated a bomb at the house of a well-known journalist in Sarajevo. In September, a reporter was attacked near his home in Banja Luka and threatened with murder if he continued hosting his popular radio show. A month later, a cameraman was badly beaten for trying to record a site where a war crimes suspect had been arrested.

Over 140 radio and 40 television stations operate and many independent, privately owned television stations and newspapers are available throughout the country. Opposition viewpoints are fully reflected. However, journalism continues to be jeopardized by a relatively low standard of professional ethics, a reliance on foreign donations for survival, and the fact that most media outlets appeal only to narrow ethnic constituencies. Another problem for the media has been a growing division in Bosnian society between secularists and religiously oriented segments of the population. The leader of the Bosnian Muslim community, for instance, appealed to Bosnian Muslim business owners to join an advertising boycott against the Sarajevo newsweekly *Dani* after the magazine had attacked him and the policies of the official Islamic community in the country. A parliamentarian suggested that her party might encourage its supporters to boycott the required television tax if the state-sponsored networks failed to broadcast more Islamic-related programming. Internet access in Bosnia is open and unrestricted; however, only 5 percent of the population subscribes to an Internet service.

Botswana

Status: Free

LEGAL ENVIRONMENT: 6
 POLITICAL ENVIRONMENT: 13
 ECONOMIC ENVIRONMENT: 11
 TOTAL SCORE: 30

Freedom of speech and of the press is provided for in the constitution, and the government generally respects these rights in practice. 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 press regulates itself through the Press Council of Botswana, launched in 2002. Journalists are occasionally threatened or attacked in retaliation for their reporting. The primary constraint affecting the media remains state domination of the broadcast media, particularly nationwide radio and television stations, which are the chief source of news for the majority of the population. Government-controlled media outlets 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. The government sometimes 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 increased in 2004, according to the Media Institute of Southern Africa. The November 2003 suspension of Radio Botswana's popular call-in segment of the morning show *Masa-e-sele* remained in effect at year's end; and in July 2004, the ministry announced the cancellation of the same station's daily newspaper review segment. Privately owned radio stations and the sole private television station have a limited reach. A number of independent dailies and weeklies publish from major cities and provide vigorous scrutiny of the government, but their financial viability continues to be undermined by the fact that the main government-owned newspaper, the *Daily News*, continues to be distributed nationwide at no cost. Internet access is unrestricted.

Brazil

Status: Partly Free

LEGAL ENVIRONMENT: 12
 POLITICAL ENVIRONMENT: 16
 ECONOMIC ENVIRONMENT: 12
 TOTAL SCORE: 40

The constitution provides for freedom of speech and of the press, and authorities generally respect these rights in practice. In December, the Brazilian National Congress passed an amendment to the constitution

that places under federal jurisdiction crimes against human rights, which can include the murder of journalists. In the past, many crimes against journalists have gone unpunished, owing partly to inefficiencies in the justice system at the state level. In some cases, police implicated in serious acts of violence against journalists have been acquitted despite compelling evidence of their complicity. An increase in defamation lawsuits, along with a growing trend of plaintiffs seeking high damage awards, huge fines for libel, and possible jail sentences have led to calls by working journalists for an updated press law.

International press advocacy organizations say that the country, particularly in the vast tracts of rural lands, is one of the most dangerous places in the hemisphere to practice the reporting trade. In 2004, three journalists were killed, and reporters remain virtually bereft of protection from violence, especially when investigating public corruption and the booming narcotics trade. The print media in particular have played a central role in exposing official corruption. In May, President Luiz Ignacio Lula da Silva attempted to revoke the visa of *New York Times* journalist William Larry Rohter Jr. after the American produced a thinly sourced report accusing the Brazilian leader of drunkenness. Da Silva withdrew his request for the revocation of Rohter's visa after a barrage of media and other public criticism and a judicial order delaying the journalist's expulsion from the country. In May, a proposal, which was floated by the government-allied National Federation of Journalists, sought to regulate who could work as a journalist. However, following heated criticism from free speech advocates and even members of da Silva's own party, the measure was shelved.

The independent print and broadcast media, which include privately held newspapers, magazines, and a growing number of online electronic publications, provide a lively array of views, including investigative reporting, without restriction. Major media include some 79 newspapers, 75 radio stations, 71 news Web sites, 40 magazines, 20 national television stations, and 16 news agencies, only a fraction of which are government owned. Despite the pluralism of Brazil's media, ownership is highly concentrated, with companies such as the Globo network dominating both print and broadcast outlets. In recent years, however, TV Globo's near monopoly over the broadcast media has been challenged by its rival, Sistema Brasileiro de Televisao. The government retains control of broadcast licensing; as a result, politicians frequently receive licenses and former members of the congressional committees providing oversight own many broadcast and print media.

Brunei

Status: Not Free

LEGAL ENVIRONMENT: 27
 POLITICAL ENVIRONMENT: 26
 ECONOMIC ENVIRONMENT: 22
 TOTAL SCORE: 75

Media in Brunei remain under the control of an absolute monarchy whose leader, Sultan Hassanal Bolkiah, rules by decree. Freedoms of speech and of the press are restricted under emergency laws that have been in effect since 1962. In addition, under legislation passed in 2001, newspapers must apply for annual publishing permits, noncitizens are required to obtain government approval before working for media outlets, and the government is empowered to shut down media outlets without showing cause. The press law also stipulates that journalists who report “false news” can be sentenced to prison terms of up to three years, although authorities have not had occasion to use this provision, according to Reporters sans frontieres.

Brunei’s media do not provide diverse viewpoints or critical scrutiny of the government. According to the BBC, the privately owned press is either owned or controlled by the sultan’s family or exercises self-censorship on political and religious matters. Brunei’s only daily paper is the *Borneo Bulletin*, which has an online version. The only local broadcast media are operated by the government-controlled Radio Television Brunei, while foreign TV stations are available via cable network. Fortunately, Internet use is growing and provides an avenue for citizens to express critical opinions. However, the Internet forum BruneiTalk was blocked temporarily in 2003 after contributors discussed the business dealings of senior officials.

Bulgaria

Status: Partly Free

LEGAL ENVIRONMENT: 10
 POLITICAL ENVIRONMENT: 13
 ECONOMIC ENVIRONMENT: 12
 TOTAL SCORE: 35

Despite constitutional guarantees for freedom of the press, the Bulgarian media landscape is plagued by political control; manipulation of advertising, especially at local and regional levels; and pressures on the press from the government, private owners, and criminal organizations. In September, two journalists were fined for refusing to reveal their source for a controversial article. Libel by a journalist is defined as a

criminal offense and is punishable by high fines. According to the European Union, the number of libel cases has increased and the risk of prosecution has led to self-censorship. The Access to Information Program reported problems with accessing information, frequent denials, and unanswered requests, particularly from minorities. The European Commission alleged that weak legislation is hindering the independence of the Council of Electronic Media (CEM), the broadcasting regulatory authority. Members of the CEM, who appoint the directors of Bulgarian National Television (BNT) and Bulgarian National Radio, are chosen partly by the president and partly by the national assembly, which continues to exercise control over the media. In March 2004, the CEM dismissed the director of BNT for mismanagement. Later, this decision was revoked in court, with appeals pending.

In November, representatives from Bulgaria's media signed a new ethics code. State-owned media present a variety of political views, but inefficiency of legislation allows for continued state control. Nongovernmental organizations and media associations describe the situation as risky for freedom of speech. In November, a Romanian journalist was arrested for unauthorized use of a concealed camera in a duty-free shop on the Romanian-Bulgarian border while on assignment for his station. The journalist faced up to three years' imprisonment, but international pressure forced the government to expedite the case, and the journalist was subsequently ordered to pay a fine. Press freedom organizations labeled the arrest a restriction on investigative reporting and a politicized use of an archaic law. A British reporter was also investigated for using a concealed camera as well as "inciting corruption" for a BBC television program. Violence against and harassment of journalists, particularly minority journalists, still exist, mostly the result of organized crime and a climate of impunity fostered by a weak judiciary.

Bulgaria provides a diverse range of independent and private newspapers. The press market is relatively stable, boasting many independent and private dailies and weeklies. However, the German media holding company WAZ, which has established a near monopoly of circulation as well as advertising revenue, dominates the market. Because of business interests of newspaper owners, editorial teams refrain from investigating or commenting on certain problems in the state. Owing to a low subscription base, advertising, particularly government advertising, is the only serious income generator.

Burkina Faso

Status: Partly Free

LEGAL ENVIRONMENT: 12
 POLITICAL ENVIRONMENT: 15
 ECONOMIC ENVIRONMENT: 13
 TOTAL SCORE: 40

Freedom of speech is protected by the constitution, and this right is generally respected in practice. However, under the 1993 information code, media outlets accused of endangering national security or distributing false news can be summarily banned. The Ministry of Information regulates all media, and the Supreme Council of Information further regulates the broadcast media. The popular television talk show, “Presse Dimanche,” which was canceled by the minister of information, did not resume broadcasting in 2004. Investigations into the December 1998 killing of prominent newspaper journalist Norbert Zongo remained stalled despite constant spotlighting of the case by the press. The leading suspect in the case, President Blaise Compaore’s brother, has never been charged and has been questioned only once.

State-operated media outlets display significant pro-government bias, but the private media, including several daily newspapers and more than 50 radio stations, function with little governmental interference. Three new commercial television channels have been established. The private media report on issues such as corruption or human rights violations and are often critical of the government. However, the administration remains sensitive to scrutiny and pressures some journalists into practicing self-censorship. National security was invoked in the arrest and detention of Mathieu Ndo, managing editor of the pro-opposition weekly *San Finna* and one of the leaders of the opposition party National Union for Democracy and Development. On orders of the Ministry of Security, Ndo was arrested at the airport and detained for six days following a visit to Cote d’Ivoire, where he was reporting on escalating tensions between the government and rebel forces. Ndo is a leading critic of the government’s support for rebels fighting the Cote d’Ivoire government.

Burma (Myanmar)

Status: Not Free

LEGAL ENVIRONMENT: 30
 POLITICAL ENVIRONMENT: 38
 ECONOMIC ENVIRONMENT: 28
 TOTAL SCORE: 96

The Burmese media are among the most tightly restricted in the world. The ruling military junta zealously implements a 1996 decree banning speech or statements that “undermine national stability,” and those who publicly express or disseminate views critical of the regime are subject to strict penalties that include lengthy prison terms. Although four journalists and writers were released from jail throughout the year, a number remained imprisoned as a result of expressing dissident views. The sentence of journalist Zaw Thet Htwe—editor of a sports magazine who was detained in June 2003, accused of involvement in a “conspiracy” against the government, and sentenced to death in November for treason—was reduced in May 2004 to three years’ imprisonment.

Other laws require private publications to apply for annual licenses and criminalize the use of unregistered telecommunications equipment, computers, and software. Both local and foreign journalists face significant restrictions in their ability to cover the news. In August, a local documentary filmmaker was arrested after he filmed footage of a flooding disaster in northern Kachin state. A small number of foreign reporters are allowed to enter Burma on special visas; they are generally subjected to intense scrutiny while in the country and in past years have occasionally been deported. In May, authorities moved to limit coverage of the national convention, refusing to grant visas to foreign correspondents and imposing advance censorship on the dissemination of the proceedings.

The government owns all broadcast media and daily newspapers and exercises tight control over a growing number of privately owned weekly and monthly publications. It subjects private periodicals to prepublication censorship and limits coverage to a small range of permissible topics. While official media outlets serve as mouthpieces of the state, private media generally avoid political news, and many journalists practice self-censorship. In September, the bimonthly current affairs journal *Khit-Sann* was closed by military censors because of its allegedly pro-American editorial policy. After the October 2004 purge of Khin Nyunt, prime minister and military intelligence (MI) chief, the new hard-line leadership took control of the Censorship Bureau (which previously had been controlled by the MI ministry) and suspended 17 publications, most indefinitely. Authorities

restrict the importation of foreign news periodicals, and although some people have access to international short-wave radio or satellite television, those caught accessing foreign broadcasts can be arrested, according to the Committee to Protect Journalists. The Internet, which operates in a limited fashion in the cities, is expensive, tightly regulated, and censored. Bagan Cybertech, the main Internet service provider that was formerly owned by Khin Nyunt's son, was taken over by the government in November. A stagnant economy, increased prices for newsprint, and a limited market for advertising revenue (following a 2002 ban on advertising Thai products) have further threatened the financial viability of the private press.

Burundi

Status: Not Free

LEGAL ENVIRONMENT: 21

POLITICAL ENVIRONMENT: 29

ECONOMIC ENVIRONMENT: 24

TOTAL SCORE: 74

Although the transitional constitution provides for freedom of expression, 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.” In addition, a media law enacted in November 2003 provides for fines and prison terms of up to five years for the dissemination of information that insults the president or is defamatory or injurious to any public or private individual. However, the law also abolished the requirement that newspapers submit articles to the authorities for prepublication review. The state-run National Communication Council (NCC), which is charged with regulating the media, occasionally bans or suspends independent publications and restricts permissible reporting. The political situation stabilized somewhat with the demobilization and disarmament of thousands of soldiers and former rebels in late 2004. Although a variety of political views are tolerated and the opposition press does function sporadically, reporters remain vulnerable to official harassment, detention, and violence, and many practice self-censorship. Newspapers have occasionally been forced to close for brief periods.

Readership is limited by low literacy levels, and radio is the primary source of information for many Burundians. The government owns and operates the main broadcast media as well as the country's only regularly

published newspaper, *Le Renouveau*; political coverage at these outlets remains strongly pro-government. However, the BBC World Service, Radio France Internationale, and the Voice of America are available on FM in Bujumbura, and Internet access is not restricted. Private publications and radio stations function sporadically, but some, such as Radio Publique Africaine (RPA), manage to present diverse and balanced views. In October, the NCC refused to permit RPA to set up a community-based station in the northern province of Ngozi, calling it “illegal.” The council also reprimanded several radio stations and suspended the news agency AGINFO for seven days over dispatches that it said disturbed the peace and could incite ethnic hatred.

Cambodia

Status: Not Free

LEGAL ENVIRONMENT: 17
 POLITICAL ENVIRONMENT: 24
 ECONOMIC ENVIRONMENT: 21
 TOTAL SCORE: 62

Freedoms of expression, the press, and publication are provided for in the constitution, and the government publicly professes to support these rights. However, although the press law provides journalists with several safeguards, it also permits the Ministry of Information to suspend newspapers, broadly prohibits the publication of articles that affect national security and political stability, and subjects the press to criminal statutes. In recent years, authorities have used the press law to suspend newspapers for 30-day periods for criticizing the government or monarchy and have limited media access to government facilities. An increasing number of media outlets were charged with defamation during 2004, and two reporters were convicted and ordered to pay fines to the defendants.

Journalists are occasionally beaten, detained, or otherwise harassed by authorities. In July, the Committee to Protect Journalists reported that two prominent reporters—English-language *Cambodia Daily* editor Kevin Doyle and Radio Free Asia stringer Sok Rathavisal—were arrested, detained, and forced to sign confessions that they had engaged in human trafficking before being released two days later. They were arrested while reporting on the situation of the Montagnards, Vietnamese ethnic minority refugees who had sought refuge in Cambodia. This incident illustrates the risks that investigative journalists have to live with in a country with democratic trappings whose tradition and leaders are solidly authoritarian.

Although some journalists practice self-censorship, print media outlets, many of which are aligned with or subsidized by the three main political factions, offer diverse views and provide some criticism of government policies and senior officials. Meanwhile, the broadcast sector remains controlled by the state or ruling party and programming 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. In addition, the economy is not strong enough to generate sufficient advertising revenues to support truly neutral or independent media. Access to foreign broadcasts and to the Internet is generally unrestricted.

Cameroon

Status: Not Free

LEGAL ENVIRONMENT: 22
 POLITICAL ENVIRONMENT: 25
 ECONOMIC ENVIRONMENT: 21
 TOTAL SCORE: 68

The constitution provides for freedom of the press, but this right is not respected by the government. Harsh criminal libel laws are often used to silence regime critics, with a number of journalists being sued for defamation and fined or sentenced to prison terms during the year. Eleven years after the national assembly passed a bill liberalizing the audio and visual media, President Paul Biya signed the legislation into force in 2001. However, the government continued to drag its feet in granting broadcasting licenses, forcing many radio and television stations to operate illegally.

Repression of the media remained a serious problem, with the government shutting down 12 independent radio and television stations in December 2003 on the grounds that they were operating without licenses. Radio Veritas, a Catholic station founded by Cardinal Christian Tumi, an outspoken critic of the government, was closed in November 2003 but allowed to resume broadcasting the following month under a license restricting its content to religious programming. In addition, journalists continue to be subjected to threats and harassment at the hands of police and security forces. In July 2004, two journalists from the BBC were detained and placed under house arrest by Cameroonian security forces in the disputed Bakassi region, where they had traveled to report on the handover of the region to Cameroon by Nigeria, and accused of spying. They were released without charge five days later. The government's crackdown intensified in

the run-up to the October presidential elections, which Biya won by a landslide. Political speculation on television and radio programs—particularly those featuring members of the opposition—provoked the government’s ire, in turn resulting in some degree of self-censorship.

The government owns one daily newspaper and exercises tight editorial control over the state-run broadcast media, which consistently portray official policies in a positive light. At least 20 private newspapers publish regularly, providing diverse views and criticism of the government. However, their influence is hampered by high production and distribution costs, as the government imposes high taxes on newsprint and retains control over newspaper warehouses, which enables them to seize controversial issues of publications. There are at least six national Internet service providers, some of which are privately owned, and the government has not tried to restrict or monitor this form of communication.

LEGAL ENVIRONMENT: 3

POLITICAL ENVIRONMENT: 8

ECONOMIC ENVIRONMENT: 6

Canada

Status: Free

TOTAL SCORE: 17

Under Canada’s Constitution Act of 1982, the Charter of Rights and Freedoms provides constitutional protection for freedom of expression, including freedom of the press. Defamatory libel and blasphemous libel are criminal offenses according to the federal criminal code. Journalists expressed concern that antiterror legislation was infringing on press freedom. As part of Canada’s antiterror bill, the government adopted the Security of Information Act, which forbids unauthorized possession or communication of sensitive government documents. In January, the Royal Canadian Mounted Police used the law to raid the home and office of *Ottawa Citizen* reporter Juliet O’Neill, who had allegedly leaked classified information relating to Maher Arar, a Syrian-born Canadian citizen. Arar was detained by U.S. authorities in 2002 while transiting to the United States and was deported to Syria, where he claims to have been tortured. In November, the Ontario Supreme Court ruled that the raids on O’Neill violated constitutional guarantees of a free press. In December, an Ontario court ordered *Hamilton Spectator* reporter Ken Peters to pay over US\$30,000 for refusing to reveal a source. Even though the source eventually came forward, Peters was still found in contempt of court for refusing to disclose

the name of the person present when the source handed him confidential documents related to problems at a Hamilton retirement home.

In June, the Canadian Radio-Television and Telecommunications Commission (CRTC), a regulatory body, denied a broadcasting application renewal of a Quebec radio station, claiming it was broadcasting racist and sexist hate speech. Following protests from media organizations, the CRTC agreed to allow the radio station to continue broadcasting, pending a court decision. In July, the CRTC approved the Qatar-based Al-Jazeera satellite network a license to broadcast in Canada, but only on the condition that the network be censored for anti-Semitic and anti-Israel content. The ruling effectively required cable companies to monitor Al-Jazeera programs 24 hours a day. Press freedom groups complained that the network ultimately would be unable to broadcast in Canada. Some civil libertarians have expressed concern over an amendment to the criminal code giving judges wide latitude in determining what constitutes hate speech on the Internet. In 2004, the government conducted investigations of Internet chat rooms and Web sites that allegedly preach hatred against minority groups and advocate violence against political leaders.

Media in Canada are generally free and express diverse views, though they sometimes exercise self-censorship in areas such as violence on television. The public Canadian Broadcasting Corporation runs four radio stations and two national television stations and broadcasts in French and English. There are almost 2,000 licensed radio stations in Canada. There are no laws regulating the distribution of print media. Pluralism in Canada has declined slightly in recent years owing to increasing concentration of media ownership.

LEGAL ENVIRONMENT: 7

POLITICAL ENVIRONMENT: 13

ECONOMIC ENVIRONMENT: 12

TOTAL SCORE: 32

Cape Verde

Status: Partly Free

A new penal code was introduced in 2004 that enhances criminal investigation procedures, but no changes were made to laws concerning freedom of expression. The constitution guarantees press freedom, and the government generally respects this in practice, but a 1999 constitutional amendment excludes the use of freedom of expression as a defense in

defamation cases. The last press freedom case was reported in November 2002 with the conviction of the *A Semana* newspaper for defamation; the case is still under appeal.

There are four newspapers, three privately owned and one owned by the state. Two of the three television stations are foreign owned, while the other television station is a government-owned outfit. Six of the seven radio stations are privately owned. Scrutiny of government by the press is generally limited, although some of the privately owned radio stations do criticize the government occasionally. Opposition politicians complain of limited access to state-owned media, although in nationwide municipal elections held in March, the ruling Party for the Independence of Cape Verde suffered a big loss. Although resource-poor, the economy has made a rapid transition in recent years with expatriate Cape Verdeans pumping money into the country.

	LEGAL ENVIRONMENT: 23
	POLITICAL ENVIRONMENT: 22
	ECONOMIC ENVIRONMENT: 18
Central African Republic	TOTAL SCORE: 63
Status: Not Free	

Despite promises by the new government to respect press freedom and amend restrictive media laws, authorities continued to use draconian criminal libel laws to prosecute journalists during the year. Maka Gbossokotto, publisher of the daily newspaper *Le Citoyen*, was arrested on July 8 after Jean-Serge Wanfio, a relative of Central African Republic leader Francois Bozize and head of the state-owned electricity company, filed a court complaint. After more than a month of pretrial detention, Gbossokotto received a one-year suspended sentence and US\$1,000 fine for “publicly insulting” the official in an article that alleged misappropriation of funds. In March, the same court sentenced Jude Zosse, publisher of the privately owned newspaper *L’Hirondelle*, to six months in prison for slandering Bozize by calling him a “state tax collector.” Zosse was released under a presidential pardon after serving two months of his sentence. The jailing of Gbossokotto and others provoked widespread condemnation. In a protest action, the country’s Association of Private and Independent Newspaper Publishers vowed to stop publishing on Fridays until the press code was revised in accordance with the promises Bozize made when he took power. Following intense lobbying by journalists and media associations, in December the country’s

parliament passed a law decriminalizing press offenses, although it has not yet been signed by Bozize. It will replace the controversial 1998 press code, which included provisions for prison terms with no parole for defamation and the “publication of false news.”

The UN peacekeeping mission in the country reported numerous press freedom violations in the last five months of 2004. Journalists are subject to arrest and detention at the hands of authorities, and continuing violence has inhibited their ability to report from rural areas, according to the Committee to Protect Journalists. Broadcast media remain dominated by the state; coverage focuses on the activities of senior government officials and rarely reflects opposition views. Several independent newspapers publish regularly and freely criticize the government, but they are not distributed outside the capital city of Bangui. Most licensed private radio stations are music or religion oriented, but some carry programming on human rights and peace-building issues, and the UN-sponsored Radio N’Deke Luka provides balanced local news and commentary and also rebroadcasts foreign news programs. Access to international news broadcasts and to the Internet is not restricted.

LEGAL ENVIRONMENT: 23

POLITICAL ENVIRONMENT: 29

ECONOMIC ENVIRONMENT: 21

TOTAL SCORE: 73

Chad

Status: Not Free

Despite a constitutional provision for freedom of expression, the government restricts press freedom in practice. Libel is considered a criminal offense, and those convicted have received both prison sentences and fines. In a move applauded by press freedom groups, FM Radio Liberte was awarded some US\$11,000 by Chad’s Supreme Court for damages sustained when the station was shut down by authorities for airing statements critical of President Idriss Deby’s third-term bid. Although press freedom has shown signs of improving in recent years, some subjects remain taboo in media coverage, particularly stories critical of President Deby or his relatives.

Journalists remain vulnerable to official intimidation and harassment. In February, the authorities in southern Chad shut down a small independent radio station, Radio Brakos, after it aired an interview with an opposition politician. Police beat up its director, Vatankah Tchanguis,

detained him for three days, and then released him without charge. In July, three local correspondents for a new Canadian-based monthly called *Ialtchad Presse* were detained by members of the National Security Agency and charged with failing to properly register the publication. Staff at the newspaper said that since its launch, reporters had been the target of “threats and intimidation” from Chadian authorities and that vendors of the newspaper had been harassed by security forces, especially in the northern districts of N’Djamena. Local reporters, particularly those who work in the provinces, have alleged that they are sometimes denied access to officials and that the government restricts their ability to cover events.

Newspapers that criticize the government circulate freely but have little impact among the largely rural and illiterate population. According to the BBC, radio is the medium of mass communication, but state control over broadcast media allows few dissenting views. The only television station, Teletchad, is state owned, and its coverage favors the government. Despite high licensing fees for commercial radio stations, there are 13 privately owned stations on the air, some operated by nonprofit groups (including human rights groups 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.

LEGAL ENVIRONMENT: 8

POLITICAL ENVIRONMENT: 10

ECONOMIC ENVIRONMENT: 6

Chile

Status: Free

TOTAL SCORE: 24

The Chilean constitution provides for freedom of speech. The media are independent, cover sensitive issues, and freely criticize the government in an atmosphere largely safe from physical threats and intimidation. However, insult (*desacato*) laws still on the books create difficulties in reporting on government and military authorities. As a result, some self-censorship persists. Chile has no law guaranteeing access to public information. A 2001 press freedom law did away with many of the restrictions on the media imposed by the former dictatorship of General Augusto Pinochet, and the media have been vigilant in covering the massive human rights abuses and official financial corruption dating from that period.

Nevertheless, some cases of harassment were reported during the year. In April, police seized two computer hard drives belonging to the online newspaper *El Mostrador* in connection with an investigation into the

bombing a month earlier of the Brazilian consulate in Santiago. In September, the bimonthly magazine *El Periodista* was robbed of four computers containing accounting and financial information following threats against its director; the intimidation was thought to be linked to the publication's probe of corruption at a municipality outside Santiago. Although state-owned print and broadcast media are generally considered editorially independent, political pressure is sometimes brought to bear. For example, in August the director of the government-owned daily *La Nacion* was fired, apparently because of his paper's coverage of a pedophile scandal in which senior figures in both ruling and opposition parties were implicated. However, the state-owned Television Nacional network has escaped direct government control, in part because it is self-supported by commercial advertising and is editorially independent. The country's more than 800 radio stations are the primary medium of choice for many Chileans. Almost 90 percent of the print media, while independent of the government, are owned by one of two major media conglomerates.

LEGAL ENVIRONMENT: 27

POLITICAL ENVIRONMENT: 33

ECONOMIC ENVIRONMENT: 22

China

Status: Not Free

TOTAL SCORE: 82

In China, news media are tightly controlled by the Central Propaganda Department of the Chinese Communist Party, especially concerning topic areas deemed by the party to be politically sensitive. Under the leadership of Politburo member Li Changchun, the Propaganda Department disseminates directives to media nationwide concerning mandatory use of state propaganda and indicating topics to be barred from reports. Communist Party control over the news media is supported by an elaborate web of legal restrictions. Administrative regulations, such as the 1990 Rule on Strengthening Management over Publications Concerning Important Party and National Leaders, make it illegal to report on any aspect of the lives of top leaders without permission from the Propaganda Department and other central government ministries. Statutes in the criminal code, such as the Protection of National Secrets Law, can make reporting on governmental affairs an offense punishable by prison sentences. Regulations and laws are vaguely worded and interpreted according to the wishes of the central party leadership. Although not usually enforceable, the constitution affords little protection for the news

media. Article 35 guarantees freedom of speech, assembly, and publication. However, other articles subordinate these rights to the national interest, which is defined by party-appointed courts.

Media reforms have allowed the commercialization of media operations without privatization of media ownership. All Chinese media are owned by the state, but the majority no longer receive state subsidies and now rely on income from advertisement sales. A few scholars argue that commercialization of media operations has acted as a freedom-inducing pressure by shifting the media's loyalty from the party to consumers. Indeed, a small number of media outlets have championed popular causes and printed embarrassing exposures of official malfeasance. Nevertheless, media personnel who do so are too often fired or arrested. In June, General Manager Yu Huafeng and Vice President Li Mingying of the *Southern Metropolitan Post* were sentenced to eight- and six-year prison sentences, respectively, in what was seen as an attempt to silence the popular tabloid-style newspaper after its aggressive reporting on the SARS epidemic in 2003 and the murder of Sun Zhigang in a Guangzhou prison. In extreme cases of repression, media organizations are shut down, as was the fate of the *21st Century World Herald* in 2003.

To avoid the risk of running afoul of the Propaganda Department, journalists often engage in self-censorship, a practice reinforced by frequent ideological indoctrination campaigns and by a salary scheme that pays journalists after their reports are published or broadcast. When a journalist writes a report considered too controversial, payment is withheld, and in some cases the journalist must pay for the cost of newsgathering out of pocket. A small number of elite media combat such deterrents to aggressive reporting (which sells well to consumers bored by the usual fare of platitudes) by paying journalists for reports that are subject to censorship.

News media freedom in China, such as it is, declined in 2004. A March 22 report by the *Beijing Broadcast Newspaper* quoted the manager of the national television station CCTV, Yang Weiguang, as saying that ratings for the nation's most watched investigative television news program, *Jiaodian Fangtan*, had declined precipitously owing to the program's inability to air critical news reports. Nearly all news of the 2004 Taiwan presidential election was subject to severe censorship; a peaceful demonstration of 2.5 million people in Taiwan against the threat of Chinese invasion received no mention in the Chinese media. On various occasions, foreign journalists were detained or beaten for coverage of stories, such as the violent reaction of Beijing soccer fans to China's defeat to Japan in the Asia Cup final. *New York Times* researcher Zhao Yan was imprisoned

after being accused of leaking state secrets. According to the Committee to Protect Journalists, China has imprisoned 42 journalists, the highest number by any country in the world. A recent report by the China Internet Information Center estimates the number of Internet users at 94 million, large in absolute terms but calculated to be less than 8 percent of the country's population. Foreign and domestic Web sites are routinely blocked. Thousands of Internet bars were closed and numerous blogs shut down for sexually explicit or political content.

Colombia

Status: Not Free

LEGAL ENVIRONMENT: 12
 POLITICAL ENVIRONMENT: 32
 ECONOMIC ENVIRONMENT: 19
 TOTAL SCORE: 63

Freedom of speech is guaranteed by the 1991 constitution, and libel laws are rarely used to silence journalists. In March, the libel case against columnist Roberto Posada was dropped by prosecutors. President Alvaro Uribe proposed antiterrorism legislation that restricted travel and allowed mail interception and wiretapping without a warrant in specific regions; this law was declared unconstitutional by the Supreme Court in August on a procedural technicality. Journalists were also concerned that government restrictions on reporting on official talks with paramilitary groups, which required accreditation approved only in Bogota and during a three-day window, would limit media freedom. A climate of impunity exists, with most violators of press freedom going unpunished.

Colombia continues to be one of the most dangerous countries in the world in which to be a journalist, with the ongoing internal conflict and corruption issues particularly difficult to cover. Guerrilla forces, paramilitary groups, government security forces, and local officials all impede the free exercise of journalism. A growing number of journalists practice self-censorship because of fear of reprisals. At least 1 journalist was killed during 2004, and 4 were forced into exile because of death threats; more than 37 journalists reported threats. On February 4, news director Oscar Alberto Polanco was killed leaving the television station where he worked in Valle; he had denounced corruption in the local government. In April, radio journalist Jorge Elias Corredor Quintero survived an assassination attack that killed his stepdaughter, while reporter Cristian Herrera fled Colombia in September after receiving threatening calls following articles on crime and corruption implicating police forces and local officials.

Paramilitary forces were responsible for a number of attacks against journalists. In January, members of the right-wing United Self-Defense Forces of Colombia (AUC) detained and tortured television host Ines Pena; she was told not to continue with her television program. Left-wing guerrillas were also responsible for attacks against the media. Presumed National Liberation Army (ELN) guerrillas threatened three radio journalists in Santander. In October, guerrillas with the Revolutionary Armed Forces of Colombia (FARC) detained television journalist Luis Carlos Burbano and photographer Mauricio Mesa in Putumayo, releasing them a day later. Later that month, the FARC detained two journalists from Canal Caracol, also in Putumayo. Security forces occasionally prevented journalists from reporting. In June, four journalists in Barrancabermeja reported threats, harassment, and in one case physical attacks by police as they attempted to report on a protest march.

Colombian media are predominantly privately owned, and numerous print and broadcast outlets provide diverse views. However, ownership remains somewhat concentrated in the hands of a few business conglomerates. The government tends to use its advertising money to influence media coverage.

LEGAL ENVIRONMENT: 11

POLITICAL ENVIRONMENT: 18

ECONOMIC ENVIRONMENT: 15

TOTAL SCORE: 44

Comoros

Status: Partly Free

A new constitution adopted in December 2001 provides for freedom of speech and of the press, and these rights are generally respected. Nevertheless, journalists are occasionally sued for defamation. Comoros has several independent newspapers and one semiofficial weekly, *Al-Watwan*. However, they appear only sporadically because of limited resources. The Comoran Print Media Association met with President Azali Assoumani this year and pledged to “behave responsibly” while still protecting freedom of expression. Of the two national radio stations, one (Radio Comoros) is run by the government; the other (Radio Tropicque) is run by the opposition. Several local radio and television stations are also available, as is French television. Satellite antennas are popular. Although the independent print and broadcast media operate without overt government interference and are critical of official policies, some

journalists are believed to exercise self-censorship. Reporters are occasionally harassed. Lack of resources is a major impediment to a more robust media in Comoros.

Congo, Republic of (Brazzaville)

LEGAL ENVIRONMENT: 17
POLITICAL ENVIRONMENT: 17
ECONOMIC ENVIRONMENT: 17

Status: Partly Free

TOTAL SCORE: 51

The Republic of Congo's constitution guarantees press freedom, and the government generally respects this right in practice. In 2001, the government abolished censorship and sharply reduced penalties for defamation. The new press code liberalized the broadcasting sector, although political parties are not permitted to own radio or television stations. Prison sentences can still be handed down in cases of incitement to ethnic hatred, violence, or civil war, while libel is generally punishable by monetary fines. Media watchdog groups say that excessive fines are sometimes used to harass publications critical of the government. In late January 2004, officials from the state oil company filed six defamation complaints and sought heavy fines against the weekly *L'Observateur* for articles alleging mismanagement of public funds. Instances of physical harassment or attacks against journalists have become relatively rare.

About 10 private newspapers appear weekly in Brazzaville, and they often publish articles and editorials that are critical of the government. However, because these publications are not distributed widely outside the capital and other urban areas, most Congolese rely on radio broadcasts for information. The government continues to monopolize the broadcast sector, and journalists at state-owned outlets are expected to report favorably on official policies. According to the U.S. State Department, several journalists who deviated from this practice were transferred or removed from their jobs during the year. International correspondents based in Brazzaville also faced some pressure from authorities; in November, the government asked the BBC to remove their local correspondent, and a reporter for Radio France Internationale who was researching a politically sensitive story was detained and interrogated by security forces before being escorted onto her plane back to France. There are approximately 10 domestic Internet service providers and no government restrictions on Internet use.

Congo, Democratic Republic of (Kinshasa)

LEGAL ENVIRONMENT: 25
POLITICAL ENVIRONMENT: 31
ECONOMIC ENVIRONMENT: 25

Status: Not Free

TOTAL SCORE: 81

Freedom of expression is limited, although the new constitution contains several articles intended to guarantee free expression, and the government has created a national law reform commission tasked with amending legislation that curtails the media. Tensions escalated in the run-up to national elections scheduled for June 2005, with some political parties attacking one another through the media. Draconian laws dating back to the time of the late dictator Mobutu Sese Seko are still used to censor and jail journalists who anger government officials. Defamation carries a prison sentence of up to five years, and journalists are often jailed as soon as they are accused, under a policy of preventive detention. In January, nine journalists from the state broadcaster, Congolese National Radio-Television, were sentenced to a year in prison without possibility of parole after being found guilty of defamation. The journalists, who were also fined US\$2,500 each, had accused former communications and press minister Kikaya bin Karubi of embezzlement. The broadcasting sector is regulated primarily by the High Authority on Media, a body created under the peace accords with the power to suspend radio and television programs that are deemed to have broken the law. Journalists also self-regulate the profession through the Congolese National Press Union and the Observatory of Congolese Media, which issue press credentials and handle ethics complaints.

Despite some statutory protections, independent journalists are frequently threatened, arrested and detained, or attacked by both rebel groups and government officials. In August, national intelligence agents and police raided the offices of Radio Hosanna, an evangelical station in the southern city of Lubumbashi, arresting seven employees and seizing the station's transmission equipment. The employees were freed three days later without charge. The raid followed a sermon broadcast by the station's owner, Pastor Albert Lukusa, accusing the government of corruption and economic mismanagement. A mutiny in June in the town of Bukavu sparked a widely condemned government crackdown on the press, with authorities issuing several directives restricting coverage and jailing at least four journalists. Attackers allegedly led by an army officer severely beat another journalist, according to the Committee to Protect Journalists, which conducted an investigation to the area. Rebels also shut down Bukavu's three leading

community radio stations and threatened at least four journalists. The Committee to Protect Journalists found that persistent insecurity, especially in the eastern part of the republic, seriously impedes the ability of journalists to do their work and jeopardizes their safety. In areas of the country under tenuous government control, armed groups and local authorities continue to severely restrict press freedom. While many journalists say their working conditions have improved since the peace agreement of 2002, most are still poorly paid and lack adequate training.

Many private broadcasters operate largely without hindrance, but community-based radio stations remain susceptible to political pressures because of excessively high licensing fees. The UN broadcaster Radio Okapi has expanded its coverage of the country to include several local languages. However, the state-run broadcasting network continues to reach the broadest segment of the population. At least 30 independent newspapers are published regularly in Kinshasa and provide a diversity of views, but they are not widely circulated beyond the city. The government does not restrict access to the Internet, but few Congolese can afford the connection costs.

LEGAL ENVIRONMENT: 5

POLITICAL ENVIRONMENT: 7

ECONOMIC ENVIRONMENT: 7

TOTAL SCORE: 19

Costa Rica

Status: Free

The oldest democracy in Latin America, Costa Rica also has a press freedom law that is the oldest in Central America, dating from 1835. A July 2004 decision by the Inter-American Court of Human Rights regarding a defamation case may cause the country to review and revise its restrictive criminal libel statutes. The government agreed to respect the Inter-American Court decision, which struck down the 1999 defamation conviction of Mauricio Herrera Ulloa of *La Nacion*. A Costa Rican court had ruled that articles by Herrera defamed a Costa Rican diplomat. The ruling also called for a revision of Costa Rica's criminal libel laws, and this could have an effect on libel cases throughout the Americas. During the year, three journalists were sentenced to criminal charges for journalistic infractions.

In 2004, authorities also continued unraveling the 2001 murder case of radio journalist Parmenio Medina. Nine defendants, including a Catholic priest, await trial for the Medina murder. Prosecutors were transcribing

hundreds of hours of tapes to present their charges, which involve an intricate conspiracy. Numerous privately owned print and broadcast media provide diverse views and continue to criticize the government freely. The major media owners are a group of moderate conservatives, while Mexican media mogul Angel Gonzalez hides his television network properties in the country through a series of holding companies.

Cote d'Ivoire

Status: Not Free

LEGAL ENVIRONMENT: 19
 POLITICAL ENVIRONMENT: 31
 ECONOMIC ENVIRONMENT: 19
 TOTAL SCORE: 69

Frequent legal and physical harassment by government and rebel factions render constitutional provisions for freedom of expression meaningless. In December, the parliament passed a new law that removed criminal penalties for press offenses such as defamation or publishing false information. Prior to this, the law had allowed authorities to initiate criminal libel proceedings against journalists. In April, Gaston Bony, radio journalist and editor of the weekly *Le Venin*, was convicted of defamation and sentenced to six months in jail. In January, a military court found police Master Sergeant Dago Sery Theodore guilty of the October 2003 murder of French journalist Christian Baldensperger, a Radio France Internationale (RFI) reporter who wrote under the name "Jean Helene." Theodore was fined and sentenced to 17 years' imprisonment. French-Canadian freelance journalist Guy-Andre Kieffer, one of the last investigative reporters still based in the country, disappeared on April 16. Kieffer was also a commodities consultant and had conducted investigations exposing corruption in the cocoa and coffee sector. The authorities did not open an investigation into the disappearance for more than a month, and then, after pressure from the French, arrested only one man, a member of President Laurent Gbagbo's family, and refused to question others who might be involved.

While the UN and French peacekeepers tried to enforce the 2003 peace agreement signed by the government, rebels, and the opposition, tension among the factions escalated throughout the year, and the media were major casualties of this ongoing conflict. During protests in March organized by the opposition parties, there were several reports of security forces harassing, beating, and detaining journalists reporting on the

protests. The programs of all international radio services were cut off for several days without explanation. RFI was banned from broadcasting for one day in May after it criticized the government for violence during the March protests. In rebel-held territories, rebel forces also harassed journalists. In August, independent daily *L'Inter* journalist Amadou Dagnogo disappeared for two months. He was later rescued by French peacekeepers and reported that he had been abducted by rebels, who detained and tortured him for five days, and that he then went into hiding because of continued death threats.

On November 4, President Gbagbo launched air strikes on rebel territories, breaking the 2003 cease-fire. The same day, pro-government militias raided state-owned broadcasters and opposition newspapers. They ransacked and hijacked the public broadcaster, Radio Television Ivoirienne (RTI), and Radio Cote d'Ivoire. They also attacked several opposition newspapers, including *24 Heures*, *Le Patriot*, *Le Nouveau Reveil*, *Le Jour*, *Le Front*, and *Le Liberal Nouveau*. At RTI, the general director was replaced with an ally of President Gbagbo. The radio broadcasts of RFI, the BBC, and Africa No. 1 were sabotaged. Subsequently, a spate of hate broadcasts on state radio drove thousands of Ivoirians and foreigners, mainly French, to flee the country. The national newspaper distribution company stopped distributing eight opposition newspapers in government-held territory after the militias attacked vendors and those distributing the newspapers. On November 7, a local correspondent for *Le Courrier*, a privately owned daily that supports President Gbagbo, was fatally shot during clashes between the Ivoirian army, demonstrators, and members of the French peacekeeping force. The killing was blamed on French troops.

The government-owned media are used to promote government policies and criticize the opposition. The government controls two major radio stations, one of which is the only national station and the major source of news in the country. Private print and community radio stations do present diverse views and frequently criticize the government, but they have been increasingly harassed for these reports. Following the 2002 rebellion, the government has increasingly censored the media. In June, the minister of communications announced that state media would need to submit for approval from the ministry any reports dealing with information about attacks. In rebel-held territory, rebels broadcast their own programming. Four major private international radio stations are available in the country, which serves as a counterweight to the politicized

nature of the domestic media scene. However, following the killing of Jean Helene and the abduction of Kieffer, many foreign journalists left the country. The France 2 channel transferred to Dakar, and RFI closed its Abidjan office.

Croatia

Status: Partly Free

LEGAL ENVIRONMENT: 11
 POLITICAL ENVIRONMENT: 13
 ECONOMIC ENVIRONMENT: 13
 TOTAL SCORE: 37

Freedom of the press is constitutionally protected. Croatian media have gained substantial freedom, and the government has adopted important legal changes in the last few years. A new media law was passed in April 2004 that aims to protect independent media, but a provision stipulates that sanctions can be carried out against journalists who refuse to reveal their sources. Libel remains a criminal offense in Croatia, and two journalists were sentenced to suspended prison sentences for criminal libel during the year. In July, a newspaper editor narrowly escaped a prison sentence for refusing to pay a high fine for libel. Fearing international criticism, the justice minister paid his fine. A large number of libel cases remain unresolved owing to an inefficient judiciary. Implementation of the 2003 Law on the Right to Access Information has been insufficient, and the Croatian Journalists Association reports that access to information deteriorated in 2004.

Government cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY) at The Hague and other sensitive political issues are still difficult to cover for state-run and local media outlets. Several reporters were physically attacked this year, and one reporter claimed to have received death threats. There were no arrests for the 2003 shooting of a broadcaster owner and the car bombing of an influential publisher. Two separate incidents involving the harassment of journalists by the Counterintelligence Agency (POA) shocked media organizations. In November, a journalist came forward and stated that she was held against her will, threatened, blackmailed, and interrogated about the president's activities. Earlier in the year, four journalists filed complaints claiming that the POA had conducted surveillance against them and accused them of espionage because the journalists had reported on the whereabouts of an indicted war criminal. After each instance, the POA director was replaced.

Approximately 150 radio stations and 15 television channels operate in Croatia, and 2 out of 3 national television stations are private. However, state-owned Croatian Radio and Television (HRT) is the market leader on the national level, and the state remained the largest media owner. The government does not restrict the foreign press and Internet use, but few Croatians are able to afford these sources of information. The law regulating transparency of media ownership is still not fully implemented, and print media remain susceptible to owners' political and business interests. Most local media are still at least partially owned and financially dependent on local officials. HRT has yet to transform from a state to a public broadcaster, and this year there were reports of government officials attempting to influence HRT's reporting. A cabinet minister threatened to impose a value-added tax on the subscription fee for HRT, and the speaker of the parliament complained about HRT's coverage and threatened to make changes to the law governing HRT.

LEGAL ENVIRONMENT: 30

POLITICAL ENVIRONMENT: 38

ECONOMIC ENVIRONMENT: 28

Cuba

Status: Not Free

TOTAL SCORE: 96

Cuba continues to operate with the most restrictive laws on free speech and free press in the hemisphere. According to the constitution, free speech and press are allowed if they “conform to the aims of socialist society,” in effect giving the government license to maintain control over all media and impose stiff penalties on independent journalists. Laws allow up to 1 year in jail for spreading antigovernment propaganda, graffiti, and disrespect of officials (up to 3 years for cases involving criticism of President Fidel Castro or members of the Council of State); spreading enemy propaganda carries a sentence of up to 14 years. “Clandestine printing” is forbidden by the penal code, and failure to identify the author or press of a publication is punishable by three to six months in jail. In January, additional legislation was passed that limited Internet access to officially licensed businesses and government offices.

The laws used to prosecute journalists include Article 91 of the penal code, which establishes prison sentences or the death penalty for those who act against “the independence or the territorial integrity of the state.” Law 88 (also known as the Law for the Protection of National Independence and the Economy of Cuba) establishes prison terms from

three to eight years for reproducing and disseminating subversive material from the United States; the law further criminalizes collaboration with “foreign radio or television stations, newspapers, magazines, or other mass media,” with penalties of up to eight years in prison if these activities are carried out for profit. In 2003, more than 30 independent journalists and human rights activists were arrested for alleged violations of Article 91 and Law 88 and sentenced to prison terms ranging from 14 to 27 years. Following significant international protests, several of these journalists were released during the course of 2004, among them Jorge Olivera Castillo, Raul Rivero, Manuel Vazquez Portal, Oscar Espinosa Chepe, and Carmelo Diaz Fernandez. Some of those who had been released were in poor health; some later reported that they intended to go into exile. Of the original group, at least 22 journalists remained in jail at the end of 2004.

The Castro government maintains extensive efforts to monitor and control speech. Local branches of the Committee to Defend the Revolution are charged with reporting dissent. State security agents regularly carry out surveillance on both foreign and national journalists and have used undercover agents to infiltrate independent media organizations. Some foreign journalists were prevented from entering the country to carry out their reporting. Cuban independent journalists reported harassment, threats, confiscation of property, and limitation of their movements. The Cuban government continued to jam transmission of Radio and Television Marti, a U.S.-government-sponsored news service; in May, the Bush administration announced a plan to ensure free transmission of Marti programs by using military aircraft to broadcast them. All print and electronic media are state owned. Cubans also do not have access to foreign media, although some international papers are for sale in hotels. The Communist Party controls all national media content except for small, unauthorized publications sponsored by churches.

LEGAL ENVIRONMENT: 5
 POLITICAL ENVIRONMENT: 10
 ECONOMIC ENVIRONMENT: 7
 TOTAL SCORE: 22

Cyprus

Status: Free

Freedom of the press is generally respected in law and practice in the Greek sector. The independent press is vibrant and frequently criticizes authorities, and private television and radio stations compete effectively

with government-controlled stations. Cypriots have access to Greek and Turkish broadcasts. There are seven major dailies, one weekly newspaper, and six major magazines. However, most daily newspapers belong to or are linked to political parties or other groups, and only the state broadcaster has sufficient funds to produce substantial amounts of its own programming. Ownership is highly concentrated.

In the run-up to the April referendum on the Annan settlement plan for reunification of the island, the government allegedly pressured the media to support its position against the plan. Both public and private Greek Cypriot media showed a marked bias against the Annan plan, including giving more television airtime to opponents of the plan. In addition, the state-owned Cyprus Broadcasting Corporation declined to interview members of the international community who were in favor of the Annan plan in the days leading up to the referendum. The Turkish Cypriot leader, President Rauf Denktash, refused the UN's request for a news blackout during the reunification talks, although this was probably to serve his own ends, not those of free media.

In the north, laws are in place for freedom of the press, but authorities are overtly hostile to the independent press. Several local daily newspapers are available, but the broadcasting service is controlled exclusively by the Turkish Cypriot administration. The editor of the outspoken daily newspaper *Afrika*, Sener Levent, has faced hundreds of court summonses for his paper's criticism of Turkish and Turkish Cypriot officials, including many in 2004. Journalists at the daily newspaper *Kibris*, which was in favor of reunification, were the targets of death threats leading up to the referendum. Following the referendum, three small homemade bombs exploded outside the *Kibris* office. [The numerical rating for Cyprus is based on conditions on the Greek side of the island.]

LEGAL ENVIRONMENT: 6

POLITICAL ENVIRONMENT: 9

ECONOMIC ENVIRONMENT: 7

Czech Republic

Status: Free

TOTAL SCORE: 22

The press is generally free and independent. Freedom of the press is constitutionally guaranteed, although exceptions do exist. The Charter of Fundamental Rights and Freedoms prohibits speech that would impede national security, individual rights, public health, and morality. The law

also bans publishing information that evokes hatred based on race, ethnicity, or national origin. In January, the Prague Municipal Court reimposed a three-year sentence on Michal Zitko for publishing an edition of Hitler's *Mein Kampf* because of concerns that the book might encourage the rise of a neo-Nazi movement. Libel remains a criminal offense, and journalists face prison terms if convicted. In January 2004, the Prague City Court ordered the weekly *Respekt* to apologize to the interior minister for writing about his telephone conversations with the owner of a Prague brothel. In an unrelated incident, two unidentified men attacked the editor in chief of the same paper. It is suspected that the attack was somehow related to the corruption investigations conducted by the paper.

The private media are active, represent diverse views, and are largely independent of government or partisan pressure. Commercial pressures, however, remain strong. In January, the general director of Czech TV apologized to one of the station's major advertisers for a three-year-old critical news story. Foreign ownership in the press market remains high: German and Swiss companies hold more than 80 percent of daily press outlets. Some nongovernmental organizations suggest that such a high concentration of the media in the hands of foreign owners could lead to an increase of low-quality tabloid journalism that traditionally appeals to commercial interests. The government does not impose any restrictions on access to the Internet.

LEGAL ENVIRONMENT: 2

POLITICAL ENVIRONMENT: 3

ECONOMIC ENVIRONMENT: 5

Denmark

Status: Free

TOTAL SCORE: 10

Danish media enjoy strong constitutional protections and a long tradition of press freedom. Independent print and broadcast media reflect a wide variety of views and are often critical of the government. However, there are some tensions between the government and the media. In April, Jesper Larsen and Michael Bjerre, two journalists with the conservative daily *Berlingske Tidende*, faced criminal charges for publishing extracts of confidential military reports passed on by a former intelligence officer. The reports, used by the government when it made its decision to go to war against Iraq, allegedly cast doubt on the existence of weapons of mass destruction. The intelligence officer who leaked the reports was also charged. The government finances four of the five national television

networks and several radio stations, though their editorial boards are independent. Several private cable and satellite television channels also exist, as do private radio stations, which are tightly regulated.

Djibouti

Status: Not Free

LEGAL ENVIRONMENT: 22

POLITICAL ENVIRONMENT: 24

ECONOMIC ENVIRONMENT: 21

TOTAL SCORE: 67

Despite constitutional protection, freedom of speech is often restricted by the government. Slander is prohibited, and other laws that forbid the dissemination of “false information” and regulate the publication of newspapers have been used against the independent press. The government owns the country’s principal newspaper, *La Nation*. Opposition-run private publications are generally allowed to circulate freely and criticize some official policies. However, journalists generally self-censor coverage of sensitive issues (such as human rights, the army, the Front for the Restoration of Unity and Democracy, relations with Ethiopia, and French financial aid) from fear of prosecution. In June, police arrested journalist Houssein Ahmed Farah after he was ordered to stop his vehicle during the passage of the First Lady’s motorcade. Farah, a staff member of the newspaper *Le Renouveau*, was subsequently charged with “endangering the First Lady’s procession” and incarcerated. His brother is *Le Renouveau* editor in chief Daher Ahmed Farah, who has frequently been jailed on similarly specious charges. Legal action aimed at closing his paper is currently under way in the Supreme Court. The government owns all broadcast media, which are generally uncritical of state policies, as well as the country’s sole Internet service provider. International radio broadcasts are available. In general, journalists are poorly paid and lack adequate training.

Dominica

Status: Free

LEGAL ENVIRONMENT: 2

POLITICAL ENVIRONMENT: 8

ECONOMIC ENVIRONMENT: 7

TOTAL SCORE: 17

The constitution guarantees freedom of the press. The media operate without government restrictions and are often critical of reigning administrations. The Association of Caribbean Media Workers expressed

concern regarding authorities' verbal attacks on journalists, particularly around the time of the by-election in April, following the sudden death of Prime Minister Pierre Charles in January. On the day of the by-election, two Kairi FM radio station reporters were harassed and threatened by supporters of the majority Dominica Labour Party. The opposition candidate is the managing director of Kairi FM. The Media Workers Association of Dominica was concerned that the verbal attacks by government ministers encouraged public hostility toward journalists. There is no daily newspaper, but there are several weekly publications. Dominica has five public and private radio stations. There are no national television services, but a private cable television network does cover part of the island.

LEGAL ENVIRONMENT: 7

POLITICAL ENVIRONMENT: 16

ECONOMIC ENVIRONMENT: 15

Dominican Republic

Status: Partly Free

TOTAL SCORE: 38

The law provides for freedom of speech and of the press, and the government generally respects these rights. The approval and enactment in July of a Free Access to Public Information Act proved to be a positive development. However, the new administration of President Leonel Fernandez declared in November that his government would strive to reduce the amount of government information available in order to protect those involved from unnecessary investigation. Controversy continued over the 2003 takeover by the courts of the editorial empire owned by the now defunct bank Baninter. Following the state's intervention, editors at all the newspaper, radio, and television outlets that formed part of Baninter's holdings were duly replaced by government appointees. Many Dominican journalists contend that in the run-up to the May 2004 presidential election, the daily *Listin Diario*, whose editorial staff had been replaced with supporters of then-president Hipolito Mejia, became a government mouthpiece. In September 2004, the Supreme Court ruled in favor of temporarily returning the media outlets to the family of Baninter's largest stockholder.

A generalized deterioration in public safety throughout 2004 represented the greatest threat to press freedom, as increased violence and street crime resulted in the death of one journalist, the wounding of

another, and unsuccessful attacks on several others. Radio reporter Juan Emilio Andujar Matos was ambushed and killed by gunmen moments after reporting on a bloody crime wave pitting gang members against the police; a radio reporter who witnessed the attack was himself shot and wounded later that same day.

Overall, the media remain subject to some government regulation, with newspapers the object of official pressure through denial of advertising and taxes on imported newsprint. The media generally avoid serious reportage on some subjects, such as the army and the Catholic Church, as well as topics that might adversely affect the economic or political interests of the outlets' owners. The latter is particularly pernicious, as ownership of the media is concentrated in the hands of a few economically and politically powerful individuals.

East Timor

Status: Free

LEGAL ENVIRONMENT: 7

POLITICAL ENVIRONMENT: 14

ECONOMIC ENVIRONMENT: 9

TOTAL SCORE: 30

East Timor gained independence in May 2002 after three years of UN interim administration, which set the foundation for open civil governance. Thus, private and public media generally operate freely. Section 40 of the new constitution guarantees freedom of speech, while Section 41 guarantees press freedom and “independence of the public mass media from political and economic powers.” However, the constitution also allows the government to intervene and suspend these rights when national security or “human dignity” is threatened.

Given the country's transition to a functional democracy, the government has warned journalists to exercise their freedom with responsibility, and official reactions to overly adverse reporting remain a concern. In June, the Ministry of the Interior expelled Australian freelance journalist Julian King for allegedly subverting the state in his reporting. There is as yet no press council to adjudicate disputes. Therefore, the government uses legal codes adopted from Indonesian and Portuguese laws to address any aberrant, albeit undefined, media-related practices. However, no major incursions on press freedom were noted in 2004, although the government did on several occasions attempt to influence coverage.

Popular newspapers are the dailies *Timor Post* and *Lalenok*, as well as a number of weeklies published in different languages. *Timor Post* also hosts an online news site, *East Timor Press*. A weekly Tetum news summary, *Neon Metin*, is distributed to rural areas by a youth organization, Resistencia Nacional dos Estudantes de Timor Leste (RENETIL). The Public Broadcast Service owns and operates a radio station that reaches most of the population, as well as a television station that has a limited geographic range. Lack of journalism training and education, high illiteracy, widespread poverty, and a poor communications infrastructure continue to hamper the development of professional media practices and standards.

LEGAL ENVIRONMENT: 11

POLITICAL ENVIRONMENT: 19

ECONOMIC ENVIRONMENT: 11

Ecuador

Status: Partly Free

TOTAL SCORE: 41

The constitution guarantees freedom of the press. However, President Lucio Gutierrez and his administration maintained an aggressive attitude toward the press that undermined freedom of expression. For example, presidential spokesperson Ivan Ona warned in September that those who criticize the government would face legal action and that licenses of media outlets critical of the administration could be stripped. On October 29, a three-judge Supreme Court panel upheld a one-month jail sentence (which was then suspended owing partly to the defendant's old age) against Rodrigo Fierro, a journalist with the daily *El Comercio*. Fierro had been convicted of criminal defamation after writing a column criticizing former president and current parliamentary representative Leon Febres-Cordero. To its credit, Ecuador made progress on the issue of public transparency in 2004. In May, President Gutierrez signed into law a Freedom of Information Act, which requires public institutions to provide access to all records except those involving national security.

Given that defamation and slander remain criminal offenses punishable by up to three years in prison, self-censorship is widely practiced, especially in reports on the military and other politically sensitive cases. Indeed, a journalist's failure to self-censor can be risky. In January, the news director at Radio Quito received several threatening phone calls after he reported on corruption involving the armed forces and relatives of the president.

Carlos Munoz Insua, president of the Telesistema television station, escaped harm in a February attack by unidentified gunmen; his driver was killed. An armed group claimed responsibility, citing the station's refusal to broadcast its statements.

The press is independent except for one government-owned radio station, and media ownership is broadly based and represents a range of editorial viewpoints. However, media are required to grant the government space and broadcast time, according to a law issued by the previous military regime; the government used this law to require the broadcast of government-produced programs featuring the president and other officials.

Egypt

Status: Not Free

LEGAL ENVIRONMENT: 24

POLITICAL ENVIRONMENT: 24

ECONOMIC ENVIRONMENT: 20

TOTAL SCORE: 68

Although Egyptians have the ability to express their views in a diversity of media outlets, press freedom in Egypt continues to suffer from vague laws, uneven implementation of these laws, and excessive control and oversight by the government. Recently, however, the independent media have operated in a more open environment. The Press Law, Publications Law, and the penal code regulate and govern the press. The penal code provides for fines and imprisonment for criticism of the president, members of government, and foreign heads of state. According to the 1995 Press Law, which was written after the opposition newspaper *Al-Sha'ab* published articles on corrupt practices among government ministers, the government can impose fines and prison terms for journalists convicted of slander. Though President Hosni Mubarak announced a review of existing legislation affecting the press in early 2004, no substantive progress had been made on reforming press laws by the end of the year. In February, Mubarak promised to submit a bill to the People's Assembly that would end prison sentences for press offenses, but journalists continued to receive jail time. In June, Ahmed Ezzedine, a journalist with the weekly *Al-Ousbou*, received a two-year sentence for defaming Deputy Prime Minister and Agriculture Minister Youssef Wali. In June, Mohammad Abu Liwaya of the banned *Al-Sha'ab* newspaper and Fayez Abdel Hamid of the *Parliament News* were fined and sentenced to six months in prison for libeling Ibrahim Nafei, chairman of the newspaper *Al-Abram*.

Journalists are also subject to harassment and physical violence, and foreign journalists are subject to expulsion. In November 2004, the editor of the Arab nationalist weekly *Al-Arabi*, Abdel-Halim Qandil, was abducted and beaten by unidentified assailants. In his writings, Qandil had opposed the idea of inherited power and had written articles criticizing the large number of arrests carried out following a bomb attack at tourist hotels in the Sinai in October 2004. Qandil alleged that his assailants warned him to stop talking about people in high places. In January, the government expelled an American journalist after he wrote articles in an American newspaper about an Amnesty International report on the use of torture and deaths of suspected Muslim Brotherhood members in Egyptian prisons. The journalist was later permitted to return to Egypt, but no clear explanation for his expulsion was ever offered.

The government provides subsidies to many major newspapers, and it owns shares in Egypt's three largest newspapers, whose editors are appointed by the president. Opposition parties have the ability to form their own newspapers. Egypt has over 500 newspapers, magazines, journals, and other periodicals. In the past two years, the government has facilitated a greater diversity of media outlets, with the Shura Council's Higher Council for the Press approving the registration of more than two dozen new newspapers, including *Al-Ghad*, a publication of the recently formed Al-Ghad political party. Nevertheless, numerous magazines and newspapers that have been refused a government license to operate have relied on publishing outside of the country; and in February, the minister of information announced a government decision to limit domestic print runs of foreign-licensed publications. In March, the government lifted its ban on *Al-Quds Al-Araby*, a London-based Arabic newspaper.

The government controls content in the state-owned broadcast media. However, Egypt permits the establishment of locally based private satellite television stations, and the government does not block foreign satellite channels. With the advent of pan-Arab satellite television channels such as Al-Jazeera, Al-Arabiya, and Al-Manar, the general public's access to an array of satellite television channels has increased substantially over the last five years, eroding the Egyptian state's monopoly on controlling information on domestic, regional, and global events. Egyptians' access to the Internet has increased significantly over the last five years, and the government generally does not restrict its use. The Muslim Brotherhood claimed in 2004 that the government pressured the country's main Internet service providers to block access to its Web site.

El Salvador

Status: Partly Free

LEGAL ENVIRONMENT: 11
 POLITICAL ENVIRONMENT: 16
 ECONOMIC ENVIRONMENT: 14
 TOTAL SCORE: 41

Salvadoran journalists are generally able to freely report 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 involving what they claim is the public interest or national security. In October, the government reformed the code of criminal procedure to exempt journalists from having to reveal their sources even if ordered to testify during court cases. Criminal defamation suits remain a problem for Salvadoran journalists. In April, lawyers for the Canadian firm CINTEX, which had been granted significant government contracts, withdrew the complaint they had filed against Enrique Altamirano, director and owner of the daily newspaper *El Diario de Hoy*, and two of the paper's editors, Laffite Fernandez and Alvaro Cruz, following reports alleging that CINTEX executives were involved in criminal wrongdoing. In October, political activist Rafael Menjivar was sentenced to three years in prison for slander in television and radio spots in the run-up to the March 21 presidential election, in which he described opposition presidential candidate Schafik Handal's alleged role in murders and kidnappings during El Salvador's 1980–1992 civil war. The sentence was later commuted to public retractions by Menjivar of his statements, house arrest, and probation. The five daily newspapers have a circulation of approximately 250,000, but most of the country depends on television and radio networks for the news. Limited resources prevent many media outlets from producing to their full capacity. Self-censorship is exercised to avoid offending media owners and directors.

Equatorial Guinea

Status: Not Free

LEGAL ENVIRONMENT: 26
 POLITICAL ENVIRONMENT: 34
 ECONOMIC ENVIRONMENT: 28
 TOTAL SCORE: 88

Press freedom is constitutionally guaranteed, but the government restricts this right in practice. The 1992 press law authorizes government

censorship of all publications. All journalists are required to register with the government-controlled local press association, and there are strict accreditation procedures for foreign correspondents. The local journalists association has been subjected to repeated harassment and closure. In March, a local correspondent for Agence France-Presse and Radio France Internationale (RFI) was prevented from attending a press conference at the presidential palace, as were other independent journalists.

Mild criticism of infrastructure and public institutions is allowed, but nothing disparaging about the president or security forces is tolerated. Publications that irk the government are banned from the newsstands without explanation. Any scrutiny of the disposition of the country's oil wealth is especially frowned upon. In May, the members of a television news crew from Australia that had come with 10-day visas to report on the booming oil industry were threatened with arrest by a government minister unless they left the country. They were then subjected to a lengthy search at the airport, reportedly in the presence of the director of national security and the president's brother. Another foreign writer was deported in October. The country's sports reporters have also alleged persecution at the hands of various state authorities.

There is virtually no diversity in the news media, as nearly all print and broadcast media are state run and tightly controlled. The government or the president's family own the only domestic radio and television outlets, and applications to start other private stations are routinely denied. A few small privately owned and opposition newspapers publish occasionally, but they exercise self-censorship and have very limited readership. Foreign publications have become more widely available in recent years. The shortwave programs of RFI and Radio Exterior (the international shortwave service from Spain) can be heard. Journalists, political leaders, and association heads have complained of mounting difficulties in accessing the Internet. They said illegal wiretapping has increased and that the country's sole Internet service provider allegedly monitors e-mail traffic closely.

Eritrea

Status: Not Free

LEGAL ENVIRONMENT: 28
 POLITICAL ENVIRONMENT: 39
 ECONOMIC ENVIRONMENT: 24
 TOTAL SCORE: 91

Eritrean law guarantees freedom of speech and of the press. But since a government ban on independent and private media was imposed in September 2001, Eritrea remains one of the harshest environments worldwide for the press and is the leading jailer of journalists in Africa. Following the government's ban, an unknown number of government critics were detained, including many journalists. According to the Committee to Protect Journalists, 16 journalists are still in prison and many are being held incommunicado in undisclosed locations. Most of the jailed journalists have been incarcerated for over three years, and despite Eritrean legal guarantees, they were never formally charged. The Committee to Protect Journalists reports that two journalists were sent into the military as a punitive measure for their professional work.

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. Local journalists are continually harassed, detained, and threatened. Authorities allegedly arrested a local correspondent for Deutsche Welle in September. However, on December 31 a Voice of America correspondent, arrested in July 2003, was released. Most foreign media workers have left the country. In September, the government expelled Jonah Fisher, a reporter for the BBC and Reuters, who at the time was the only foreign journalist left in Eritrea.

There is currently no independent or privately owned press. Three newspapers, one television station, and one radio station are all under state control. The government occasionally banned the import of foreign publications into Eritrea during the year. Authorities attempted to restrict even the limited Internet use that exists in the country by threatening to close all Internet cafes and confine Internet access to libraries and schools. Official statements are discouraging for the future of press freedom in Eritrea. The president and senior government officials continued in 2004 to accuse the jailed journalists of espionage and acting as "agents of the enemy" during Eritrea's war with Ethiopia from 1998 to 2000. In a published report by Fisher, the expelled BBC journalist, President Isaias Afewerki dismissed the concept of a free press.

Estonia

Status: *Free*

LEGAL ENVIRONMENT: 5
 POLITICAL ENVIRONMENT: 6
 ECONOMIC ENVIRONMENT: 6
 TOTAL SCORE: 17

The government respects freedom of speech and the press, and dozens of independent newspapers and radio stations offer diverse viewpoints. Libel has been removed from the penal code, but it can still be prosecuted as a criminal offense, although no journalists have been prosecuted for criminal libel for some time. Estonian legislation does not specify that broadcasting in the Russian language is a requirement, and some journalists this year called for an end to Russian-language broadcasting. A new Russian-language weekly newspaper was launched this year and Estonian TV3 established a Russian-language channel. Ethnic Russians tune in primarily to Russian-language news programming, which has been accused of broadcasting biased content and misinforming its public. Newspapers in Estonia claim complete editorial independence from political parties and the government, and in an overwhelming majority of cases it is so. One case stood out this year, in which a journalist was detained and threatened when he refused to reveal the name of a source from one of his articles. There is ongoing financial pressure on some media outlets and a growing tendency toward concentration of ownership. Estonia has a high rate of Internet usage, which stems in part from a strong government commitment to providing free public Internet access.

Ethiopia

Status: *Not Free*

LEGAL ENVIRONMENT: 25
 POLITICAL ENVIRONMENT: 23
 ECONOMIC ENVIRONMENT: 20
 TOTAL SCORE: 68

The constitution guarantees freedom of the press; however, the government often restricts this right. Authorities frequently invoke the 1992 Law on the Press 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 drag on for years, and journalists often have multiple charges pending against them. In April, an editor was imprisoned for a month after he was unable to pay an additional bail imposed

when he missed a court date. In September, Tewodros Kassa, former editor in chief of the weekly *Ethiop*, was released from prison after more than two years. He was scheduled for release in June after serving out his full 2002 defamation sentence but was convicted of a separate defamation charge and sentenced to an additional three months. In late December, another editor of *Ethiop* was charged with criminal defamation and jailed for a week when he was unable to pay his bail.

International and local press freedom organizations continued in 2004 to criticize the government's draft press law, which was drafted with a complete lack of transparency. The law calls for restrictions on who can practice journalism, government-controlled licensing and registration systems, broad exceptions to the right to access information, and the establishment of a government-controlled Press Council. The draft law also stipulates harsh sentences for violations, including up to five years' imprisonment. In September, in response to international concerns, the information minister agreed to review some of the provisions in the draft bill, but he had failed to do so by year's end. The Ethiopian Free Press Journalists Association (EFJA), one of the most vocal opponents of the draft press law, continued to struggle against the government. Authorities first suspended the organization in November 2003 for failing to submit a certified audit; and in January 2004, the government removed EFJA's executive board and appointed new members. In December, a federal court declared the 14-month-old government ban null and void. However, a few days later a government order reversed the court ruling.

The state controls all broadcast media and operates the only television station. A 1999 law permits private radio stations, but to date no licenses have been issued. There are approximately 150 print outlets that publish regularly and provide diverse views. The private press continues to criticize the government but is constrained by low circulation figures and financial struggles. The Ministry of Information requires newspapers to have a minimum bank balance in order to renew their annual publishing licenses. Printing presses are all government owned, and private publications are periodically unable to use them. Foreign journalists operate with fewer restrictions than their local counterparts and are often granted greater access. The prime minister's office denies access to the independent press, limiting coverage of official events to state-owned media outlets. Authorities occasionally detain, beat, or otherwise harass journalists. As a result, reporters often practice self-censorship.

	LEGAL ENVIRONMENT: 7
	POLITICAL ENVIRONMENT: 13
	ECONOMIC ENVIRONMENT: 10
Fiji	
Status: <i>Free</i>	TOTAL SCORE: 30

The press is generally free, despite sporadic threats by the current government to legislate a controversial draft bill that would establish a statutory media council with stiff powers. Existing legislation empowers the minister of information to order newspapers to publish “correcting statements” and allows authorities to arrest individuals who have published false or “malicious” material; however, these provisions have not been used against the press. A Freedom of Information law is in place, but individuals have reported some difficulty in gaining access to official information. The media have vigorously reported a series of treason and mutiny trials stemming from the attempted coup in 2000 and its aftermath. Nevertheless, uncertainties over the country’s political future provide a politically charged environment in which journalists occasionally face intimidation and threats. Foreign journalists whose names appear on official “blacklists” are sometimes denied entrance into the country.

The government runs the state broadcaster, Fiji Broadcasting Corporation Ltd., which operates three main radio stations. In late 2004, the government was preparing to divest its controlling 44.5 percent interest in one of the three national daily newspapers, the *Daily Post*, to Australian interests. Two private national newspapers and a privately owned FM broadcaster compete with the state media, and all outlets provide diverse and often critical coverage of current events. The Fijian investment group Yasana Holdings Ltd., owned by the country’s 14 provinces, maintains a controlling 51 percent stake in the sole television broadcaster, Fiji Television, while the government owns 14 percent. Low pay and lack of training continue to be issues of concern for journalists.

	LEGAL ENVIRONMENT: 2
	POLITICAL ENVIRONMENT: 3
	ECONOMIC ENVIRONMENT: 4
Finland	
Status: <i>Free</i>	TOTAL SCORE: 9

A new Law on Freedom of the Press, prepared with input from media organizations, went into effect in January. It requires that all publications, including Web-based outlets such as blogs and listserves, 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, has been extended to Internet publications. In November, two journalists, Seija Selisto and Pekka Karhuvaara, respectively convicted by Finnish courts of libel and of violating the privacy of a politician, saw their rulings overturned by the European Court of Human Rights. Finland has vibrant independent media that express a wide variety of opinions without government restriction. More than 200 newspapers are published. Newspapers are privately owned; however, some are owned or controlled by political parties and their affiliates and support a particular party. In the broadcast sector, the government operates four of the five national radio stations and two of the four national terrestrial television stations but has a much smaller presence in cable and satellite television. New broadcasters have emerged in a market that was once dominated by the public broadcaster YLE and the established broadcaster MTV.

LEGAL ENVIRONMENT: 4

POLITICAL ENVIRONMENT: 9

ECONOMIC ENVIRONMENT: 7

France

Status: Free

TOTAL SCORE: 20

The constitution and governing institutions generally maintain a free and open press environment. However, in May a controversial digital economy bill was passed that includes a provision requiring Internet service providers to guarantee that the sites they host contain no “illegal content,” a vague term that could lead to preventive censorship. Internet access is otherwise unrestricted. Another 2004 bill punishes homophobic statements with prison sentences, which could result in imprisonment for a press offense. In January, the senate repealed Article 36 of the 1881 press law that made it an offense to insult a foreign head of state, a provision that the European Court of Human Rights had found in violation of its convention in 2002. However, additional provisions in the new law in effect oblige journalists to respond to requisitions for information from their homes (media businesses are excluded), posing a threat to journalists’ ability to protect their sources. Although the right to freedom of information exists, it can be restricted to protect the reputation or rights of a third party. The publication director of the monthly magazine *Lyon Mag* was indicted in May on charges of “defending a criminal act” after

publication of an interview with an imam who expressed illiberal views. France's highest administrative court ordered Lebanese satellite television station Al-Manar to stop broadcasting in December as a result of anti-Semitic remarks. The watchdog group Reporters sans frontieres claimed that a freelance photographer was deliberately targeted by police when he was hit by a stun grenade while covering a protest in September.

The French media are privately owned and largely independent of political parties. Serge Dassault, primary owner of the industrial conglomerate Dassault, bought majority shares in the media group Socpresse, which includes the national newspaper *Le Figaro*. In addition to further consolidating the media market, the purchase raised concern about the independence of Socpresse's publications, given that the company's defense arm depends on government contracts. Moreover, Dassault was elected to the senate in September as a member of the president's ruling party. Dassault and similarly oriented Lagardere, a French media group, now own about 70 percent of the French press. 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. Newspaper circulation has been declining, and many papers are struggling as a result. Major daily *Le Monde* has not fully recovered since the 2003 scandals questioning its integrity. France strictly enforces guidelines requiring 60 percent of broadcast content to be of European Union origin.

LEGAL ENVIRONMENT: 24

POLITICAL ENVIRONMENT: 21

ECONOMIC ENVIRONMENT: 21

Gabon

Status: Not Free

TOTAL SCORE: 66

Press freedom is guaranteed but often restricted in practice. The state is authorized to criminalize civil libel suits, and the country's media code outlines the responsibilities as well as the rights of journalists. A national commission on press professionalism was created that has wide powers to decide who qualifies for accreditation as a professional journalist. A separate government agency charged with upholding journalistic standards, the National Communications Council (CNC), has a history of using intimidation tactics against the independent press. In past years, the CNC frequently ordered the suspension or closure of offending publications.

Although there were no reports of publications being shuttered throughout 2004, several newspapers that were suspended in 2003 remained closed and were unable to resume publishing.

With presidential polls approaching in 2005, the country's independent media have complained of a renewed crackdown by authorities, a pattern seen in past electoral cycles. In March, a journalist with the privately owned newspaper *Le Nganga* was held briefly in a Libreville prison after being charged with libeling the head of a local nongovernmental organization in an article he wrote for the paper. The journalist was acquitted of all charges a week later and released from jail. Regional press freedom watchdog *Journaliste en danger* reported that in June the news director at a public broadcaster based in the capital was suspended at the request of the minister of communications. Many journalists practice some self-censorship.

A government daily and at least 10 private weeklies, which are controlled primarily by opposition parties, are published. Almost all Gabonese private newspapers are printed in Cameroon because of the high costs at the only local printing company, and publications printed outside the country are subjected to review before distribution. At least six private radio and television broadcasters have been licensed and operate, but their viability is tenuous and most of the programming is nonpolitical. The government does not restrict access to or use of the Internet, and foreign publications and broadcasts are widely available.

LEGAL ENVIRONMENT: 22

POLITICAL ENVIRONMENT: 31

ECONOMIC ENVIRONMENT: 19

TOTAL SCORE: 72

The Gambia

Status: Not Free

Press freedom declined further in The Gambia in 2004 owing to increased legal restrictions and state repression. The administration of President Yahya Jammeh has generally conducted state policies regarding media freedom without respect for the 1997 constitution that, in theory, guarantees freedom of expression. In December, the parliament passed two bills that sought to impose harsh penalties on the media. An amendment to the Newspapers Act requires all print and broadcast media to reregister with authorities and increased the bond required of all media owners to approximately US\$16,000. In addition, amendments to the

criminal code imposed mandatory prison sentences of at least six months for media owners or journalists convicted of publishing defamatory or seditious material or publishing or broadcasting “false news.” The legislation also allows the state to confiscate without judicial oversight any publication deemed “seditious.”

Officials regularly detain, threaten, or otherwise harass journalists who write articles considered to be sensitive or overly critical. In February, Alagi Yorro Jallow, managing editor of *The Independent*, was detained and questioned by police about a story the paper had recently published. During the year, Gambian journalists and media organizations were also subjected to threats and violent attacks at the hands of unidentified assailants and a pro-government gang called the Green Boys. In April, arsonists set fire to *The Independent's* new printing press, while in August, the home of BBC correspondent Ebrima Sillah was set ablaze. As the year ended, two days after the parliament passed the contentious laws that he and other local journalists had strongly opposed, Deyda Hydera, a leading journalist who was managing editor of the private weekly *The Point* and the former president of the Gambia Press Union, was murdered. The killing prompted widespread condemnation from regional and international groups and protests from the local press corps.

The government owns a daily newspaper, a national radio station, and the only national television station, and political or news coverage at these outlets favors the official line. A number of privately owned newspapers and radio stations provide independent or opposition views, and access to foreign publications and broadcasts is not restricted. However, an increasing number of journalists are practicing some degree of self-censorship.

LEGAL ENVIRONMENT: 14

POLITICAL ENVIRONMENT: 26

ECONOMIC ENVIRONMENT: 16

Georgia

Status: Partly Free

TOTAL SCORE: 56

Press freedom is constitutionally guaranteed in Georgia, but despite improvements in legal provisions during 2004, increased political and economic pressures continued to limit media freedom. In June, the parliament adopted the Law on Freedom of Speech and Expression, replacing the 1991 Law on the Press and Other Mass Media. The new act emphasizes freedom of expression guarantees and clarifies legal restrictions

on journalists. The law decriminalizes libel and shifts the burden of proof in defamation cases to the plaintiff; it also relaxes provisions on disclosing state secrets. However, in the absence of independent courts, the law has yet to be fully implemented. At the end of 2004, parliament adopted the Law on Broadcasting, which authorizes the transformation of the state broadcasting company into a public television station.

Georgia has approximately 200 independent newspapers and 7 independent television stations, 3 of which have national coverage. However, the government exercises indirect control over many broadcasters, while the overall number of independent print and broadcast outlets has diminished. Journalists express wide-ranging and critical views, but diversity in the media decreased this year because of heightened self-censorship. Journalists routinely get informal directions from ruling authorities, media owners, and editors. At times, government officials denied reporters access to public meetings. Official pressure on the media increased in 2004. In February, the Independent Association of Georgian Journalists reported that President Mikhail Saakashvili openly tried to discredit the independent print media. Violence against journalists occurred mostly in the separatist regions of South Ossetia and Abkhazia, which are tightly restricted by their de facto governments. Escalating tensions in the semi-independent region of Ajaria led to a difficult media environment, including frequent assaults on journalists. During the March parliamentary elections, the Ajarian government prohibited media access to opposition candidates.

Owing to the poor economic situation, media outlets are dependent on subsidies, which are linked to political interests. Media operating outside the capital are especially vulnerable. The government subsidizes many newspapers, and most broadcast stations rely on government support because of a lack of advertising revenue. A number of television companies have seen nontransparent changes in ownership, with the new owners being pro-government. National broadcaster Rustavi-2 was a major influence in the November 2003 “Rose Revolution.” This year, the government agreed to postpone Rustavi-2’s debt payments and helped the station remain on the air. Local media organizations claim Rustavi-2 now broadcasts more favorable coverage of the government. Ajaria Television, which was under strict control of the former local political leader, is now politically controlled by the new authorities. The government, claiming it was clamping down on corruption, obstructed the work of independent media. Financial police raided the offices of the English-language weekly *Georgian Times*; the suspected motive of the

raid was political. The government also disrupted operations at the opposition television station Iberia TV, owned by corporate giant Omega Group, citing financial fraud as grounds for the raid. Omega Group's owner had close ties to the previous Ajarian leader. The government's struggle against both corruption and the shadow economy, in which authorities have detained former state officials and closed businesses, has made businesspeople less inclined to support independent media outlets that criticize the government.

Germany

Status: Free

LEGAL ENVIRONMENT: 5
 POLITICAL ENVIRONMENT: 6
 ECONOMIC ENVIRONMENT: 5
 TOTAL SCORE: 16

The constitution and basic laws guarantee freedom of expression and of the press, although there are exceptions for hate speech, Holocaust denial, and Nazi propaganda, as well as for obscene, violent, or “dangerous” material on the Internet. German privacy laws at times restrict press freedom. Since a 2003 Constitutional Court ruling, police can trace journalists' phone calls in “serious” cases, where “serious” is not clearly defined. The highly publicized case of *Princess Caroline of Monaco v. Germany*, which involved the publication of photos of the princess in German newspapers, was cause for concern for press freedom organizations. In June, the European Court of Human Rights ruled that the photos were a violation of her right to privacy and extended a public figure's right to privacy to include public places, determining that the princess was not a public official whose private life was of legitimate interest to the general population. Germany is one of the only European countries with no freedom of information legislation, perhaps because it has been rejected by some regional governments.

The private media are diverse and independent. Each of the 16 regions is in charge of its own public radio and television broadcasters, and there are many private stations as well. The press is dominated by numerous regional papers, but only a handful of national papers are published. In the past two decades, financial pressures have consolidated the private media sector; today, a few 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. Internet access is open and largely

unrestricted. However, German law bans Internet access to the aforementioned prohibited material, and the government has issued numerous ordinances against Internet providers.

Ghana

Status: Free

LEGAL ENVIRONMENT: 8
 POLITICAL ENVIRONMENT: 9
 ECONOMIC ENVIRONMENT: 9
 TOTAL SCORE: 26

Freedom of the press is guaranteed by law and is generally respected. The government did, however, criticize the media on several occasions, blaming them for inciting violence and failing to abide by professional guidelines. In April, President John Kufuor's brother sued a newspaper for libel, and several other politicians also filed libel lawsuits against members of the media. In August, the Ghana Broadcasting Corporation (GBC) decided to suspend four journalists and the director of Ghana Television (GTV) when the GTV evening news broadcast a story about Ghana Airways. The story was retracted after some of the information was deemed illegitimate. Despite the retraction and apology, the GBC pursued legal action, causing some media organizations to question the GBC's independence. A draft bill on the right to information is under parliamentary review. The bill has been criticized by media watchdog groups for its potential to constrain free expression.

The media are independent, and open criticism of governmental policies and officials appears regularly in the press. But expanded freedoms of expression recently put in place by the Kufuor administration were tested in the run-up to the presidential elections in December. Authorities flirted with renewed clampdowns on free expression because of inflamed passions, a rambunctious public, and the exuberance of the press. Much of the irritation was directed at radio station phone-in programs. In October, in the northern region where the security situation is already tenuous, the regional Security Council imposed a ban prohibiting inflammatory political content on radio phone-in shows. Several radio stations protested the ban, arguing that it was an attempt to stifle independent and opposition media. The ban was lifted prior to the elections.

The media landscape includes approximately 50 private and state-run newspapers as well as 11 government and 60 private radio stations. Private and public television stations are also available. Foreign media presence is

visible. However, limited revenue from advertising and reader subscriptions threatens the financial viability of the media. Poorly paid journalists frequently engage in unprofessional conduct, as in the case of newspapers making up highly sensational news stories.

LEGAL ENVIRONMENT: 8

POLITICAL ENVIRONMENT: 14

ECONOMIC ENVIRONMENT: 6

Greece

Status: Free

TOTAL SCORE: 28

The constitution provides provisions for freedom of the press. There are, however, some legal limits restricting speech that incites fear and violence, as well as publications that offend religious beliefs or that advocate the violent overthrow of the political system. Libel of the president is a criminal offense, but defendants are generally released on bail and do not serve time in jail. Broadcasting in Greece is largely unregulated, and many broadcast stations are not licensed. In June, police arrested the owner of the private Macedonian-language radio station Makedonikos Ichos in Naoussa, northern Greece, and seized the station's transmitting equipment. Although the official explanation was that the station lacked a proper operating license, there was concern that the raid was politically motivated because the station broadcasts in the Macedonian language.

There are many independent newspapers and magazines, including those that are critical of the government, and many broadcasters are privately owned. Greek law provides for limits on ownership of media frequencies. The media, both public and private, are largely independent from government restrictions. However, politically sensitive issues still provoke government pressure and lead to some self-censorship. State-owned stations tend to report along the government line. In May, local watchdog group Greek Helsinki Monitor protested the prime minister's pressure on state television station ET-3 to cancel the showing of a documentary, allegedly because the documentary had an antinational bias in its portrayal of Turkish Cypriots. During the 2004 Olympics in Athens, there were reports of journalists being harassed and detained for allegedly violating strict security measures. In October, the sports editor of the daily *Eleftherotypia* was stabbed and beaten. The journalist believes that the motive for the attack was his articles on doping, hooliganism, and heavy debts of some Greek soccer clubs.

Grenada

Status: Free

LEGAL ENVIRONMENT: 5
 POLITICAL ENVIRONMENT: 10
 ECONOMIC ENVIRONMENT: 5
 TOTAL SCORE: 20

Freedom of the press is guaranteed under Grenadian law, and in practice the media has been generally free to criticize the government. However, the government has been known to prosecute journalists under slander and libel laws, and in 2004 an official campaign to intimidate the media threatened press freedom. A story emerged on April 30 alleging that Prime Minister Keith Mitchell received an improper payoff of US\$500,000 from the island's former trade counselor. The government responded in May by initiating a libel suit against the story's publisher, warning the Grenadian news media that anyone publishing the story would feel "the full force of the law." The government also threatened a popular Internet chat forum with legal action, temporarily took off the air the BBC World Service's Caribbean news service covering the story, and detained and interrogated online journalist Leroy Noel, who had published on the matter. Noel also received a death threat one week after his release. There are five weekly newspapers in Grenada, and the Grenada Broadcasting Network, which is owned jointly by the government and private interests, operates GBN TV, one of the island's two television stations, as well as the main radio station. Other broadcast media are privately owned. The general devastation to the economy caused by Hurricane Ivan in September also negatively impacted the media sector.

Guatemala

Status: Partly Free

LEGAL ENVIRONMENT: 17
 POLITICAL ENVIRONMENT: 26
 ECONOMIC ENVIRONMENT: 15
 TOTAL SCORE: 58

Status change explanation: Guatemala's status improved from Not Free to Partly Free owing to a decrease in attacks against and intimidation of the media under the new administration of President Oscar Berger.

Conditions for the Guatemalan media improved after the inauguration of President Oscar Berger in January 2004, which ended a period of increasing tension between the press and the previous administration.

Press freedom is constitutionally guaranteed and is generally respected in practice. However, the legal framework limits free expression to accredited members of the media, and criminal libel laws provide for sentences of up to five years in prison. During the year, the new administration of President Berger made some headway against the prevailing atmosphere of impunity. Before his election, Berger had promised to hold past leaders accountable for their actions. Efraim Rios Montt, former president of Guatemala's Congress and a brutal dictator in the 1980s, was placed under house arrest and charged with responsibility for the 2003 death of television reporter Hector Ramirez. Ramirez died of a heart attack during riots when protesters turned on the media. Prosecutors believe Rios Montt and his son, the former head of the military, plotted to spark the riots as a way to force the courts to allow the former dictator to run for president. At year's end, the government was also moving to deal with other prominent cases, including the June 2003 attack on Jose Ruben Zamora, publisher of *elPeriodico*. New evidence revealed that members of a secretive presidential military-intelligence unit and a member of the attorney general's staff took part in the attack. Zamora's *elPeriodico* is regarded as an investigative publication willing to take risks and one of the few that will publish left-leaning views.

Nevertheless, occasional violence and intimidation continue to cast a pall over free expression in the country. Clandestine paramilitary groups, drug traffickers, and corrupt police all posed threats to journalists, particularly those in the provinces. This year, Miguel Angel Morales, secretary-general of the National Press Society, was assassinated on a highway between the capital and Izabal Department. Using tear gas, police attacked journalists covering a land protest in August, beating several and confiscating their equipment. At the protest, journalists had witnessed the extrajudicial killings of peasants by police. Also, police assaulted reporters covering celebrations in the capital after a soccer match. Various journalists reported death threats and intimidation. Guatemala's violent past also has established a culture of self-censorship for many journalists.

Media ownership is extremely concentrated. A Mexican, Angel Gonzalez, controls a monopoly of broadcast television networks and has significant radio properties. Gonzalez uses holding companies to mask his ownership and to skirt laws designed to prevent foreign ownership and monopoly control. Gonzalez's dominance of the electronic media has limited the diversity of viewpoints available on the airwaves, as he favors conservative perspectives. Newspaper ownership is concentrated in the hands of moderate business elites. Most newspapers have centrist or conservative editorial

stances. In one of the poorest countries in the hemisphere, some journalists rely on bribery to survive in a system filled with corruption.

Guinea

Status: Not Free

LEGAL ENVIRONMENT: 25

POLITICAL ENVIRONMENT: 30

ECONOMIC ENVIRONMENT: 18

TOTAL SCORE: 73

The constitution guarantees freedom of the press, but this right is not respected in practice. Guinea's press suffered more setbacks in 2004 as a rumored coup d'état, increasing tension with neighboring countries, and the failing health of President Lansana Conte combined to heighten government paranoia. Restrictive press laws permit the government to censor publications, and defamation and slander are considered criminal offenses. The only privately owned daily newspaper, *Le Quotidien*, was ordered shut by the National Communication Council in November following publication of an article entitled "The Country Is in Bad Shape...When Will the Uprising Take Place?". The suspension lasted three weeks. Other publications, including *L'Aurore*, *L'Observateur*, *La Sonde*, *Le Defi*, and *Jeune Afrique-L'Intelligent*, were targets of warnings and bans during the year.

In December, red berets of the Autonomous Battalion, the army's special branch responsible for presidential security, physically roughed up several journalists. The reporters were harassed because they attempted to cover a speech President Conte was giving to newly elected local assembly members. The 70-year-old Conte, in power since a 1984 coup and reelected to a third term in December, is rarely seen in public, and the subject of his failing health is taboo for the press.

Physical intimidation aside, a government monopoly of information and of the press makes it difficult for opposing viewpoints to flourish. The private sector publishes a daily newspaper, *Le Quotidien*, and a dozen other nondailies that are critical of the government. But the state controls all radio and television stations in addition to a state-run daily newspaper. Guinea remains the only state in West Africa without a private broadcast station. The law does not prohibit licensing private broadcast media, but the government has denied all applications by private entrepreneurs on the grounds of national security. Economic conditions do not necessarily favor a viable private press, but the state has made it difficult for private media to thrive.

	LEGAL ENVIRONMENT: 15
	POLITICAL ENVIRONMENT: 23
	ECONOMIC ENVIRONMENT: 17
Guinea-Bissau	
Status: Partly Free	TOTAL SCORE: 55

Status change explanation: Guinea-Bissau's rating improved from Not Free to Partly Free owing to a freer media environment and less official harassment under the new transitional government.

Improvements in the media environment and a relaxation of the political climate followed the ouster of President Kumba Yala in September 2003. Many of the restrictions on free expression and the operation of the private media imposed by Yala were lifted, private broadcasting was reestablished, and extrajudicial pressure on the press was scaled back. Businessman Henrique Rosa was appointed transitional president with the support of most political parties and civil society. Thus far, he has won wide acclaim within the country and outside for encouraging democratic progress. The year saw some advances in the restoration of civil and political rights in Guinea-Bissau. Unlike in 2003, there were no reports of journalists being dismissed or arrested and no reports of the government shuttering media outlets.

Private radio station Bombolom FM was back on the air after its closure in February 2003. The Portuguese-owned broadcaster RTP Africa concluded plans to return to the country and offer technical assistance to media agencies. Three privately run newspapers—*Correio de Bissau*, *Fraskera*, and *Banobero*—operate alongside the state-owned *No Pintcha*. Due to financial constraints and government control of the one functioning printing house, newspapers publish sporadically. There are three private radio broadcasters—Radio Pindjiguiti, Bombolom FM, and Voice of Quelele—and one state-run broadcaster, Radio Nacional. The establishment of a vibrant press remains difficult in light of the fact that Guinea-Bissau remains one of the poorest countries in the world and the economy is heavily dependent on foreign aid.

	LEGAL ENVIRONMENT: 4
	POLITICAL ENVIRONMENT: 9
	ECONOMIC ENVIRONMENT: 10
Guyana	
Status: Free	TOTAL SCORE: 23

The constitution of Guyana, the only English-speaking country in South America, provides for freedom of speech and of the press, rights that are

generally respected in practice. There were no reports of prior restraint of the media in 2004, although police harassment of journalists is an occasional problem. Several independent newspapers operate freely, including the dailies *Stabroek News* and *Kaaietuer News*, and even the government-owned daily, the *Guyana Chronicle*, covers a broad spectrum of political and nongovernmental groups. The government owns and operates the country's sole radio station, which broadcasts on three frequencies. There are no private radio stations, and the government has argued that it cannot issue radio licenses because of a lack of enabling legislation. More than a dozen privately owned television stations freely criticize the government. For example, in 2004 the Guyanese media offered ample coverage of a scandal involving allegations of extrajudicial executions carried out by the police and even accusations of a tie between a "death squad" and the country's home affairs minister. However, opposition party leaders, such as Robert Corbin of the People's National Congress/Reform, complain bitterly that they lack access to the state media. A growing number of journalists also charge the government with failure to respect freedom of the electronic media.

LEGAL ENVIRONMENT: 19

POLITICAL ENVIRONMENT: 28

ECONOMIC ENVIRONMENT: 19

Haiti

Status: Not Free

TOTAL SCORE: 66

Despite improvements during 2004, press freedom in Haiti remains curtailed by political instability, political persecution of journalists, and the ongoing economic crisis. Freedom of expression is protected in the constitution but not properly upheld in practice. Advances in media freedom can be traced back to the change of government that occurred in late February, when former president Jean-Bertrand Aristide fled the country following a violent uprising and was replaced by an interim government headed by installed prime minister Gerard Latortue, who took office March 17.

In the period before the president's ouster, as political opposition gave way to armed insurgency, many journalists sided openly with the opposition and a smaller number adhered to a pro-government line. Conflict between supporters of Aristide and his Lavalas movement on the one side and the political opposition on the other resulted in attacks against journalists, with the majority inflicted by pro-Aristide gangs on journalists sympathetic

to the opposition. Radio Maxima in Cap-Haitien was forced to close in February after threats and harassment by Aristide supporters; its director, Jean Robert Lalane, had been shot and wounded earlier. For its part, anti-government rebels and their supporters vandalized and set fire to the pro-government Radio Africa and Radio Tele Kombit stations in Cap-Haitien after capturing the city on February 21. Aristide's departure on February 29 was generally viewed as a positive development for press freedom.

Though threats and violence directed at journalists persisted during and after the transition to the interim government, they were confined mostly to small cities and rural areas under the control of illegal armed groups and directed primarily at journalists connected to pro-Aristide media outlets, contrasting with what prevailed during Aristide's rule. The transitional month of March was particularly dangerous for journalists, with threats forcing Radio Solidarite to stop broadcasting for more than a month and a reported shooting at the home of Elysee Sincere, a Radio Vision 2000 correspondent. On March 7, Ricardo Ortega, a Spanish television correspondent, was killed and Michael Laughlin, a reporter for the Florida-based *Sun Sentinel*, was wounded when gunmen opened fire on demonstrators celebrating the end of the Aristide regime one week earlier.

As the interim government moved to assert its authority in the capital, Port-au-Prince, and other areas, numerous media outlets in provinces controlled by armed groups continued to report threats and harassment throughout the year, causing many journalists to practice self-censorship and some to go into hiding. The interim government and pro-opposition press largely failed to speak out against the abuses, which were directed mostly at journalists affiliated with pro-Aristide outlets. The interim government has also been reportedly involved in repression of some media activities. For example, in May officials from the interim government detained a cameraman and closed a radio and television station owned by the Aristide Foundation for Democracy, founded by the former president. The interim government has pledged to reopen cases of journalists attacked and killed during the recent years of the Aristide government, but little progress has been made.

Several private dailies and weeklies publish, and more than 250 private radio stations provide a diversity of views. Owing to the low literacy rate (estimated at between 50 and 60 percent of the population) and the widespread use of Creole, radio is the most important medium in the country. However, up to one third of the stations operate without proper licenses.

Honduras

Status: Partly Free

LEGAL ENVIRONMENT: 14
 POLITICAL ENVIRONMENT: 22
 ECONOMIC ENVIRONMENT: 15
 TOTAL SCORE: 51

Freedom of speech and of the press is constitutionally protected, and the government generally does not restrict these rights. However, criminal defamation laws continue to impede freedom of expression. Article 345 of the penal code mandates a two- to four- year jail term for defamation, slander, or insulting a public official. Following a research mission, the Organization of American States' special rapporteur for freedom of expression, Eduardo Bertoni, urged the government of Honduras to repeal laws that penalize journalists and others who criticize public officials. At least seven journalists have been charged over the past two years for reporting on public officials. For example, in February 2004 Renato Alvarez, host of the television debate program "Frente a Frente" (Face to Face), was convicted of criminal defamation for reading segments of a government report linking public officials and businessmen to drug trafficking.

Threats and attacks against journalists have increased, with most following reports of organized crime or public officials involved in corruption. In October, the offices of the Tegucigalpa-based daily *La Tribuna* were fired on by police officers following a series on organized crime inside the country's largest jail. Several days later, the security minister, Oscar Alvarez Guerrero, said an investigation had established that a uniformed police officer "accidentally" fired at the offices while cleaning his gun, an account that contradicted witness statements. In March, Edgardo Castro of the Canal 6 television station was shot and injured in the city of San Pedro Sula by an unknown assailant presumed to be connected to organized crime after the journalist had reported on local gangs. Miguel de Arriba, a Spanish economist and local resident, was deported under a law forbidding foreigners from commenting on national politics after the Spaniard posted articles on the Internet condemning government corruption.

Media ownership is concentrated in the hands of a few powerful business conglomerates with intersecting political and economic ties, and this has led to self-censorship. Corruption among journalists also had an impact on reporting. Examples include government officials and private organizations distributing large cash prizes to individual reporters on Journalists Day, as well as the practice by public officials of employing journalists in high-paying public relations positions. The government and

the president of the Congress (also a presidential candidate) frequently make use of the Cadena Nacional, the power to preempt all radio and television programming for official broadcasts.

Hong Kong

Status: Free

LEGAL ENVIRONMENT: 11
 POLITICAL ENVIRONMENT: 9
 ECONOMIC ENVIRONMENT: 8
 TOTAL SCORE: 28

Formerly a British colony with rule of law and limited democratization, Hong Kong has seen freedom of speech challenged after retrocession to Chinese rule. A strong reaction by a population committed to enjoying freedom of information has helped ward off attempts to muzzle a media far freer than any on the Chinese mainland. In July 2003, more than 500,000 people demonstrated against a national security bill, proposed under Article 23 of Hong Kong's post-1997 constitution, which threatened Hong Kong's political, religious, and media freedoms. The demonstration led to the resignation of two ministers and forced chief executive Tung Chee-hwa to table the controversial legislation. New legislation to bolster media freedom is currently under consideration by the Legislative Council.

In 2004, threats to media freedom took the form of intimidation of outspoken critics of Beijing, particularly in the run-up to the September elections. Albert Cheng, talk show host of the Commercial Radio program "Teacup in a Storm," left the program in May, citing death threats and a suffocating political environment. His successor, Allen Lee, resigned after coming under pressure by mainland Chinese officials over his pro-democracy views. A third Commercial Radio talk show host, Raymond Wong, quit his program, "Close Encounter of the Political Kind," because of "physical and mental exhaustion." According to Radio Free Asia, Wong later admitted that he was first offered money to go off the air and was then attacked by unidentified assailants. Over 400 academics signed a petition protesting these threats to freedom of expression and asserting that the resignations represented a worrying trend, while the Hong Kong Journalists Association called on the government to improve protection of media personalities. However, in July the anticorruption agency conducted raids on seven of Hong Kong's most influential newspapers after the newspapers published the name of a protected witness who claimed she had been detained against her will. A subsequent governmental review of the agency's tactics found no wrongdoing.

Although 4 of 16 daily newspapers are supported financially by the Chinese government, numerous privately owned print and broadcast media publish freely, regularly criticize official policies, provide diverse views, and cover sensitive topics. Nevertheless, the fact that many media owners have substantial business interests on the mainland gives rise to a degree of self-censorship at some outlets.

Hungary

Status: Free

LEGAL ENVIRONMENT: 5
 POLITICAL ENVIRONMENT: 8
 ECONOMIC ENVIRONMENT: 8
 TOTAL SCORE: 21

The constitution guarantees freedom of expression and of the press. Independent media operate freely in Hungary, although still in a highly politicized atmosphere. In May, the Constitutional Court ruled that a controversial law mandating prison terms for hate speech was unconstitutional. Journalists this year faced persecution under antiquated media laws because the legislature has been slow to approve much needed new laws. For the first time since the fall of Communism, a journalist was sentenced to jail with no parole for libeling a Liberal Democrat parliamentarian. The editor of a right-wing newspaper was sentenced to 10 months in prison, and a second journalist was given a suspended 8-month prison sentence. In July, an appeals court upheld the guilty conviction but suspended the prison sentence for two years. In November, also a first in post-Communist Hungary, a journalist was indicted and prosecuted under an outdated 1970s secrecy law for an article that cited a police memorandum.

Hungarians have access to a diverse range of privately owned print outlets, all of which frequently criticize the government. Even though the government does not restrict foreign and private media or Internet use, political controversy continues to trouble state-owned media, which include two television stations and a national radio station. A 1996 media law requires both ruling and opposition parties to share appointments to the state media watchdog, the National Radio and Television Authority (ORTT). ORTT silenced Tilos Radio for a month in January after receiving complaints over anti-Christian remarks made in one of the station's broadcasts; a court ruling subsequently overturned the ORTT decision. The national station, Hungarian Television (MTV), remains politicized; in February, ORTT ruled that MTV failed to report on opposition party

activities. The opposition frequently accused the new Socialist Liberal government of editorial interference in MTV and other state-owned media.

Some believe that high media concentration and extensive foreign ownership are damaging media pluralism. In general, the sale of political newspapers has fallen. A prominent daily paper faced closure this year after its Swiss owner, Ringier, tried to close the paper for business reasons, triggering sharp protests by other newspapers and journalists associations.

Iceland

Status: Free

LEGAL ENVIRONMENT: 1
 POLITICAL ENVIRONMENT: 4
 ECONOMIC ENVIRONMENT: 4
 TOTAL SCORE: 9

Iceland's constitution provides for freedom of speech and the press, and the government does not interfere in the independent media's expression of a wide variety of views. Freedom of information legislation has been in place since 1996. An autonomous board of directors oversees the Icelandic National Broadcasting Service, which operates a number of transmitting and relay stations. Internet access is open and unrestricted. Private and public media report on diverse topics. Some publications are affiliated with political parties. Media ownership is concentrated, with the Northern Lights Corporation controlling television networks, most radio stations, and two out of three of the country's national newspapers. A proposed law placing limits on media ownership was vetoed in May by President Olafur Ragnar Grimsson, whose position has historically been that of an apolitical figurehead. This was the first time an Icelandic president had vetoed a proposed law in the republic's 60-year history, and it provoked one of the country's most severe political crises.

India

Status: Partly Free

LEGAL ENVIRONMENT: 10
 POLITICAL ENVIRONMENT: 17
 ECONOMIC ENVIRONMENT: 11
 TOTAL SCORE: 38

Although journalists face a number of threats and constraints, Indian media continue to provide diverse and robust coverage and are the freest in South Asia. The constitution provides for freedom of expression and of the press, and while there are some legal limitations, these rights are

generally upheld. In recent years, authorities have used the Official Secrets Act to censor security-related articles or prosecute members of the press, but no cases were reported during 2004. 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. The Press Council of India, an independent body comprising journalists, publishers, and politicians, serves as a self-regulatory mechanism for the print press through its investigations of complaints of misconduct or irresponsible reporting.

Intimidation of journalists by a variety of actors continues. The International Federation of Journalists reported that Dilip Mohapatra, an editor at the Oriya-language *Aji Kaganj*, was murdered in November, possibly as a result of his investigative reports into local mafia activities. The Bombay-based daily *Mahanagar* was targeted several times during the course of the summer by both Hindu and Muslim fundamentalists; activists connected with the Bharatiya Janata Party attacked the paper's premises in June, damaging office equipment and assaulting staff; and an editor of the paper was stabbed in August, possibly as a result of his writings on Muslim divorce customs. Reporters in several states face pressure from separatist militant groups or from local or state authorities. In addition, police occasionally beat, detain, or otherwise harass journalists as they attempt to cover the news. Conditions are particularly difficult in the insurgency-racked state of Jammu and Kashmir, where militants routinely issue death threats against media personnel. Other forms of coercion have also been employed against the Kashmiri media; in 2003, *Reporters sans frontieres* criticized a decision by the state government to stop placing official advertisements in the independent newspaper *Kashmir Observer*, thus depriving it of an important source of revenue. Faced with such pressures, some journalists practice self-censorship.

Most print media, particularly the national and English-language press, are privately owned, provide diverse coverage, and frequently criticize 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. Doordarshan, the state-controlled television station, has been accused of manipulating the news to favor the government. In addition, a number of private satellite TV channels provide slanted coverage that reflects the political affiliation of their owners, according to the U.S. State Department, and journalists at some newspaper outlets are pressured by management to "doctor" their reports. Internet access is unrestricted, although some states have

proposed legislation that would require the registration of customers at Internet cafes. Potentially inflammatory books and films are occasionally banned or censored by the national or state governments

LEGAL ENVIRONMENT: 20

POLITICAL ENVIRONMENT: 23

ECONOMIC ENVIRONMENT: 15

Indonesia

Status: Partly Free

TOTAL SCORE: 58

Media freedom regressed somewhat during 2004, with journalists increasingly subject to civil and criminal defamation suits, restrictions on reporting in Aceh, and assaults, including mob attacks on editorial offices. Defamation cases continued to be tried in court under the criminal code instead of under Press Law No. 40 of 1999, which provides a right of reply and the settlement of disputes via the Press Council. The most prominent case was *Winata v. Tempo*, brought to court by the powerful business tycoon Tomy Winata over an article published in March 2003 that implicated him in a fire at Jakarta's Southeast Asia textile market. *Tempo's* editor, Bambang Harymurti, was sentenced to a one-year jail term in September, although he remained free pending appeal at year's end. Other civil lawsuits filed by Winata against *Tempo* and its sister publication, *Koran Tempo*, resulted in steep monetary fines (in one case a fine of US\$1 million) being leveled against the newspapers. Journalists associations subsequently formed the Committee Against Criminalization of the Press and rallied outside Indonesia's Supreme Court on September 27 to demand that the court sanction the Press Council as the body to settle disputes involving the media and that the press law be applied to defamation cases. The council did investigate similar libel cases during the year, finding four publications guilty of breaching the Indonesian journalists' Code of Ethics in October and ordering them to publish an apology to the minister who brought the complaint against them.

Bribery, aggravated by a seemingly corrupt judiciary, continues to spin the news agenda. Plans by the city of Jakarta to allocate 3.15 billion rupiah (US\$338,710) in its 2005 budget for journalists covering city hall raised concerns of potential media malpractice and bribes to soften media reports against the city administration. The Alliance of Independent Journalists stated that the allocations contravened (a) Article 6d of the press law, which states that the national press has to supervise, criticize, and make corrections on anything related to public interests; and (b) Article 5 of

the Code of Ethics, which states that journalists are prohibited from receiving bribes or abusing the privileges of their profession. Nevertheless, numerous privately owned print and broadcast outlets provide a variety of views, and some journalists continue to report aggressively on such issues as the conflict in Aceh or corruption. Access to foreign broadcasts and to the Internet is unrestricted.

Journalists face intimidation and occasional attacks at the hands of police and security forces, as well as thugs, Islamic extremist groups, rebels, and political activists. In April, an armed mob attacked the *Sinar Indonesia Baru* newspaper office in Medan, which disrupted production and reduced the next day's circulation to half of its normal 70,000 copies. The attack was sparked by articles that scrutinized the spread of gambling dens in the city. In June, the government expelled two members of the International Crisis Group, which had issued critical reports of military repression in Aceh and Papua. The Indonesian media at the time reported that the National Intelligence Agency was monitoring 20 nongovernmental organizations for damaging the country's reputation. Fears emerged of a return to the Suharto-era government clampdowns on critical reporting. The ability of the media to operate freely is particularly curtailed in the troubled province of Aceh. Foreign journalists' access to Aceh was restricted for most of the year—in September, the newly elected government of Susilo Bambang Yudhoyono announced that it would continue the previous government's ban on foreign journalists visiting Aceh—and local reporters faced difficulties in covering the conflict while operating under martial law restrictions.

LEGAL ENVIRONMENT: 28

POLITICAL ENVIRONMENT: 33

ECONOMIC ENVIRONMENT: 19

Iran

Status: Not Free

TOTAL SCORE: 80

Press freedom in Iran deteriorated further in 2004. The regime's crackdown on reformist publications and journalists continued, with this year's arrests, detentions, harassments, and closings focused increasingly on Internet-based media. While the constitution provides for press freedom except when published ideas are "contrary to Islamic principles or are detrimental to public rights," in practice the government severely restricts this right. The 2000 press law established a Press Supervisory Board mandated to ban publications that defame Islam or the Supreme Leader,

damage “the foundation of the Islamic Republic” or national security, publish libel against “lawfully respected” officials or institutions, or quote articles from “the deviant press, parties, and groups which oppose Islam.” The penal code assigns punishments of harsh prison terms, exorbitant fines, floggings, and even the death penalty for violating such vaguely worded laws. As a result, self-censorship is common. Iran’s subservient judiciary frequently denies accused journalists due process by referring their cases to closed-door revolutionary courts, and the Preventive Restraint Act is used regularly to temporarily ban publications without legal proceedings. Since 2000, over 100 newspapers have been banned and more than 50 journalists have been detained—14 of whom remain in prison, according to Reporters sans frontieres.

Traditionally, independent print media in Iran are robust and critical of government policies despite this repressive environment; however, recent government crackdowns have dampened media vigor. Suppression of the media accelerated during the run-up to the February parliamentary elections, from which a large number of reformist candidates had been barred. Numerous newspapers and journalists were threatened for covering a sit-in by reformists in front of the parliament, and the reformist dailies *Yas-e-No* and *Sharq* were suspended temporarily for publishing parts of a letter from reformist politicians to Supreme Leader Ali Khamenei. After many *Yas-e-No* journalists began writing for the reformist daily *Vaghayeh Ettefaghieh*, it too was suspended in July, along with the daily *Jomhouriat* and the monthly *Aftab*. These developments prompted a sit-in by over 250 people outside the Association of Iranian Journalists in Tehran, as well as a one-day hunger strike by many journalists in August. During 2004, several reformist print journalists were arrested and/or sentenced because of their work; sentences included lengthy prison terms and harsh fines. Foreign journalists were also subject to harassment; *New York Times* columnist Nicholas Kristof reported that Iranian secret police detained him in May in an effort to discover one of his antigovernment sources. In July, an intelligence officer was acquitted of the “semi-intentional murder” of Canadian-Iranian photographer Zahra Kazemi in 2003.

The government directly maintains a monopoly over all broadcast media, which presents only official political and religious viewpoints. While satellite dishes that receive foreign broadcasts are forbidden, an increasing number of Iranians own them. In recent years, many newspapers shuttered by the government have turned to the Internet as a freer medium. However, the government began systematically censoring Internet content

in 2003, and 2004 saw a massive crackdown on Internet journalists, Web sites, and blogs. Close to parliamentary elections in February, an official draft Law on the Punishment of Crimes Linked to the Internet was published in the newspaper *Iran*. The law includes provisions for long prison sentences and large fines for offenses similar to those detailed in the press law and mandates strict monitoring requirements for cybercafes and Internet service providers on pain of banning and/or imprisonment. During the year, many Internet journalists were arrested and Web sites shut down; according to Human Rights Watch, in the last four months of the year, more than 20 such journalists were arrested and “held in a secret detention center in Tehran.” Although most had been released by year’s end, they continued to face harassment from the authorities. In a notable development in December, four Internet journalists who had been tortured while in detention were ordered by the chief prosecutor of Tehran to serve as witnesses in the trial of Association of Iranian Journalists president Ali Mazroi. Mazroi had accused the judiciary of torturing and secretly detaining journalists and was charged with libel shortly thereafter. Facing lengthy prison sentences if they did not comply, the four “witnesses” appeared at the trial on the same day they were coerced to deny, on Iranian state television, that they had been subjected to solitary confinement, torture, and ill-treatment during their detentions.

LEGAL ENVIRONMENT: 23

POLITICAL ENVIRONMENT: 31

ECONOMIC ENVIRONMENT: 16

TOTAL SCORE: 70

Iraq

Status: Not Free

The historic transformation of Iraq’s media continued in 2004, as Iraqis enjoyed unprecedented access to a wide diversity of media sources that emerged after Saddam Hussein’s ouster from power. However, press freedom remained constrained by instability, escalating violence, and unanswered questions about the power and role of new institutions created to regulate the media.

In March, the Iraqi Governing Council, the principal Iraqi interim administration recognized by the United Nations, adopted the Law for the Administration of the State of Iraq for the Transitional Period (TAL). The TAL outlined a period of transferring political authority back to Iraq and provided protections for a free press. The U.S.-led Coalition

Provisional Authority (CPA) continued to maintain political authority until late June. In late March, the CPA established the Iraq Communications and Media Commission (later called the National Communications and Media Commission, or NCMC), an independent nonprofit administrative institution with authority to license and regulate media, broadcasting, and telecommunications services. Also in late March, the CPA issued Order 66, which established the Iraqi Media Network as the public service broadcaster for Iraq.

On June 28, the interim Iraqi government assumed full governmental authority and began issuing new regulations and creating a separate body to regulate the media. In August, interim prime minister Iyad Allawi announced the creation of a new Higher Media Commission (HMC) with responsibility for regulating print and broadcast media and imposing sanctions against violators. For several months, there was a lack of clarity about the HMC's relationship to the NCMC. Interim Iraqi government officials later clarified that the HMC would serve as a senior policy advisory group to the NCMC. In October, the HMC announced that it was preparing a professional code for journalists, which included provisions such as respecting the religious faith of the majority, refraining from agitating divisions in Iraqi society, and not showing support for terrorist actions. The HMC said that it would draft regulations and set punishments for violations. Because much of the structure and operating procedures for the interim Iraqi government remained in flux by the end of the year, it was unclear what impact the HMC and the NCMC would have on Iraqi media outlets' operations.

The ongoing instability and violence remain the biggest threats to press freedom, with Iraqi insurgent groups targeting attacks against media. In 2004, according to the Committee to Protect Journalists, 15 Iraqi and foreign journalists, as well as 16 media workers (drivers, bodyguards, and translators, all but 1 of them Iraqis), were deliberately killed by extremist groups; 5 journalists died while covering live combat; and 3 journalists and 1 media worker were killed near checkpoints by Coalition forces because of mistaken identity. Many of the latter 9 deaths could likely have been avoided had more adequate safeguards (such as improved military communication regarding the presence of journalists in conflict areas) been in place. Twenty-two journalists were abducted during the year by insurgent groups or for ransom by professional kidnappers. In addition, journalists were subject to physical harassment

at the hands of Coalition forces. Three Iraqi employees of Reuters news agency who were detained in January later claimed to have been subjected to sexual abuse by U.S. soldiers. On numerous occasions, the interim Iraqi government and Coalition forces restricted the movement of journalists and barred them from certain areas. In August, Iraqi police ordered all journalists who were not embedded with Coalition and Iraqi forces to leave the city of Najaf. Numerous reporters ignored the order, and police rounded up 60 foreign and Iraqi journalists and brought them to police headquarters, where they were later released. In November, interim prime minister Allawi declared a state of emergency in Ramadi and Fallujah, which provided the government with broad powers to impose curfews and restrict movement. This state of emergency was later extended to the rest of the country.

The CPA and the interim Iraqi government threatened to ban numerous media outlets and in some cases issued bans. In March, the CPA suspended *Al-Hawza*, the newspaper of Shiite cleric Muqtada Al-Sadr, for allegedly falsely blaming the U.S. military for the deaths of Iraqi police recruits in a February attack. The closure of *Al-Hawza* was a contributing factor to clashes between Coalition forces and Al-Sadr's supporters throughout the spring and summer. The CPA and interim Iraqi government officials also threatened to ban two leading regional Arabic satellite television channels, Al-Jazeera and Al-Arabiya, accusing the stations of inciting violence and providing biased news coverage of events in Iraq. In August, Iraq's interim government banned Al-Jazeera from operating in Iraq for 30 days; the ban was later made indefinite. However, Iraqi officials continue to appear on the channel, and Al-Jazeera maintains its operations in Iraq by using freelance journalists.

Iraq currently has more than 120 daily and weekly publications, and dozens of new private television and radio channels emerged throughout the country. Although most are affiliated with particular religious or political groups, the first privately owned nonpartisan television station, Al-Sharqiya, was launched in March 2004. Foreign satellite television, previously banned in all of Iraq under Saddam Hussein (except in the northern Kurdish regions since 1991), became increasingly available during 2004. While the independent press has grown tremendously, economic conditions have hindered the ability of independent publications to sustain themselves. Access to the Internet grew during the year, with many Internet cafes opening up in Iraqi cities.

Ireland

Status: Free

LEGAL ENVIRONMENT: 3
 POLITICAL ENVIRONMENT: 7
 ECONOMIC ENVIRONMENT: 5
 TOTAL SCORE: 15

Press freedom is constitutionally guaranteed in Ireland. Government plans to reduce media access to government information have been criticized, as have plans to introduce a mandatory Press Council to regulate media conduct. The proposed council would act as a regulatory body that would handle complaints against the press, allowing courts to take a negative view of newspapers that refused to participate in the council. Amendments to the outdated, restrictive defamation law, which the justice minister promised to amend by year's end, have yet to be passed. The media are free and independent, and Internet access is unrestricted. The national public broadcaster, Radio Telefis Eireann (RTE), dominates the radio and TV sector. This year, RTE launched a longwave transmitter that allowed it to reach listeners throughout the United Kingdom and beyond. The growth of cable and satellite is weakening the state broadcaster's influence. The Broadcasting Commission of Ireland (BCI) issued only two new radio licenses for Dublin, fearing that more would threaten the viability of existing stations. The BCI made several controversial decisions in June when it dropped an antiwar fund-raising concert from the airwaves just days after it meddled in the editorial decisions of independent media outlets and censored news bulletins that the Republican Party complained would reflect poorly on the government the day before the elections.

Israel

Status: Free

LEGAL ENVIRONMENT: 5
 POLITICAL ENVIRONMENT: 13
 ECONOMIC ENVIRONMENT: 10
 TOTAL SCORE: 28

Press freedom is respected in Israel. 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. Arabic-language publications are censored more frequently than are Hebrew-language ones, and Arab-Israeli journalists can be subject to greater restrictions than their Jewish counterparts. Publishing the praise

of violence is prohibited under the Counterterrorism Ordinance. Israeli authorities prohibit expressions of support for groups that call for the destruction of Israel.

In January, Israel's state prosecutor's office issued an indictment against the editor of the Arabic newspaper *Sawt al-Haq Hurriya*, alleging that articles in the paper amounted to incitement to terrorism. During the year, some Arab-Israeli journalists were detained and searched by security forces, including a reporter covering an event at the residence of Israeli president Moshe Katzav and another who was prevented from boarding the Israeli foreign minister's airplane. In May, Israel—in a stated attempt to protect its citizens—barred accredited journalists with Israeli citizenship from entering the Gaza Strip to cover the death and funeral of slain Hamas leader Sheikh Ahmed Yassin. Also in May, Israeli police arrested British journalist Peter Hounam, who allegedly violated a court order barring interviews of Mordechai Vanunu, an Israeli citizen released from jail in April after serving an 18-year sentence for spying and discussing Israel's reputed nuclear capability. Hounam was freed shortly after his arrest. In August, the Israeli Supreme Court denied a government appeal to uphold a ban on granting press credentials to Palestinians. Israel's Government Press Office earlier ceased issuing press cards to Palestinians on security grounds; the government claimed some Palestinians posing as journalists used the cards to gain entry into Israel to carry out or abet terrorist attacks. In September, Israel deported a British freelance journalist who had been prevented from entering the country because of her political activities with the International Solidarity Movement (ISM), a group sympathetic to Palestinians that operates in the West Bank and Gaza Strip.

Israel features a vibrant media landscape. Various newspapers and broadcast programs are available in a variety of languages, reflecting a broad range of political viewpoints and religious outlooks. The Israel Broadcasting Authority operates public radio and television services. There are also commercial television networks and radio stations; most Israelis subscribe to cable or satellite television. All Israeli newspapers are privately owned and freely criticize government policy. Internet access is widespread and unrestricted. In March, the Organization of Arab Journalists in Israel called for the creation of an Arabic-language television channel, claiming that Israel's Arab community is underserved by the national media.

[The rating reflects 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 and Palestinian Authority

LEGAL ENVIRONMENT: 28
POLITICAL ENVIRONMENT: 36
ECONOMIC ENVIRONMENT: 20
TOTAL SCORE: 84

Status: Not Free

Journalists are generally able to cover events in the West Bank and Gaza Strip; however, international press freedom groups regularly criticize Israel for sometimes preventing journalists from accessing conflict zones, harming and sometimes killing them during armed battles, and harassing Palestinian journalists. Israel has long denied that it deliberately targets journalists and maintains that reporters covering armed conflict in the West Bank and Gaza risk placing themselves in danger. Early in 2004, British photojournalist Tom Hurdall died weeks after being shot by Israeli troops as they battled gunmen in the West Bank. In March, Israeli soldiers operating in the West Bank town of Jenin shot a Palestinian photographer covering clashes there. In May, an Agence France-Presse photographer was shot in the leg while covering confrontations between Palestinians and troops in Gaza. The nongovernmental organization Reporters sans frontieres lodged a complaint in June with Israeli defense minister Shaul Mofaz regarding an alleged pattern of harassment of journalists by Israeli troops, including being detained, threatened, and exposed to tear gas. Also in June, Israeli helicopters fired missiles at a Gaza City building housing local and international media offices, causing some injuries. Israel said the building was used by Hamas to communicate with terrorists and distribute incitement material.

There are approximately three Palestinian dailies in addition to several Palestinian weekly newspapers and monthly magazines. There are roughly 30 independently owned television stations and 9 radio stations, and the Palestinian Authority (PA) operates 2 television stations and 1 radio station. Official Palestinian radio and television are government mouthpieces. According to the Palestinian Central Bureau of Statistics, approximately 33 percent of Palestinians have Internet access.

Under a 1995 Palestinian press law, Palestinian intelligence services cannot interrogate, detain, or arrest journalists on the basis of their work. However, under another law, journalists may be fined and jailed, and newspapers closed, for publishing “secret information” on Palestinian security forces or news that might harm national unity or incite violence. Media outlets are often pressured by authorities to provide favorable coverage of the PA. In January, the PA ordered all journalists in the West

Bank and Gaza working for Arab satellite TV networks to refer to Palestinians killed by Israeli forces as “martyrs.” In July, the PA-affiliated Palestinian Journalists Syndicate issued an edict threatening Palestinian journalists with severe punishment if they reported on clashes among rival Palestinian groups and other forms of internal strife. Some journalists reported receiving death threats, and others admitted that they stopped covering the internecine Palestinian struggle.

Arbitrary arrests, threats, and the physical abuse of journalists critical of the PA have been routine. Journalists covering the Israeli-Palestinian conflict and Palestinian political affairs face harassment by the PA; officials reportedly threaten journalists who file stories deemed unfavorable. In addition, militias affiliated with the PA have warned Israeli journalists to stay out of Palestinian areas. Fatah activists also attacked Seif al-Din Shahin, a correspondent for the Al-Arabiya network, after he reported that several people were injured during a public rally where Fatah members fired their weapons in the air. Fatah went on to issue statements threatening journalists who had voiced criticism of the attack on Shahin. In February, masked gunmen stormed the Ramallah office of Al-Quds Educational TV, demanding videotapes and beating up employees; the same month, gunmen opened fire on the office of the Gaza weekly *Al-Daar*, a paper that had been outspoken on corruption in the PA. In May, gunmen in Gaza failed in their attempt to abduct *New York Times* Jerusalem bureau chief James Bennett. International press freedom groups have called on the PA to cease harassment of journalists.

LEGAL ENVIRONMENT: 9

POLITICAL ENVIRONMENT: 13

ECONOMIC ENVIRONMENT: 13

Italy

Status: Partly Free

TOTAL SCORE: 35

Freedom of speech and the press are constitutionally guaranteed. Legislators moved in July toward abolishing prison sentences for libel, a development welcomed by media organizations, but the proposed amendments have yet to be adopted. Politicians and their allies filed several libel suits against journalists during 2004; in February, journalist Massimiliano Melilli was sentenced to 18 months in prison and ordered to pay 100,000 euros (US\$124,400). In July, a 76-year-old journalist and senator was placed under house arrest, relaxing his 2002 sentence of

29 months' imprisonment for libel. Press freedom organizations criticized two separate government raids on journalists' homes and offices, owing to the journalists' refusal to reveal their sources for controversial, investigative reports.

Most press outlets are privately owned but are often linked to political parties or run by large media conglomerates that exercise some editorial influence. In December, journalists at Italy's leading and highest-selling daily, *Corriere Della Sera*, protested increasing editorial interference and pressure in the newsroom from its shareholders. The newspaper is owned by RCS Mediagroup, in which 15 of Italy's major conglomerates have a stake. Concerns about the concentration of media ownership have been an issue since the election in 2001 of Silvio Berlusconi, a media magnate and Italy's wealthiest individual, as prime minister. The print media, which consist of eight national newspapers, two of which are controlled by the Berlusconi family, continue to provide diverse political opinions, including those critical of the government. However, Berlusconi controls or influences six of the seven national broadcast channels. Mediaset, a company in which he has a major interest and the largest private broadcaster in the country, owns three national channels, while the state-owned network (RAI), traditionally subject to political pressure, controls three.

Questions continue to be raised about the political impact of Berlusconi's control of the media. The Osservatorio di Pavia, an independent media watchdog, reported that in the month of February, Berlusconi's presence on television accounted for 42 percent of the time dedicated to politicians. During the year, the head of RAI, Lucia Annunziata, and one of its star television broadcasters, Lili Gruber, quit in reaction to Berlusconi's domination of the media. A long awaited conflict of interest bill, which was intended to resolve the contradictions between Berlusconi's private business and his role as prime minister, was passed in July. Although the bill limits the managing control politicians have over their holdings, it does not bar them from owning companies. As a result, the bill, which was criticized as being toothless by critics, will have little impact on Berlusconi's media empire.

In April, the parliament adopted a law on broadcasting reform, known as the Gasparri Law, which ostensibly introduces a number of reforms, such as the switch-over to digital broadcasting (scheduled to take place in 2006) and the partial privatization of RAI. The law was initially vetoed in December 2003 by President Carlo Ciampi, who was urged to do so by media organizations claiming the law threatened press freedom and

undermined news pluralism. Although the revised law has a clause that limits the maximum revenue a single media company can earn, it excludes interests in publishing, cinema, and the music industry. Critics of the law still say that it reinforces Berlusconi's power over the media. The new law also allows one of the three Mediaset channels, Retequattro, to continue terrestrial broadcasting. The decree runs counter to a 2002 Constitutional Court ruling that demanded the channel switch to satellite by January 2004 to ensure competition. The shift to satellite would have led to a considerable loss in the station's market value.

LEGAL ENVIRONMENT: 4

POLITICAL ENVIRONMENT: 5

ECONOMIC ENVIRONMENT: 6

TOTAL SCORE: 15

Jamaica

Status: Free

The constitution of Jamaica protects freedom of expression but does not explicitly mention the press. Most people are satisfied that the broad protection of freedom of speech covers the media. However, some media outlets expressed the need for reform of the country's libel laws, particularly the courts' ability to award high damages in defamation cases, which cause some journalists to practice self-censorship. The Gleaner Company, a major publishing house, and Dudley Stokes, a former editor of several Gleaner newspapers, have appealed to the Inter-American Commission on Human Rights to reverse a 1996 Jamaican court ruling that imposed a huge financial penalty on the Gleaner Company and Stokes for allegedly libeling a corrupt public official. In April, the director of public prosecutions threatened talk show hosts who discussed criminal cases pending before the courts with criminal sanctions or fines. The 2002 Access to Information Act provides for freedom of information. However, in 2004 the government planned to introduce harsh antiterrorism legislation, the broad definitions of which could prohibit publication of official documents and threaten press freedom, according to Amnesty International. Jamaica's mostly private print media express diverse views and frequently criticize the government. There are 14 private radio stations, 3 private television stations, 3 major daily newspapers, and a number of community newspapers. For the most part, the government has consistently shown respect for journalistic independence and has supported competition in the media as a means of giving the public a choice of information sources.

Japan

Status: Free

LEGAL ENVIRONMENT: 2
 POLITICAL ENVIRONMENT: 12
 ECONOMIC ENVIRONMENT: 6
 TOTAL SCORE: 20

Press freedom is constitutionally guaranteed and generally respected in practice. Japan has a vigorous and free media and boasts the highest daily newspaper circulation per capita in the world. More than half of the national newspaper market share is controlled by “the big three”: Yomiuri, Asahi, and Mainichi. 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 Asahi, Fuji, TBS, and other stations. Homogeneity, especially in political news, is facilitated in part by a system of press clubs, or *kisha kurabu*, in which major media outlets have cozy relationships with bureaucrats and politicians. Exposés by media in press clubs are frowned upon and can result in the banning of members from press club briefings. Smaller media organizations and foreigners are excluded from press clubs, and in the past, the press club system has made it difficult for foreigners and investigative journalists from nonmainstream media to gain access to official news sources. However, in recent years the rising number of journalists who do not participate in press clubs has slightly eroded their power to act as gatekeepers for news concerning government ministries and political parties. In March, a district court ordered that an issue of a popular weekly be suspended from distribution after the court received a complaint about the content of an article contained in the issue; however, a higher court later overturned this decision.

Jordan

Status: Not Free

LEGAL ENVIRONMENT: 22
 POLITICAL ENVIRONMENT: 22
 ECONOMIC ENVIRONMENT: 18
 TOTAL SCORE: 62

Jordan continued to take small steps forward to advance press freedom in 2004, building on gains in the previous year. While the government allowed the licensing of private television and radio stations for the first time in the country’s history, it continued to take actions that restricted press freedom. In 2003, the government replaced the Ministry of Information with an appointed Higher Media Council to regulate the

media, and it repealed the penal code to eliminate an article that gave the State Security Court the power to close publications and imprison individuals for publishing information deemed harmful to national unity or the reputation of the state. Despite these improvements, other articles of the penal code continue to limit press freedom, such as provisions that restrict criticism of the royal family, the national assembly, and public officials. In addition, Jordan's Law on Press and Publications continues to allow journalists to be detained for writing articles considered harmful to the interests of the state; amendments to the law to forbid these detentions were proposed in 2004 but not approved by year's end. According to the law that governs the Jordan Press Association (JPA), membership in the JPA is a prerequisite to journalistic legitimacy.

Jordan features many private publications. In August, a new independent daily newspaper, *Al-Ghad*, started publishing, and it has received praise for its critiques of the Jordanian government and investigative journalism. However, the government closely monitors content in the print media. The state reportedly plants informers at newspapers to alert officials to what they consider objectionable articles before they are published. Editors and journalists report that at times they receive official warnings not to publish certain articles, and there is said to be a significant degree of editorial and self-censorship. In January, security agents detained (and then released) Muaffak Mahadin, managing editor of the weekly *Al-Wihda*, on charges of insulting the Jordanian armed forces. For several days in May, government authorities detained Fahd Rimawi, chief editor of *Al-Majd*, a small independent weekly tabloid, after a military prosecutor suspended the newspaper for publishing articles deemed damaging to Jordan's relations with Saudi Arabia; Rimawi had accused Saudi Arabia of being a "puppet" of the United States. He was eventually released without charge, and the newspaper's suspension was lifted. The state prosecutor suspended the paper once again in September after it published an article critical of Arab oil-producing countries.

The government owns substantial shares in Jordan's two leading Arabic daily newspapers and must license all publications. 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 has ownership. In 2003, the government officially gave up its monopoly on domestic television and radio broadcast media by creating a new Audio Visual Licensing Authority, which in 2004 began to license and regulate private radio and television broadcasts. The government issued a license to one new radio station and one satellite television station, but neither had started

broadcasting by the end of the year. An increasing number of Jordanians are able to access regional satellite television channels without restrictions. Jordanians generally enjoy unrestricted access to the Internet. The government reportedly attempts to block access to certain Web sites, including those that openly criticize the king.

LEGAL ENVIRONMENT: 25

POLITICAL ENVIRONMENT: 28

ECONOMIC ENVIRONMENT: 22

Kazakhstan

Status: Not Free

TOTAL SCORE: 75

While the constitution guarantees freedom of the press, it also provides for special protection for the president. The fate of a new draft Law On Mass Media symbolized the largely stagnant state of media freedom in Kazakhstan in 2004. The draft law, which contained murky prohibitions on “propaganda” and threatened journalists with prison terms, drew harsh criticism from domestic and international watchdogs. In April, President Nursultan Nazarbayev vetoed the law after the Constitutional Council declared it unconstitutional. The lower chamber of parliament in October passed a draft Law On Extremism that raised concerns with its provisions to suspend media outlets for carrying “extremist” messages. Independent media outlets that fell afoul of the authorities found themselves targeted with civil and criminal libel lawsuits. The opposition weekly *Assandi Times* was convicted of libel and effectively shut down when the presidential administration won a US\$370,000 judgment against the newspaper in an Almaty court. The paper’s editor had accused the administration of distributing and publishing a forged issue of the *Assandi Times* in June that contained articles critical of the opposition. However, the staff of the *Assandi Times* succeeded in opening a new newspaper under the name *Respublika*. Journalist and human rights activist Sergei Duvanov, who had been arrested for rape in 2002 and then imprisoned in 2003 following a dubious investigation and a trial seemingly designed to silence a gadfly, was paroled in August. Another stillborn initiative was the appointment in July of Altynbek Sarsenbayev, co-chairman of the opposition party Ak Zhol, to the post of information minister. Sarsenbayev initially promised liberal reforms and a new draft media law but resigned after parliamentary elections in September to protest government interference in the electoral process.

Sarsenbayev specifically criticized media controlled by Darigha Nazarbayeva, president and director of the state-owned Khabar Agency (which includes a nationwide television channel), for bias in the run-up to the September elections. Domestic and international election observers confirmed favorable coverage of pro-presidential candidates in state-controlled media and media outlets with probable ownership ties to members of the presidential family, which account for the bulk of the country's high-profile broadcast media. During the elections, independent journalists were denied access to information and media crews were at times not allowed to report on the elections and the vote counting. Other events marked a continuation of unhealthy trends of past years. Vladimir Mikhailov, managing editor of the independent weekly *Diapazon*, was imprisoned briefly in the course of an apparent fight for control of the newspaper; and Maksim Kartashov, a sports reporter for the weekly *Vremya*, was attacked after reporting on corruption in the sports world. The suspicious death of Askhat Sharipzhanov, a journalist for the online opposition newspaper *Navigator*, cast a pall over the media environment. Sharipzhanov was struck by a car in Almaty on July 16; he died on July 20. Sharipzhanov had recently interviewed a prominent opponent of President Nazarbaev, and his colleagues pointed to the disappearance of the journalist's tape recorder and irregularities in the investigation, casting doubt on the official finding of accidental death.

There are numerous privately owned print media, but although they are technically independent, many received state subsidies or were owned by holding companies with ties to the government. The government runs one of the two national Russian-language newspapers and the only national Kazakh-language newspaper. In addition, the government controls all broadcasting transmission facilities and two of the three broadcasting companies with national coverage. Administration officials also influence distribution by pressuring publishing houses and newspaper vendors not to work with independent media.

LEGAL ENVIRONMENT: 21

POLITICAL ENVIRONMENT: 21

ECONOMIC ENVIRONMENT: 19

TOTAL SCORE: 61

Kenya

Status: Not Free

Status change explanation: Kenya's rating declined from Partly Free to Not Free owing to a government crackdown on the tabloid presses at the

start of the year and the administration's failure to liberalize the country's draconian media laws.

Kenya's constitution does not explicitly guarantee press freedom. Rather, the media operate under Section 79 of the document, which guarantees citizens freedom of expression. However, the government routinely ignores these protections and restricts the press by broadly interpreting several laws, including the Official Secrets Act, the penal code, and criminal libel laws. In recent years, senior politicians have brought defamation charges against a number of media outlets and publishers, winning potentially crippling monetary awards, while journalists have been sentenced to prison terms. Legislation passed in 2002 and signed into law in 2003 raised publishers' mandatory insurance bond to 1 million Kenyan shillings (about \$13,100), required publishers to submit copies of their publications to a government registrar, and increased the penalties for noncompliance to include stiff fines as well as lengthy jail sentences for both publishers and vendors. A proposed bill to regulate the broadcast media was introduced in 2004 but was then withdrawn by the government following protests from media owners and local journalists. Promises to enact a more liberal media code have not been fulfilled, while draconian media laws dating from the Daniel arap Moi era remain a threat to press freedom.

Reporters continue to face some harassment at the hands of police and other officials. In January, police confiscated thousands of copies of nine publications they claimed were operating illegally, arresting more than 20 news vendors who sold them. They also took possession of printing plates and other equipment from the offices of *The Independent* newspaper in the capital and seized 15,000 copies of the publication. Local reporters told the Committee to Protect Journalists that the confiscations and arrests were related to recent exposures of alleged political corruption. The crackdown was carried out under the provisions of an archaic media law known as the Books and Newspapers Act, which the ruling coalition had pledged to eliminate during the 2002 election campaign. In September, a group of about 20 masked gunmen claiming to be police officers raided the offices of two newspapers in Nairobi, the *Weekly Citizen* and *The Independent*, and seized computers, diskettes, and other office equipment. Tom Alwaka, editor of the *Weekly Citizen*, was told at the central police station that the raid had been carried out by administration police. However, the police force and its criminal investigation department later denied that any of their officers were involved. In May, the government issued a directive to civil servants

warning them not to release classified information to the press. Information Minister Raphael Tuju appointed an extralegal committee of “inquiry” into a radio station that broadcast commentaries critical of a government development project. Peter Makori, a freelance journalist detained in July 2003 on questionable charges, was jailed without trial until May 2004 and reportedly tortured by police.

The state has somewhat loosened its grip over the broadcast media, but the government-controlled Kenya Broadcasting Corporation remains dominant outside the major urban centers and its coverage favors the ruling party. There has been a significant expansion of FM radio, increasing public participation as well as commentary unfavorable to the government. Access to the Internet and to foreign media is unrestricted. Although official pressure and bribery led some journalists to practice self-censorship, the private print media are generally outspoken and critical of government policies.

LEGAL ENVIRONMENT: 4

POLITICAL ENVIRONMENT: 8

ECONOMIC ENVIRONMENT: 14

Kiribati

Status: Free

TOTAL SCORE: 26

In September, the legislative assembly repealed the 2002 amendments to the Newspaper Registration Act that gave authorities the right to deregister publications that printed information deemed offensive, disorderly, or libelous. While these provisions had never been exercised, they conflicted with the nation’s strong constitutional protections for freedom of speech and of the press. All newspapers are still required to register with the government. The Broadcasting and Publication Authority Act allows the government to censor individual stories, and some journalists have reported that they self-censor to avoid retaliation. The Kiribati Islands Media Association, established in 2004, announced they would work toward a new constitution and code of ethics. Kiribati has three weekly newspapers, one state owned, one privately owned, and one run by the Protestant Church. The state-owned weekly *Te Uekera* carries a four-page government-written insert each week providing pro-government news and opinions. The government also runs radio and television stations in Tarawa. Owing to a very weak economy, there is little private media. The Protestant and Catholic Churches publish newsletters and periodicals, which are important sources of information.

Kuwait

Status: Partly Free

LEGAL ENVIRONMENT: 20
 POLITICAL ENVIRONMENT: 22
 ECONOMIC ENVIRONMENT: 16
 TOTAL SCORE: 58

Articles 36 and 37 of Kuwait's constitution provide for freedom of the press, and the media are generally free to criticize the government, with some important exceptions. The Printing and Publications Law and the penal code restrict criticism of the emir and articles that might harm relations with other states, jeopardize the value of the Kuwaiti dinar, or offend moral sensibilities. In addition, the law restricts material deemed offensive to religion or an incitement to hatred or violence. The government arbitrarily enforces these laws, and as a result many journalists practice self-censorship. The Kuwaiti government introduced a new draft press law in 2003, but by the end of 2004, the national assembly had not finished its debate over the proposed legislation. The draft law would remove certain restrictions on licenses for new newspapers, outlaw the arrests and detention of journalists, and ban the closure of any publication without a court order. In June 2004, the national assembly failed to convene a special session on the draft press law when not enough members showed up to achieve a quorum. In August, the government banned *Fahrenheit 9/11*, a documentary by American filmmaker Michael Moore, for being critical of Saudi Arabia's royal family. Information Ministry officials justified the decision by saying that Kuwaiti law prohibits insulting friendly nations.

Most print media are privately owned and among the more vibrant in the region. However, publishers must obtain a license from the Ministry of Information to start a newspaper, and there is no formal process to appeal if a license is not granted. In October, the cultural weekly *Al-Shaab* was suspended for three months after printing political news and thus violating the terms of its license. The government owns five television channels and the local radio station, but satellite dishes are widely available. In 2002, the government closed down offices of the Arab satellite network Al-Jazeera on allegations of defaming the government. October 2004 witnessed the inauguration of the country's first private satellite television channel, Al-Rai, which broadcasts news, dramas, and religious programs. Kuwaitis have free access to the Internet, though some Internet service providers have blocked access to certain Web sites and the government requires Internet cafes to reveal customer identities on request.

Kyrgyzstan

Status: Not Free

LEGAL ENVIRONMENT: 23
 POLITICAL ENVIRONMENT: 27
 ECONOMIC ENVIRONMENT: 21
 TOTAL SCORE: 71

Despite constitutional guarantees of press freedom, Kyrgyzstan's media environment in 2004 suffered from significant constraints in the form of imperfect and selective enforcement of existing laws, targeted lawsuits, and the undue influence of media ownership and control on content. In June, the parliament rejected amendments that would have decriminalized defamation and raised the fee for libel lawsuits. Libel suits acted as a brake on journalists, especially outside of the capital, where judgments of US\$1,000–\$2,000 can have a chilling effect on local reporters with limited financial resources. Overzealous and selective enforcement of laws to the detriment of independent media was a continuing problem. A September decision by the Ministry of Economics Antitrust Department charged that the newspaper *MSN*, printed with the help of a U.S.-funded printing press (operated by Freedom House), was being sold below cost with the aim of establishing a monopoly. The case raised suspicions that the newspaper, whose articles frequently angered officials, was being unfairly targeted for its content.

In the run-up to the 2005 parliamentary and presidential elections, the government tried to crack down on opposition and independent media. Unequal conditions existed for state-controlled media outlets and independent media. Journalists from independent newspapers were sometimes barred from attending official functions, and a report from Issyk-Kul province indicated that teachers there were compelled to subscribe to state-owned publications. In a worrisome development, President Askar Akayev lashed out at independent media at an October 23 meeting of the Security Council; he lambasted the opposition and independent media for “ideological extremism,” warning that destabilization would be a risk in the lead-up to the 2005 elections. Extralegal intimidation and physical violence against journalists were less prominent constraints, although several assaults on journalists were recorded and an independent media support center in Osh suffered an attack in February 2004. Despite an independent inquiry by human rights organizations that revealed that journalist Ernis Nazalov of the daily *Bishkek Rubu* (whose body was discovered on the bank of a canal in September 2003) was stabbed and beaten, the prosecutor's office closed the investigation in 2004 and ruled the death an accidental drowning.

The U.S.-sponsored printing house broke the printing monopoly held by the state-owned printing house, Uchkun. As a result, some of the independent press were able to publish more freely. There are approximately 40 to 50 regularly printed newspapers and magazines, most of them private but not all independent. The president has control over most television stations. The chairman of the state-owned Kyrgyz National Television and Radio Broadcast Corporation is appointed by the president, and his son-in-law owns Kyrgyz Public Educational Radio and Television. In the spring, the main independent television station, Pyramida, was taken off the air by the National Communications Agency (GAS), the government broadcast regulator, for 40 days in an incident that began with a technical problem but developed into a politically tinged dispute with the authorities. The station's journalists argued that Pyramida's weekly political show, which invites opposition leaders, had angered the authorities. In August, the acquisition of a stake in Pyramida by a company with possible links to the family of President Akayev raised fears that the station's independence could be compromised. After claiming that the channel was interfering with state TV transmissions, GAS also forced Osh TV to broadcast on a weaker frequency, drastically cutting down the station's audience.

LEGAL ENVIRONMENT: 28

POLITICAL ENVIRONMENT: 32

ECONOMIC ENVIRONMENT: 23

Laos

Status: Not Free

TOTAL SCORE: 83

Laotian media remain tightly controlled by an authoritarian, one-party state. Although the constitution provides for press freedom, it also mandates that the primary duty of the local press is to serve the ruling party's interests and policies. Sections of the penal code forbid inciting disorder, slandering the state, distorting state policies, or disseminating information or opinions that weaken the state. The Ministry of Information and Culture issues publication licenses, imposes prepublication censorship, and otherwise regulates media content. The government owns all domestic newspapers and broadcast media and tightly controls their content, which tends to reflect official views. Authorities also control all domestic Internet servers and occasionally monitor e-mail or block antigovernment Web sites. However, access to uncensored foreign broadcasts is largely unrestricted.

Laos has generally remained closed to foreign journalists, as they must apply for special visas and be accompanied by an official escort during their stay in the country. However, an opportunity was provided in November, when the government hosted the tenth summit of the Association of Southeast Asian Nations (ASEAN), allowing an estimated 800 foreign newsmen to join about 200 domestic reporters in covering the first ASEAN summit held on Laotian soil. International observers saw the event as a crucial test for the government in its relations with the media and its policies toward press freedom. Nevertheless, the government barred *Time* magazine's Asian correspondent, Andrew Perrin, from covering the summit. The barring of Perrin is believed to be tied to his coverage of Hmong ethnic communities in the hills of northern Laos—in September, Perrin had brought to international attention the plight of five young Hmong who were killed in Vientiane's most recent crackdown on rebels in the area. Later on, Radio Vientiane's live broadcast of the summit's final press conference was abruptly cut off the air after Prime Minister Bouneyang Vorachit, who chaired the press conference, was asked by journalists to confirm the release of two political prisoners. Two guides accompanying a Belgian journalist who was arrested in 2003 after reporting on the Hmong were sentenced to lengthy prison terms and remained in jail throughout 2004.

LEGAL ENVIRONMENT: 5

POLITICAL ENVIRONMENT: 6

ECONOMIC ENVIRONMENT: 6

Latvia

Status: Free

TOTAL SCORE: 17

With constitutional guarantees of press freedom, the press and broadcast media operate freely and there are few legal restrictions on their work. In January, the Constitutional Court ruled that a provision on defamation of state officials in the criminal code was unconstitutional, and the parliament adopted amendments to remove the provision. Libel remains a criminal offense. In January, two men were sentenced for the brutal 2001 murder of investigative reporter Gundars Matiss. The prosecutor's office contends that Matiss was killed for his reports on illegal alcohol production. A commercial channel and two government-run public networks, Latvian-language LTV1 and LTV2, dominate the broadcast market. Until recently, foreign-language broadcasting, including Russian, could not exceed 25 percent of total airtime, which limited the operations of commercial TV and radio. In 2003, the Constitutional Court ruled

the restriction a violation of free speech. However, in December 2004 the parliament ignored the president's opinion and passed a repeat of its decision to amend the Law on Radio and Television Broadcasting, restricting the use of Russian on the air. Cable television offers a rich assortment of Russian broadcasts. In October, the Latvian National Radio and Television Council fined the First Baltic Channel, a Russian-language station, for broadcasting a biased documentary. The First Baltic Channel is based in Latvia but broadcasts in all three Baltic republics.

Latvian media are diverse and competitive, with some 140 newspapers representing a wide range of political viewpoints. Journalists expressed concern after public officials openly criticized the media and complained of inadequate coverage on LTV; media experts view these criticisms as pressure on LTV. This year, two journalists were refused visas and denied entry into Latvia: the editor of a Russian Catholic newspaper and the Al-Jazeera Moscow bureau chief. According to the South East Europe Media Organization, neither journalist was given a reason for the denial. There were a few reported instances of physical attacks on journalists. The print media are independent and privately owned. However, media concentration is high, with six publishers owning 60 percent of printed media.

LEGAL ENVIRONMENT: 22

POLITICAL ENVIRONMENT: 23

ECONOMIC ENVIRONMENT: 15

TOTAL SCORE: 60

Lebanon

Status: Partly Free

Status change explanation: Lebanon moved from Not Free to Partly Free as the private media market became increasingly diverse, particularly the broadcast media, and the press began to issue stronger criticisms of the government toward the end of 2004.

The constitution provides for freedom of the press, and Lebanon enjoys a diversity of media outlets, unlike most other countries in the Middle East and North Africa. Syria's dominance of Lebanese politics continued to inhibit press freedom, and the Lebanese government continued to take steps to limit journalists, though with less impact than before, as the diversity of media outlets has made it increasingly difficult to fully restrict the press. A 1991 treaty between Syria and Lebanon includes an explicit pledge by Lebanon to ban all political and media activity that might harm Syria, and strict defamation and security laws prohibit criticism of top

leaders. Articles 473 and 474 of Lebanon's penal code make public blasphemy and publicly insulting a religion a crime punishable by a maximum of one year in jail.

Despite these restrictions, Lebanon features dozens of newspapers and hundreds of periodicals, many of which, like the independent daily *Al-Nahar*, publish regular criticism of the government. Such criticism increased in late 2004 after the resignation of Lebanese prime minister Rafiq Hariri. Government officials put direct and indirect pressure on both print and broadcast media outlets to obtain favorable coverage, and journalists are subject to occasional harassment. In July, the publication court dropped a 2002 charge of disturbing national security and defaming the president leveled against Ibrahim Awad, the Beirut bureau chief of the pan-Arab newspaper *Al-Sharq al-Awsat*. The newspaper had published an article on an assassination attempt on President Emile Lahoud in 2001. The Surete Generale (SG), part of the state security apparatus in the Ministry of the Interior, is authorized to censor all foreign magazines, books, and films before they are distributed in Lebanon. In March, the SG censored a video clip of a song by popular singer Najwa Karam, saying the clip had made reference to recent clashes between student protesters and government security services.

A degree of diversity and economic freedom exists in Lebanon's media. All of Lebanon's national daily newspapers are privately owned, many by political interests. Most television and radio stations are also privately owned, including six independent television stations and nearly three dozen independent radio stations. Access to regional and international satellite television channels has grown substantially over the last decade. Lebanon is the headquarters for two influential satellite television channels with regional reach, Al-Manar, run by Hizbollah, and the Lebanese Broadcasting Corporation. Internet access is broadly available and not restricted.

LEGAL ENVIRONMENT: 13

POLITICAL ENVIRONMENT: 15

ECONOMIC ENVIRONMENT: 14

TOTAL SCORE: 42

Lesotho

Status: Partly Free

The government generally respects freedom of speech and the press, which is provided for in the constitution. However, a 1938 proclamation prohibits criticism of the government and contains penalties for seditious libel. 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. In April, three Lesotho weeklies were the target of a default judgment by the country's high court, leaving one with no computers or equipment. The newspapers had reported on embezzlement allegations against the former chairman of the Media Institute of Lesotho. Journalism groups have urged the government to create a media council or other regulatory body empowered to mediate 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 September, police severely beat a freelance journalist, Justice Maqelepo, during a crackdown on street vendors in the capital. The Media Institute of Southern Africa reported that in May the minister of home affairs threatened the editor of a Radio Lesotho current affairs program on the air. Several independent newspapers operate freely and routinely criticize the government, while state-owned print and broadcast media tend to 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.

LEGAL ENVIRONMENT: 21

POLITICAL ENVIRONMENT: 29

ECONOMIC ENVIRONMENT: 23

Liberia

Status: Not Free

TOTAL SCORE: 73

Liberia's 1986 constitution guarantees that citizens enjoy freedom of expression, "being fully responsible for the abuse thereof." This opaque clause helped past abuses against the media carry a veneer of legitimacy. In October, a consortium of international and local rights groups collaborated with the administration to recommend legislative and policy reforms that will help Liberia draw a curtain on its dark past of repression and impunity. Under the proposed reforms, new laws would meet international standards regarding press freedom, the state-owned Liberian Broadcasting System would be transformed into a public service broadcaster, and citizens and journalists would have the right to information held by public bodies. Alternatives to imprisonment for content-related offenses, including creating effective regulatory mechanisms whereby media could publish retractions and apologies in

appropriate cases, would form the framework of a new media system. By year's end, however, the government had not enacted any of the planned reforms. Journalists continued to face legal action in 2004; in several cases, charges of "criminal malevolence" were leveled against editors and remained pending in the criminal court. When staff at the *New Broom* newspaper refused to answer a court summons on a similar charge in June, the court ordered that the printing of the paper be halted. In February, a US\$5 million lawsuit was brought by a former associate of President Charles Taylor against *The Chronicle* newspaper for "damages for injury to reputation."

Although the level of violence and harassment directed against the press has decreased dramatically since the ouster of Charles Taylor in 2003, some attacks continue to take place. In February, members of the former rebel group LURD assaulted Mike Jabeteh, a reporter with the private daily *The Analyst*; and in August, another reporter from the same paper was beaten by a police officer, according to the Committee to Protect Journalists.

The print media, comprising some two dozen newspapers that are published with varying degrees of regularity, provide a range of opinion. However, limited printing facilities coupled with the high cost of distribution means that the reach of most newspapers is limited to the areas around the capital city of Monrovia. Most Liberians rely on radio broadcasts to receive news, and radio currently plays an important role in promoting and consolidating a culture of participation in political life. A number of private radio and television stations operate but are hindered by the irregular power supply. Access to foreign broadcasts and the Internet is unrestricted by the government but is severely limited by the dire financial situation of most Liberians. Some journalists reportedly extort money from citizens to refrain from publishing unflattering articles or accept bribes in order to publish certain stories.

LEGAL ENVIRONMENT: 29

POLITICAL ENVIRONMENT: 37

ECONOMIC ENVIRONMENT: 29

TOTAL SCORE: 95

Libya

Status: Not Free

Despite hopes for reform raised in 2004 by the restoration of Libya's diplomatic relations with the United States and by leader Colonel Muammar Qaddafi's promises to improve human rights conditions, Libya remained one of the world's most closed and repressive societies. Freedom

of speech is nonexistent in a system in which nearly all independent political activity is illegal and citizens are permitted to express their opinions on sanctioned topics only through state-controlled “basic people’s congresses.” The penal code stipulates life imprisonment or the death penalty for those convicted of disseminating information that conflicts with the principles of the constitution or the country’s “fundamental social structures” or that tarnishes Libya’s image abroad. The judiciary is not independent.

All print and broadcast media are government owned, and the expression of opinions contrary to official policy is illegal. The pervasive use of secret police, informants, and arbitrary arrests intimidates citizens from speaking out. Foreign publications are often censored, although Internet access and satellite television, available to a relatively small but growing number of citizens, are reportedly not routinely blocked. In February 2004, the Libyan government allowed Amnesty International to visit the country for the first time since 1988, but a series of disturbing developments during the year illustrated the extreme nature of its intolerance of free expression. In January, the state-run daily newspaper *Al Zulf Al Akhdar* was shut down for a week for suggesting that Qaddafi should now “build the state and truly become president.” In March, peaceful dissident Fathi Al Jahmi, arrested in 2002 after calling for political reforms, was released, only to be beaten and arrested, along with his wife and son, two weeks later after criticizing Qaddafi on two pan-Arab satellite television programs. At year’s end, Al Jahmi remained incommunicado, in detention at an undisclosed location. In July, Abu Al Qassem Samidah, former president of the Libyan Press Institute and editor in chief of several Libyan newspapers, was fired for appearing on a talk show on Abu Dhabi TV on which another guest criticized Qaddafi.

LEGAL ENVIRONMENT: 1

POLITICAL ENVIRONMENT: 5

ECONOMIC ENVIRONMENT: 8

Liechtenstein

Status: Free

TOTAL SCORE: 14

The constitution provides for freedom of the press. Given its small size, sparse media scene, and German-speaking population, Liechtenstein relies primarily on media from neighboring Switzerland, Austria, and Germany. The principality’s two daily newspapers, *Liechtensteiner Vaterland* and

Liechtensteiner Volksblatt, openly reflect the views of the two main political parties. A private investor originally funded the main radio station, Radio Liechtenstein. However, after facing financial troubles, the station was sold to the government, which took over as of January 1, 2004. There are two television stations, one private and one state owned. Internet access is open and unrestricted.

Lithuania

Status: Free

LEGAL ENVIRONMENT: 5
 POLITICAL ENVIRONMENT: 7
 ECONOMIC ENVIRONMENT: 6
 TOTAL SCORE: 18

The government generally respects the constitutional guarantees of freedom of speech, and media operate independently of the state. Despite an improving economic situation and this year's European Union integration, corruption remains a huge problem and a sensitive topic for the media to cover. President Roland Paksas, who was impeached in April, attacked the media and restricted access to information. In February, a LNK Television correspondent was barred from the president's office and his accreditation terminated after he reported critically on two presidential aides. The opposition Liberal Democrats tried to remove the head of Lithuanian Radio and Television (LRT), whom they accused of political censorship. In March, the parliament terminated its contract with the daily *Respublika*, following anti-Semitic articles by the daily's editor. In September, Russia's First Baltic Channel, based in Latvia, was almost taken off the air for broadcasting a documentary that allegedly distorted historic facts relating to the Soviet occupation of the Baltic States. The government closed down pro-Chechen rebel Web site Kavkaz-Center. It had tried to do so on previous occasions, but a 2003 court ruling stalled the decision. In November, a Vilnius court said the government acted unlawfully, and despite Russian protests, the Web site resumed operation.

Private broadcast operators criticized government-owned LRT, claiming that state funding and commercial advertising violate free competition. The government also applied pressure to LRT through budgetary controls. The print media are independent, and there are no government-owned papers. The media freely criticize the government, as was evidenced with this year's presidential impeachment, which the print media covered fairly. This year, concentration of media ownership among influential local

business groups continued as several channels changed hands from foreign to domestic owners. Some media experts voiced concern over the potential for private TV stations to end up in the hands of one political force.

Luxembourg

Status: Free

LEGAL ENVIRONMENT: 2
 POLITICAL ENVIRONMENT: 4
 ECONOMIC ENVIRONMENT: 5
 TOTAL SCORE: 11

The constitution provides for freedom of the press. In May, after five years of discussion in the grand duchy, the parliament adopted a new press law, which replaces 135-year-old legislation. The press law improves journalists' rights and provides for the protection of sources. According to the European Federation of Journalists, the passing of the new law was an important success for press freedom following attempts by a large publishing house to bring down the board of the Luxembourg Association of Journalists.

Media policy is very liberal, which has led Luxembourg to serve as a provider of broadcast services for audiences across Europe. Government-run media outlets are minor; RTL, a locally owned media conglomerate, dominates the broadcast media. RTL's radio stations have broadcast in France and Germany for decades. As other countries have liberalized their own media markets, this role has decreased in recent years, leaving Luxembourg with less revenue for its small domestic market. Newspapers and magazines present a wide variety of viewpoints, but their financial viability depends on support from political parties and trade unions. Large government media subsidies are intended to prevent closures, and many broadcasters operate only for a few hours a day. Internet access is unrestricted.

Macedonia

Status: Partly Free

LEGAL ENVIRONMENT: 14
 POLITICAL ENVIRONMENT: 21
 ECONOMIC ENVIRONMENT: 16
 TOTAL SCORE: 51

Freedom of expression is guaranteed in the Macedonian constitution; however, media outlets are not fully independent and remain influenced by various political interests. Libel and slander are punishable by imprisonment and fines. One journalist was sentenced to a four-month suspended prison term for libel in April. An investigative reporter for

Start magazine was detained for six days for not appearing in court to face libel charges filed against him by a police chief. The Association of Macedonian Journalists attempted unsuccessfully to lobby the government to decriminalize defamation.

Macedonian Radio and Television is the only public broadcaster and it continues to be the main source of news for most of the country; its coverage favors the government. The opposition communicates its views through numerous private broadcast and print media outlets, creating little opportunity for objective, dispassionate reporting. Journalists practice self-censorship in order to cater to the interests of their employers, mainly out of fear of losing their jobs. They are frequently criticized by civil society organizations for their lack of professionalism.

Media are largely aligned with partisan interests and remain divided along ethnic lines. In 2004, the government stopped providing financial support for the press, a move that was strongly contested by print journalists and has already resulted in the closure of several outlets. Macedonia has been fairly accommodating about providing ethnic minorities with media in their own languages. Those media, however, rely largely on international financing. Foreign media, on the other hand, are no longer required to obtain permits from the Ministry of the Interior. The German group WAZ purchased the country's three major dailies. The conglomerate now owns more than 50 percent of the print market in Macedonia, causing concerns over ownership concentration. Internet access is open and unrestricted; however, less than 5 percent of the general public uses online sources of information.

LEGAL ENVIRONMENT: 15

POLITICAL ENVIRONMENT: 19

ECONOMIC ENVIRONMENT: 16

Madagascar

Status: Partly Free

TOTAL SCORE: 50

Freedom of speech and of the press is enshrined in the constitution; however, the government limits these rights in practice. Defamation is a criminal offense, and journalists are occasionally prosecuted under these laws. Journalists are paid very poorly and often avoid reporting on the wealthy for fear of unsustainable legal costs. In addition, they are sometimes bribed by government officials or private companies to assure favorable coverage. According to the U.S. State Department, authorities occasionally pressure media outlets to curb their coverage of certain issues (particularly

at the local level), and journalists report being threatened with physical violence or prosecution by both governmental and societal actors. Consequently, some journalists practice self-censorship.

Madagascar has six daily newspapers and a number of weeklies and monthlies; however, because of the low literacy rate, the print media are aimed primarily at the French-educated urban elite. Broadcast media are more widely consumed; nationwide radio and television broadcasting remains a state monopoly, but numerous local, privately owned stations operate throughout the country. However, opposition media are subject to seemingly arbitrary censure. In February, Radio Sava, owned by an opposition mayor, was ordered closed. Radio Say, a private station known for its independent editorial stance, suffered a similar fate in May for “broadcasting false news, defamation, and insults against the Speaker of the national assembly and a member of the government and breach of operating terms and conditions.” Internet use, although not widespread, is becoming more popular.

LEGAL ENVIRONMENT: 16

POLITICAL ENVIRONMENT: 22

ECONOMIC ENVIRONMENT: 16

Malawi

Status: Partly Free

TOTAL SCORE: 54

Freedom of speech and of the press is constitutionally guaranteed and is generally respected in practice. While the government does not exercise overt censorship, freedom of expression in Malawi is threatened in more subtle ways, resulting in some self-censorship. The print media represent a broad spectrum of opinion; of the eight major newspapers in circulation, six are privately owned and most are editorially independent. The state broadcaster operates two radio stations, and there are approximately four community and three commercial radio stations. The state-owned Television Malawi is the country’s only television station. Independent radio broadcasters receive no support from the state in terms of advertising revenue, and all equipment must be imported and paid for in dollars. Import duties and high taxes imposed by the state threaten the economic viability of independent commercial broadcasters. There are no restrictions on access to the Internet, although it is not widely used.

Journalists are subject to occasional restrictions and harassment, and there have been a number of attacks on the press in recent years, allegedly

committed by members of the Young Democrats, a group linked to the ruling United Democratic Front. While the situation improved somewhat in 2004, the government restricted the opposition's access to state-owned media during the period leading up to and immediately after elections in May. A week before the election, the state-owned Malawi Broadcasting Corporation stopped the broadcast of an interview with opposition presidential candidate Justin Malawezi owing to his sharp criticisms of the government. Just three days after the presidential polls, police arrested four journalists from the community radio station MIJ 90.3 after host Arthur Chokotho interviewed an opposition spokeswoman who accused the ruling party of stealing the elections. All four were released without charge within 24 hours. The station was shut down for a week, until the country's high court ordered it reopened. The Malawi Institute of Journalism (MIJ) has since sued the government for loss of income resulting from the closure. In addition, journalists perceived as hostile to the ruling party report being excluded from presidential press conferences and other official functions.

LEGAL ENVIRONMENT: 26

POLITICAL ENVIRONMENT: 26

ECONOMIC ENVIRONMENT: 17

Malaysia

Status: Not Free

TOTAL SCORE: 69

While the government of Prime Minister Abdullah Ahmad Badawi has proven to be more tolerant of dissent than its predecessor, the country's repressive laws banning certain types of speech remain in effect. In 2004, Malaysian officials threatened to renege on their own vows to never censor content on the Internet, the last bastion of independently sourced information in the country. The media continue to be sharply constrained by legal restrictions and other forms of intimidation. The constitution permits limitations on freedom of expression, and the government imposes them in practice, ostensibly to protect national security and public order. The Printing Presses and Publications Act (PPPA) requires all publishers and printing firms to obtain an annual operations permit, which can be withdrawn without judicial review. Authorities have shut down or otherwise circumscribed the distribution of some pro-opposition media outlets under the PPPA. The Official Secrets Act, Sedition Act, Broadcasting Act, and criminal defamation laws continue to impose restrictions on the press and other critics.

According to the Southeast Asian Press Alliance and Reporters sans frontiers, government leaders were considering using the Internal Security Act (ISA) to punish webmasters who allow “irresponsible” material to be posted on their Web sites. The ISA provides for imprisonment without trial for up to two years. The crackdown on Internet media began with the raid on the offices of *Malaysiakini.com* last year. In 2004, it continued with the threat to prosecute *Screenshots* webmaster, Jeff Ooi, for allowing a reader’s post on his Web site on September 30 that was critical of the moderate vision of Islam promoted by the ruling party. In November, the government ordered the closure of another online forum, *Malaysia Boleh*, for posting allegedly inflammatory and seditious comments on Malay rights and Islam. Deputy Prime Minister Najib Tun Razak was quoted in December as saying that the government would investigate the news and opinion Web site *Malaysia Today* for conducting an open debate on privileges accorded to Muslims.

Political parties and businesspeople or companies close to the ruling coalition own or control most major newspapers. The print and broadcast media’s political news coverage and editorials strongly support the government line. Pressure from owners and fear of legal action intimidate journalists to practice self-censorship. Foreign publications are subject to censorship, and the distribution of issues containing critical articles is frequently delayed. Some diversity of opinion is provided by the online editions of newspapers and Web sites, but during the past two years these have also come under threat of prosecution.

LEGAL ENVIRONMENT: 22

POLITICAL ENVIRONMENT: 27

ECONOMIC ENVIRONMENT: 19

Maldives

Status: Not Free

TOTAL SCORE: 68

Freedom of expression and of the press is not provided for in the constitution and is generally not respected by the government in practice. The penal code bans speech and publications that threaten national security, insult Islam, or could “arouse people against the government,” while other regulations make editors criminally responsible for the content of the material they publish. The press council, which is composed of lawyers, media representatives, and government officials,

is mandated with reviewing lapses of journalistic conduct. In March 2003, the government amended the press law to allow for the closure of publications if they failed to publish regularly; it then canceled the licenses of 22 such publications.

Authorities are also legally empowered to shut down newspapers and sanction journalists for articles containing unfounded criticism of the government. In January 2002, four writers for *Sandhaanu*, an Internet magazine, were arrested, and after being held in detention and charged with defamation, three were sentenced to life imprisonment in July, although the sentences were later reduced to 15 years each. One of the so-called cyber dissidents escaped from custody in 2003 and now lives in exile; when the other three, who had been released into house arrest, took part in peaceful pro-democracy demonstrations in August 2004, they were rearrested and reportedly tortured in prison. In this environment, many journalists and publishers practice self-censorship and remain reluctant to overtly criticize official policies.

All broadcast media are owned and operated by the government, while close associates of the president control the main daily newspapers. Although the country's sole Internet service provider is state owned, Internet access is generally not restricted. However, after being banned by the government, the Web sites of the opposition Maldivian Democratic Party and other antigovernment groups are inaccessible from Internet cafes in Male, and Internet connectivity was suspended entirely following the civil unrest in August.

LEGAL ENVIRONMENT: 6

POLITICAL ENVIRONMENT: 8

ECONOMIC ENVIRONMENT: 9

TOTAL SCORE: 23

Mali

Status: Free

Mali's media environment remains one of the most open in Africa. The constitution protects freedom of speech and of the press, and the government generally respects this in practice. Laws that regulate the press and provide for harsh criminal penalties, including imprisonment for criminal libel, have never been used by the state. A case involving three reporters who were arrested and temporarily jailed in 2003 for inciting violence caused a major uproar by national media. The three reporters were charged with defaming an attorney. They were freed while

awaiting their trial, which has yet to take place. The Superior Council of Communication functions as a media regulatory body that also protects and controls journalists. A special committee mandated by the constitution oversees equal access to government-controlled media by all political parties during elections.

There are some 40 privately owned newspapers and more than 125 radio stations, including community stations transmitting in regional languages. However, the number of private media outlets has declined recently owing to financial constraints. The government controls the only television station and a number of radio stations under the public network, Office de Radiodiffusion Television du Mali. The radio stations present diverse views, including those critical of government. Access to foreign radio and television transmissions and to the Internet is unrestricted. Newspapers and journals publish in French and Arabic, and there are numerous local newspapers, most of them based in Bamako, the capital. All newspapers are required to register with the Ministry of Communications, but registration is routine.

Malta

Status: Free

LEGAL ENVIRONMENT: 2
 POLITICAL ENVIRONMENT: 7
 ECONOMIC ENVIRONMENT: 9
 TOTAL SCORE: 18

Section 41 of the constitution guarantees freedom of speech and of the press. Malta is a member of the Council of Europe, and Maltese media laws are based on European law. In July, the Broadcasting Authority fined an independent television station for broadcasting an interview with a European Parliament candidate whose statements allegedly incited racial hatred. Malta's newspapers and broadcast stations have strong political affiliations.

Not surprisingly, a survey by the Broadcasting Authority showed that Maltese audiences perceive local television and radio news as politically biased, frequently taking less notice of nonpolitical events. There are several newspapers and weeklies, available in both Maltese and English. The Maltese have access to Italian television and radio broadcasts, and nearly one third of Malta's citizens watch Italian networks. The government does not block Internet access.

Marshall Islands

Status: Free

LEGAL ENVIRONMENT: 1
 POLITICAL ENVIRONMENT: 6
 ECONOMIC ENVIRONMENT: 6
 TOTAL SCORE: 13

The constitution protects freedom of the press, and the government respects this right in practice. Private media express a wide variety of views and are largely independent from the government. The weekly *Marshall Islands Journal (MIJ)* is the largest private newspaper and publishes articles on issues of controversy, in both English and Marshallese, without restriction. English-language outlets dominate the media landscape, and the *MIJ* management has noted a shortage of qualified Marshallese-speaking journalists, which may limit access for some Marshallese. There are both government and private broadcast media, and U.S. and other foreign television is available via cable. The local nongovernmental organization Women United Together complained of lack of access to state-run media, stating that the government censors coverage of sensitive women's issues. The Internet is growing in popularity, and many Marshallese participate in lively critical debates online.

Mauritania

Status: Not Free

LEGAL ENVIRONMENT: 22
 POLITICAL ENVIRONMENT: 24
 ECONOMIC ENVIRONMENT: 19
 TOTAL SCORE: 65

The constitution provides for freedom of speech and of the press, but this provision is offset by restrictive regulations enforced by the Ministry of the Interior. The press continued to face daunting challenges in 2004, with official censorship and self-censorship the norm for media practitioners. All newspapers are required to register with the ministry; of the 300-plus journals registered, three-fourths do not publish regularly. Publishers must also submit copies of their newspapers to the Ministry of the Interior for review prior to publication. Authorized sales and distribution typically take two to three days after submission for review. The interior minister can suspend publication of material that discredits Islam or threatens national security. In September, the periodical *Al Jamahir* was banned by the Ministry of the Interior amid claims that the

newspaper was linked to Libya and a coup plot to unseat President Ould Taya. In April, a libel suit filed by a close associate of Taya against editors of four independent newspapers was settled out of court. The settlement was ostensibly forced because prosecutors wanted to avoid disclosures implicating state officials in a corruption scandal.

State-owned media outlets, including the two daily newspapers and all broadcast media, slant coverage to support official policies, although the government tolerates some criticism in all media. Even though all candidates received equal coverage on broadcast outlets in the last national elections held in 2003, access by opposition parties to government radio and television broadcast facilities remains extremely limited. A number of coup plots against the rule of President Taya have kept up the intensity of media coverage against suspected enemies of the state. In June, a reporter and an editor of an independent weekly, *L'Veuil Hebdo*, were detained briefly by police for reporting a story concerning police abuse of a citizen.

The government owns 2 daily newspapers, and approximately 24 privately owned newspapers publish on a regular basis. Owing to the required review by the Ministry of the Interior of all publications, no newspapers are able to publish on a daily basis. The government owns and operates all broadcast media, including radio, which is the most important source of information for the public. The government has denied requests from private companies wishing to establish radio stations.

LEGAL ENVIRONMENT: 6

POLITICAL ENVIRONMENT: 9

ECONOMIC ENVIRONMENT: 13

Mauritius

Status: Free

TOTAL SCORE: 28

Press freedom is guaranteed by the constitution and is generally respected. Strict libel laws exist but have not been used by the government to inhibit the media, though private libel suits are common. Several private daily and weekly publications regularly criticize both government and opposition politicians and their policies. Banned until 2001, a small number of private radio stations have been authorized to operate by the Independent Broadcasting Authority (IBA); however, television is still monopolized by the government. In August, Prime Minister Paul Berenger established a “special committee” to review the powers of the IBA after accusing private radio stations of “irresponsible” broadcasting. In March, Berenger threatened to ban live debates on private radio. Several international broadcast news stations are available to the public by subscription.

Mexico

Status: Partly Free

LEGAL ENVIRONMENT: 11
 POLITICAL ENVIRONMENT: 20
 ECONOMIC ENVIRONMENT: 11
 TOTAL SCORE: 42

This year proved to be the most lethal in more than a decade for Mexican journalists. Drug cartels and corrupt police provided the biggest threats, along with an unfriendly legal environment. Although Mexico City's government began debating whether to abolish its local criminal libel statutes, the state of Chiapas adopted amendments that increased prison terms and fines for libel, and the Aguascalientes state legislature voted to reinstate libel as a criminal offense. Mexico's Senate suspended debate on a federal shield law. In 2003, Mexico's new Law on Open Records was praised as one of the best in the hemisphere. Although some journalists have put it to use, procedural hurdles remain. Courts did move to sentence two men for the murder of U.S. journalist Phillip True of the *San Antonio Express*; True was murdered in 1998 while preparing a story on the Huichol Indians. However, the men continued to elude authorities after skipping out on bond.

Media outlets in Mexico City and other major cities report freely on diverse and sensitive political issues and are able to criticize the government without interference. Journalists working outside major cities, particularly along Mexico's northern border, face harassment, death threats, and physical attacks. Newly elected congressman Saul Rubio Ayala urged supporters at a rally to attack reporters from *El Debate*; the newspaper had reported on Ayala's links to drug dealers. Police escorted reporters at the rally out of the area for their safety. In Chiapas, the staff of *Cuarto Poder* complained about a campaign of harassment from the state's governor. This atmosphere of intimidation peaked during a two-week period in the spring when 15 journalists faced a variety of different incidents of violence or threats. Four journalists were killed this year in Mexico. Francisco Javier Ortiz Franco was gunned down in a parked car in front of his children by hitmen from the Tijuana cartel. Ortiz was a co-founder of the investigative weekly *Zeta* and a member of a team from the Inter-American Press Association looking into the murders of prominent journalists in northern Mexico. Francisco Arratia Saldierna, a columnist in Matamoros, died of a heart attack after being tortured and dumped out of a moving car. A suspect arrested in his death is a former member of an elite army unit, and authorities connected him to the Gulf cartel. Roberto Javier Mora Garcia, editor of *El Manana* of Nuevo Laredo, was stabbed to death. One of the suspects in the murder was suspiciously

killed in jail. Gregorio Rodriguez Hernandez, a photographer for *El Debate* in the state of Sinaloa, was assassinated by gunmen while eating dinner with his family in a restaurant in Escuinapa. Reporters looking into his death were threatened. A report in *Zeta* noted Rodriguez was likely killed by hitmen from the Sinaloa cartel because he had taken a picture of the former police chief of Escuinapa at a party with members of the cartel. All these killings took place amid a gang war between the Sinaloa and Tijuana cartels. President Vicente Fox condemned the murders and promised federal action, but the lack of thorough investigations has fostered a climate of impunity and self-censorship.

There are approximately 300 newspapers, 10 of which have national reach; all are privately owned. Broadcast media are also mostly privately owned but remain concentrated in the hands of families that have long supported a dominant one-party state and less political freedom. Some media outlets are dependent on support from political parties or entrepreneurs aligned with the various parties. However, the major television networks, Televisa and TV Azteca, seem focused more on ratings and market realities than sowing seeds of discontent within the more open political system. Although fewer journalists are accepting bribes, the system of journalistic corruption remains one of the most highly evolved in the hemisphere. Although the country's economy has some bright spots, underemployment is still rampant and some journalists are forced to either accept bribes or work multiple jobs to make ends meet. The economic situation has also forced a few journalists into accepting bribes from the drug cartels or other criminal enterprises.

LEGAL ENVIRONMENT: 1

POLITICAL ENVIRONMENT: 7

ECONOMIC ENVIRONMENT: 10

Micronesia

Status: Free

TOTAL SCORE: 18

The constitution protects freedom of speech and of the press, and the government respects these rights. The biggest constraints for Micronesian media are the small market and lack of economic resources to support a diverse private media. The nation has no daily newspaper, although two private newspapers publish weekly and are able to cover sensitive issues. The national government and each of the four states publish newsletters. Aside from national and private radio, each state also controls a radio station, which broadcasts primarily in the local language. Foreign television

is available via cable in three of the four states. The Internet, which is unrestricted by the government, is increasingly providing a forum for news and debate.

Moldova

Status: Not Free

LEGAL ENVIRONMENT: 20

POLITICAL ENVIRONMENT: 26

ECONOMIC ENVIRONMENT: 19

TOTAL SCORE: 65

Despite President Vladimir Voronin's repeated calls for media freedom, critics continue to deplore government interference in Moldovan media. The constitution guarantees freedom of speech and of the press, but legislation prohibiting defamation of senior officials and insults against the state impinges on these freedoms. The parliament decriminalized libel in April, helping to move Moldova toward international standards. However, fines for libel under the civil code remain unlimited, and prosecuted media outlets continued to receive penalties of more than US\$100,000 each in 2004. In July, the Supreme Court dropped two lawsuits brought by journalists who were denied access to information.

Events at Teleradio-Moldova, the former public broadcaster, dominated the media landscape in 2004. In February, the government decided to dismiss all staff members, a move criticized as a means of allowing the government to get rid of disloyal journalists. As the rehiring process got under way, journalists complained about discrimination and lack of transparency in procedures, and protests continued through the end of the year. Domestic and international observers accuse Teleradio-Moldova of pro-government bias. The broadcast licenses of independent Chisinau stations Antena C Radio and Euro TV were temporarily revoked in February; officially the stations had not been properly registered, but critics accused the government of targeting the stations because they do not back the president. Investigative journalist Alina Anghel of the weekly newspaper *Timpul* was attacked with a metal bar in June, the day before she was due to testify in a libel case against her paper for an article she wrote. She said she had previously received threatening phone calls and did not recognize the men officials eventually arrested for the crime, which was called a simple robbery.

The print media express diverse political views, and the number of private media outlets grew this year. However, the majority of print and broadcast media outlets are financed directly or indirectly by various

political or ethnic interests, and the law prohibits foreign investment in domestic publications. Instead, foreign-supported publications are financed through “foundations.” Only Teleradio-Moldova’s television station broadcasts nationwide. All Moldovan media suffer from a lack of professionalism, including subjective reporting, and self-censorship is common. Authorities in the breakaway region of Transnistria maintain tight control of media there. In September, a cameraman from TV Moldova 1 was imprisoned in Transnistria for one week.

Monaco

Status: Free

LEGAL ENVIRONMENT: 3
 POLITICAL ENVIRONMENT: 5
 ECONOMIC ENVIRONMENT: 6
 TOTAL SCORE: 14

Under Monaco’s 1962 constitution, Article 23 provides protection for freedom of expression, although exceptions do exist. Denunciations of the ruling Grimaldi family are prohibited under the penal code. Aside from limited examples of self-censorship related to these restrictions, press freedom is respected and no violations were reported in 2004. There are no daily newspapers publishing in Monaco. Two monthly magazines and a weekly government journal are published in the principality, and French daily newspapers are widely available. Radio and television are government operated, and all French broadcasts are freely transmitted. France maintains a controlling interest in Radio Monte Carlo, which transmits in several languages and extends its influence beyond the state borders.

Mongolia

Status: Partly Free

LEGAL ENVIRONMENT: 11
 POLITICAL ENVIRONMENT: 12
 ECONOMIC ENVIRONMENT: 12

TOTAL SCORE: 35

Censorship of public information in Mongolia is banned under the 1998 Law on the Media, which also prohibits the government from owning or financing media outlets. Government holdings are gradually being privatized, although the government and ruling party still control four of the seven television stations and many radio stations. Complaints persist about state use of the media to promote official policies. On May 3, 2004, World Press Freedom Day was marked by protest and debate in

Mongolia over libel laws seen as inhibiting freedom and “scare tactics” practiced by government officials. In April, a tabloid journalist was sentenced to three months in prison for libeling a parliamentarian. In addition, authorities regularly question journalists about information sources and conduct investigations about media ownership, broadcast reach and circulation figures, editorial perspectives, and sources of financing. The opposition Democratic Party has gained popularity with voters by adopting media freedom as a plank in its policy platform. A few days prior to the July 1 parliamentary elections, Democratic Party supporters stormed the National Radio and Television Building and negotiated successfully for 20 minutes of free airtime every evening. The governing People’s Revolutionary Party subsequently lost half of its seats in parliament, and in October the new “consensus government” announced plans to decentralize state control of broadcast media. Owing to widespread poverty in Mongolia, the Internet has yet to serve as a more powerful source of free information. In this country of 2.5 million, the online population is estimated at 50,000.

LEGAL ENVIRONMENT: 21

POLITICAL ENVIRONMENT: 25

ECONOMIC ENVIRONMENT: 17

TOTAL SCORE: 63

MOROCCO

Status: Not Free

Since the mid-1990s, when Morocco’s late King Hassan II loosened some controls on the media, an ideologically diverse and lively press, including several private publications that report on sensitive political and social issues, has emerged in the country. However, King Mohammed VI’s continuing intolerance toward outspoken journalists, along with formal and informal constraints on press freedom and widespread self-censorship, thwarted the development of a genuinely independent and pluralistic media in 2004.

The constitution guarantees freedom of expression, except as restricted “by law.” The press law forbids journalists from criticizing the king, the royal family, Islam, or the nation’s “territorial integrity” (referring to Morocco’s control of the disputed Western Sahara territory). The law also levies prison sentences and fines against journalists who violate these rules, defame public officials, or “endanger public order,” as well as empowering the government to direct coverage of some issues and to suspend and confiscate publications. The 2003 anti-terrorism law permits

the arrest of journalists who disseminate information deemed supportive of “terrorism,” an overly-broad category under which several journalists were detained after publishing articles related to the May 2003 terrorist attacks in Casablanca and Morocco’s Islamist movements.

The judiciary is vulnerable to political pressure from the authorities. Journalists are subject to harassment and intimidation, and self-censorship keeps many journalists from crossing historic “red lines.” King Mohammed’s January 2004 pardon of seven journalists jailed in 2003 was welcome but underscored the degree to which press freedom in Morocco remains subject to royal whims rather than being anchored in law. To wit, 2004 witnessed the imprisonment of two editors of privately owned papers. In April, Anas Guennoun, editor of *Al Ahali*, was sentenced to 18 months in prison for defaming two Tangiers political figures; released on bail in August, he faces a new trial in 2005. In September, Anas Tadili, editor of *Akhbar Al Usbu*, who was already imprisoned for a prior currency violation, was sentenced to a year in prison for defaming the finance minister, even though the article in question did not refer to him by name. In June, two Norwegian journalists were expelled from the country for interviewing supporters of the Polisario movement, which seeks independence for Western Sahara. The government continues to deny the illegal but tolerated Islamist group Al Adl wa Al Ihsan (Justice and Charity) a permit to publish its newspaper.

Despite a 2003 law to encourage private investment in the radio and television sector, the national broadcast media remained under state control and operation in 2004 and featured overwhelmingly pro-government programming (the exception is the Tangiers-based private radio station Medi-1, but it generally avoids controversial political coverage). Broadcast media remain a key source of information in a country whose literacy rate is 45 percent and where the total circulation of publications is just 300,000 out of a population of 32 million. Foreign satellite broadcasts are widely available and were not blocked during the year.

The government often uses economic means to control the press. These include subsidies and other financial perks, advertising boycotts (the palace controls much of the advertising market), and sudden demands for payment of taxes. In September, the authorities issued court orders seizing the earnings of two of Morocco’s most outspoken independent papers, *Le Journal Hebdomadaire* and *Assabifa*, as payment for damages in a libel case brought by the foreign minister, even though the case was still pending before the Supreme Court. Approximately one million Moroccans had access to the Internet in 2003 and the

number is growing, although high cost remains a significant barrier. Internet access and most content are unfettered, although the authorities closely monitor and sometimes block Islamist-related Web sites.

LEGAL ENVIRONMENT: 13

POLITICAL ENVIRONMENT: 17

ECONOMIC ENVIRONMENT: 15

Mozambique

Status: Partly Free

TOTAL SCORE: 45

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. Some journalists have alleged that the Higher Council of Social Communication, an enforcement body for the press law that is dominated by the ruling party, has attempted to promote self-censorship among members of the press. Criminal libel laws are sometimes used to prosecute media outlets for defamation, which serves as another important deterrent to open expression. In November, the parliament approved an amended constitution that guarantees a diversity of views in state-run media.

Reporters continue to be subjected to some threats and intimidation at the hands of officials. In May, Oliveira Malei of Licunga Community Radio was suspended and forcibly transferred to another town by the district administrator of Mocuba, Zambezia Province, after he criticized the state of Mocuba's roads and funeral services. That same month, a journalist for the independent local paper *Faisca* was briefly detained and accused of libel for an article he wrote quoting the chairman of the Mozambican Human Rights League as saying that there was "unprecedented corruption" in the provincial chief attorney's office (the chairman himself was later detained and released because of the quote). Also in May, Anibal Antonio dos Santos, the convicted killer of prominent journalist Carlos Cardoso, escaped from a high-security prison in Maputo, where he had been serving a 28-year sentence. He was captured later that month at Toronto's Pearson International Airport and has sought asylum in Canada. The Mozambican government is currently seeking his extradition.

The private media have enjoyed moderate growth and some newspapers routinely criticize the government, but publications in Maputo have little influence on the largely illiterate rural population. The state owns or influences all of the largest newspapers and also controls nearly all broadcast media. Although state-owned media have displayed greater editorial

independence in recent years and media coverage of national elections in December was more evenhanded, the opposition receives inadequate coverage on national radio and television. Only a fraction of the population has access to the Internet because of a scarcity of electricity and computers.

Namibia

Status: *Free*

LEGAL ENVIRONMENT: 8
 POLITICAL ENVIRONMENT: 9
 ECONOMIC ENVIRONMENT: 12
 TOTAL SCORE: 29

Status change explanation: Namibia's rating improved from Partly Free to Free because it is widely viewed as one of the most media-friendly countries in Africa and no serious abuses against journalists have been reported for several years.

Namibia's constitution guarantees freedom of speech and of the press, and the government generally respects these rights in practice. The country's press is considered one of the freest on the continent. Independent media routinely criticize the government, though government pressure and sensitivity to negative coverage has led to some self-censorship. Eight newspapers are in circulation, six of which are privately owned. There are at least eight private radio stations and two private television stations that broadcast in English and German. A subscription satellite television service broadcasts CNN, BBC, and a range of South African and international news and entertainment programs. There are no government restrictions on the Internet, and several publications have popular Web sites. Private radio stations and newspapers usually operate without official interference, but 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 Namibia Broadcasting Corporation enjoys complete freedom to criticize the government, others believe that it is biased toward the ruling party. Although President Sam Nujoma appointed himself minister of information and broadcasting for a period in 2004, no significant problems were experienced during his tenure.

The most serious media restrictions in Namibia have been isolated incidents in which the government has canceled advertisements in a few newspapers for their supposedly critical coverage. In addition, some restrictions have been sought in media coverage of the mass trials of accused

secessionists from the Caprivi region. Two journalists with *Die Republikein*, an Afrikaans daily newspaper, were detained for four hours by armed Special Field Force members while on assignment in northern Namibia. Their vehicle was also confiscated, although it was later returned. The National Society for Human Rights has asked the inspector-general of the police to bring charges against officers in the case.

Nauru

Status: Free

LEGAL ENVIRONMENT: 4
 POLITICAL ENVIRONMENT: 12
 ECONOMIC ENVIRONMENT: 13
 TOTAL SCORE: 29

The constitution protects press freedom, and there have been no reports of censorship of print, broadcast, or electronic media. Nauru has no daily newspapers, but the opposition party Naoero Amo publishes a newsletter, *The Visionary*, which provides a critical view of the government. Journalists complained of being denied access to an Australian-run detention center where Iraqi and other asylum seekers staged intermittent hunger strikes throughout the year. The two governments claimed that the detainees were not refugees and that media attention to the strikes could encourage the detainees to continue to harm themselves. One Australian journalist was able to sneak into the camp, and her report and photos of the detainees set off a firestorm in the region that has led to promises by the government to reevaluate the detainees' status. The government operates one radio and one television station and is the island's sole Internet provider.

Nepal

Status: Not Free

LEGAL ENVIRONMENT: 20
 POLITICAL ENVIRONMENT: 32
 ECONOMIC ENVIRONMENT: 17
 TOTAL SCORE: 69

Caught in the middle of an ongoing war between the government and Maoist insurgents, the Nepalese media continued to face high levels of intimidation and violence from both sides during 2004, particularly in rural areas. The constitution provides for freedom of expression and specifically prohibits censorship. Although both the constitution and the Press and Publications Act allow for restrictions on speech and writing that could undermine the monarchy, national security, public order, or interethnic

or intercaste relations, there were no reports of prosecutions under this law during the year. However, antiterrorism legislation that permits authorities to detain individuals suspected of supporting the Maoists for renewable six-month periods was used against journalists, including Maheshwar Pahari, editor of the now-closed weekly *Rastriya Swabhiman*, who was arrested in January 2004 and remained in custody at year's end.

Journalists who are suspected of pro-Maoist leanings or who produce critical material are regularly arrested and detained by police and security forces, and a number have reportedly been subjected to physical and verbal harassment as well as torture. In February, security forces killed editor Padma Raj Devkota during routine anti-insurgency operations in the remote western region of Jumla, according to the Kathmandu-based Center for Human Rights and Democratic Studies (CEHURDES). During the daily pro-democracy demonstrations that engulfed Kathmandu in April, hundreds of reporters who were attempting to cover unfolding events were arrested and briefly detained, and several were beaten or otherwise injured by police.

Media workers are also under increasing pressure from the Maoists. In August, rebels killed Dakendra Raj Thapa, a journalist with the state-owned Radio Nepal. Other reporters were abducted, threatened with death or amputation, or expelled from rebel-held areas, in addition to having their property seized. In November, the Maoists imposed a reporting ban in five western districts and put into place provisions that required journalists to obtain permission from local Maoist leaders before reporting from the area. Rebels also carried out an attack on a state-owned radio transmission station in May in order to disrupt pro-government broadcasts.

The government owns several of the major English-language and vernacular dailies; these news outlets generally provide pro-government coverage. While a plethora of private publications continue to cover sensitive issues such as the role of the monarchy, human rights violations, the insurgency, and corruption, self-censorship as a result of the intimidation detailed above is a growing concern, particularly in the Maoist-controlled rural areas. The government owns the influential Radio Nepal, whose political coverage is supportive of official policies, and one of several television stations. Private radio stations are required to broadcast Radio Nepal news at least once daily in addition to their own news programming. Access to cable and satellite television, foreign broadcasts and publications, and the Internet is unrestricted. However, under government instructions, privately run Internet service providers have blocked access to the Maoists' Web site since February 2004.

Netherlands

Status: Free

LEGAL ENVIRONMENT: 1
 POLITICAL ENVIRONMENT: 6
 ECONOMIC ENVIRONMENT: 4
 TOTAL SCORE: 11

Freedom of speech and of the press is constitutionally guaranteed. Restrictions against insulting the monarch and royal family exist but are rarely enforced. At times, journalists protested against authorities' actions that they claimed hindered press freedom, such as police restricting access when they arrested a local television camera crew for allegedly filming where they were not allowed. In July, a crime reporter's phone was tapped by the prosecution's office. The murder of Theo Van Gogh, an outspoken filmmaker and newspaper columnist, sparked concerns about the status of free speech and the press in the country. Van Gogh was well-known for his strongly critical views toward Muslims and Islam and had recently made a film depicting violence against women in Islamic societies. Dutch police arrested an alleged Muslim fundamentalist with Dutch and Moroccan citizenship. The trial is set to start in 2005. Following the murder, authorities criticized the media for inciting racial intolerance, and Dutch leaders contemplated invoking a seldom-used law banning blasphemy. The country's media are free and independent. Despite a high concentration of newspaper ownership, a wide variety of opinion is 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. The television market is competitive, and viewers have access to diverse domestic and foreign broadcasts. Internet access is not restricted.

New Zealand

Status: Free

LEGAL ENVIRONMENT: 2
 POLITICAL ENVIRONMENT: 4
 ECONOMIC ENVIRONMENT: 6
 TOTAL SCORE: 12

The press is free and vibrant, and according to Transparency International, New Zealand is one of the few countries where bribery of journalists is least likely. While the legal climate remains generally unfettered, a mayoral candidate and businessman in the country's largest city, Auckland, filed a defamation suit for NZ\$1.5 million against one of the leading economic

and political papers, *National Business Review*, over an article that he claimed to be a “hatchet job.” He was subsequently elected mayor. In May, the Broadcasting Standards Authority upheld its 2003 ruling that an interview conducted with Prime Minister Helen Clark in July 2002, about allegations that the government had covered up a genetically engineered corn release, breached standards of balance, accuracy, and fairness. TV3 had appealed the original ruling in 2003. TV3 was ordered to pay approximately US\$8,000 in costs to Clark’s defence team and more than US\$10,500 in costs to the crown.

Four companies, all foreign owned, dominate the country’s radio, broadcast, and television news media. The national journalists union had concerns over the impact on media diversity following the purchase of Independent Newspapers Ltd. by Australia’s John Fairfax Holdings, which owns almost 48 percent of New Zealand’s daily newspaper circulation. The state-owned corporation Television New Zealand dominates television with two free-to-air channels and broadcasts programming compliant with a new public broadcasting charter, leading to a target of 55 percent local programming for TV One. CanWest Global Communications, the Canadian media conglomerate and majority owner of several broadcast outlets, sold 30 percent of its holding in MediaWorks. In another move, 15 regional AM and FM stations that had retained their individual identity and heritage for more than 30 years have been rebranded as MORE FM, one of the subsidiary RadioWorks networks. In March, the first TV station produced and programmed specifically for the indigenous Maori population was launched.

LEGAL ENVIRONMENT: 14

POLITICAL ENVIRONMENT: 17

ECONOMIC ENVIRONMENT: 11

Nicaragua

Status: Partly Free

TOTAL SCORE: 42

The administration of President Enrique Bolanos, who took office in 2002, tolerates criticism and diverse views expressed by the media. The constitution from the Sandinista era, which provides for freedom of the press, allows some forms of censorship. Although presidents have not used those powers since the 1980s, no efforts have been made to reform this legal framework. Judges are often aligned with the Sandinista party and are not independent. Some judges have restricted reporters from

covering stories, and there have been cases of judicial intimidation. At the end of the year, a Supreme Court ruling on an appeal on constitutional grounds against Law 372, which requires all journalists to register with the Colegio de Periodistas, was still pending.

The safety of journalists became a major issue this year after the murders of two journalists, the first since the 1970s. Although both killings were linked to the polarized political scene, threats against journalists from narcotics traffickers and corrupt police hindered press freedom in some of the more isolated regions of the country. The editors of *La Prensa* formally asked for government protection for their correspondent Sergio Leon Corea in Bluefields. Leon Corea's home was invaded after he had written stories about the links between police and drug gangs. Carlos Guadamuz, political commentator for Managua's Canal 23 television station, was shot and killed in February. Guadamuz, a controversial political figure and former member of the Sandinista party, frequently used his program to criticize the Sandinista leadership. The man who shot Guadamuz at point-blank range was sentenced to 21 years in prison. In November, Maria Jose Bravo, a correspondent for *La Prensa*, the country's most popular newspaper, was gunned down by the former Liberal Party mayor of El Ayote. This trial was pending at the end of 2004.

Radio is the main news source in the country and has the largest national audience. There are 10 Managua-based television stations, some of which carry obvious partisan content. Nicaragua is one of the poorest countries in the hemisphere, and its media rely on government advertising. The Bolanos government promised to stop the policy of rewarding disproportionate amounts of advertising to supportive media outlets by implementing a standardized system of distributing government advertising based on market share. Some smaller media outlets faced with insufficient financing were forced to close. In December, the national assembly moved to approve a constitutional reform that would revoke the tax-exempt status of media outlets. Some saw this move as an attack on press freedom and revenge for investigative reporting that exposed the corruption of former president Arnoldo Aleman and influential governing parties. Newspaper ownership is concentrated in the hands of various factions of the Chamorro family. Angel Gonzalez, noted for his holdings in Guatemala and Costa Rica, also owns significant electronic media properties. However, the prominent Sacasa family dominates in the television arena. 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 is a slow evolution.

Niger

Status: Partly Free

LEGAL ENVIRONMENT: 19
 POLITICAL ENVIRONMENT: 18
 ECONOMIC ENVIRONMENT: 16
 TOTAL SCORE: 53

The constitution provides for freedom of speech and of the press, but the government limits these rights in practice. Attacks against the press in 2004 were far less brazen than in the previous year when several persecutions were visited on journalists, newspapers, and radio broadcasters. Nevertheless, journalists suffered penalties for their reporting on sensitive political issues. Violations against press freedom in 2004 included a raid on the premises of the weekly newspaper *Le Temoin* by security forces. The entire print run of the newspaper and production materials were seized in December. The newspaper was about to publish a photograph of four soldiers and gendarmes taken hostage by Touareg rebels operating in northern Niger. In another case, Moussa Kaka, director of the independent radio station Saraounia FM, was arrested and held incommunicado for four days by agents of the gendarmerie, despite Nigerien law, which prohibits detention for more than 48 hours. The arrest followed the broadcast by Saraounia FM of a telephone interview by the head of a new rebel movement that claimed armed attacks in the north of the country. In January, Mamane Abou, director of the private weekly *Le Republicain*, was released after serving two months of a six-month sentence for defamation. Abou was also fined US\$3,780.

State-owned media reflect the government line. The state controls much of the broadcasting landscape, but private broadcasting has begun to flourish. Several private broadcasters, including Radio France Internationale, Africa No. 1, and Radio Bonferey, are allowed to operate without interference, but the private stations are far less critical of the government than are private newspapers. The government-owned La Voix du Sahel transmits 14 hours per day, broadcasting news and other programs in French and several local languages. More than a dozen private newspapers publish weekly and monthly. Most of the publications

are affiliated with political parties and are published in the French language. They are typically critical of government, but since literacy is low, radio has the most extensive reach and influence with the population. A heavy tax on private media outlets prohibits a vibrant private media environment.

Nigeria

Status: Partly Free

LEGAL ENVIRONMENT: 15

POLITICAL ENVIRONMENT: 21

ECONOMIC ENVIRONMENT: 16

TOTAL SCORE: 52

In theory, Nigeria's constitution guarantees freedom of expression, but restrictive laws and administrative policies effectively shackle the right to freedom of expression. In April, a libel lawsuit was filed against several senior editors at the Sun publishing company; and in July, a journalist was arrested and charged with publishing "false information" in contravention of the penal code. Following calls from civil society groups, the government ultimately reviewed the 1999 national communication policy, and a well-regarded draft document was issued at year's end that promised sweeping reforms in policy and legislation, including government pledges to grant licenses in the community radio arena and to expunge the criminal defamation law and other restrictive legislation. In a positive development, the lower house of parliament finally passed a freedom of information bill in August (five years after its introduction), and it is now awaiting concurrent senate ratification.

In 2004, Nigeria's media environment was characterized by numerous acts of violence targeted mainly at reporters and photojournalists by police, security forces, and nonstate actors acting on the behest of powerful politicians or government officials. No fewer than 50 attacks, ranging from harassment, detention without trial, and assaults, were recorded during the year. In Anambra state, armed bandits burned down two broadcast stations, yet the police made no arrests. In response to such forms of intimidation, some journalists refrain from reporting on rights violations or otherwise practice self-censorship. These developments prompted the freedom of expression community in the country to call on the government and the parliament to give more effective guarantees to freedom of expression in the constitution and in statutes.

Some of the worst vestiges of the country's authoritarian past have resurfaced in the arbitrary power of the State Security Service (SSS), which in September made the chilling announcement of a policy it called a "grand strategy for national security," designed (among other things) to protect "presidential rights" against "irresponsible and unprofessional" media. The grand strategy, the SSS also claimed, would be for "the protection of the security interest of all individuals, communities, ethnic groups, and all institutions in the country." Between February and November, security forces expelled the correspondent of *The Economist* and a reporter of *Time* magazine and banned the correspondent of the BBC from Borno state. In September, the offices of local newsmagazine *Insider* were raided and their equipment confiscated.

The federal government and several states own some print and most broadcast outlets, but many privately owned newspapers and broadcasters operate freely and provide diverse, vibrant, and often critical views. Owing to the relative cost of newspapers and television, radio remains the most widely accessible means of gaining information. Foreign broadcasters such as the BBC and Voice of America generally operate without restriction and provide an important source of news; however, in April the National Broadcasting Commission banned the live transmission of foreign news and programs. Nigerian media continue to face several other challenges, ranging from corruption and poor management of media outlets to shrinking advertising markets that affect their financial viability. At an annual editors' convention in August, participants isolated corruption as the major crisis facing the profession. Corruption on the beat and at the desk is widely believed to be undermining the media's capacity to play their true role in Nigeria's democratic march. Yet despite these challenges, media continue to be a major force for national unity, rule of law, and social and economic change.

LEGAL ENVIRONMENT: 30

POLITICAL ENVIRONMENT: 38

ECONOMIC ENVIRONMENT: 29

North Korea

Status: Not Free

TOTAL SCORE: 97

Second-generation dictator Kim Jong-il rules this one-party state with military force and places severe restrictions on media freedom and on the ability of North Koreans to access information. All journalists are

members of the ruling party, and all media are mouthpieces for the regime. The North Korean government runs a pervasive propaganda machine under which all journalism is dedicated to exalting Kim Il-sung and his son Kim Jong-il. Journalists are punished harshly for even the smallest of errors, such as misspelling the names of public officials. The regime portrays all dissident and foreign media as liars attempting to “destabilize the government.” North Koreans face harsh punishments, including prison sentences and hard labor, for accessing foreign media. Newspaper, television, and radio reports typically consist of praise of Kim Jong-il, often focusing on his daily activities. As in China, official newspapers are posted publicly. The government engages in prior censorship of all news stories. The media have been forbidden from any mention of the famine that the UN estimates has killed millions in the last decade. In April, aid to the victims of a train accident in Ryongchon was hindered by a delay in reporting.

Radios must be registered with the police and are preset to government frequencies. According to an October 2004 report by Reporters sans frontieres, some North Koreans purchase a second radio set that is not registered with the police, enabling them to listen to broadcasts by Radio Free Asia and the South Korean public radio station KBS. The regime declared unrestricted radios “new enemies of the regime” in June, after a South Korean human rights group announced its intention to smuggle in hundreds of such radios in hopes of spurring North Koreans to resist the authorities or leave the country. FreeNK, the first radio station run by North Korean refugees living in the south, began broadcasting in February 2004 and has since been subject to threats against the station’s employees and several private groups that support them. Most North Koreans do not own television sets or possess the right or the means to use the Internet. However, *The New York Times* has reported on the opening of a small number of Internet cafes in Pyongyang, the capital. One reason for cautious optimism concerning greater diffusion of information from outside Korea’s borders is the regime’s commitment to reviving the economy by conducting greater trade with China, encouraging South Korean tourism, and commencing manufacturing projects with South Korean companies in the Kaesong special economic zone. Trade has increased contacts with foreigners and may boost North Korean wealth over time, allowing more people to afford the means to gain access to international news reports.

Norway

Status: Free

LEGAL ENVIRONMENT: 3
 POLITICAL ENVIRONMENT: 3
 ECONOMIC ENVIRONMENT: 4
 TOTAL SCORE: 10

Freedom of the press is constitutionally guaranteed and respected by the government. Truth is not an absolute defense in libel cases, and fines have been increasing. A government ban on political commercials, designed to ensure equal opportunity to the media for all candidates regardless of varying resources, contravenes the European Convention on Human Rights, which Norway has signed. A nation of about 4.6 million people, Norway maintains over 200 newspapers that express a wide variety of opinions. At the same time, three large companies dominate the country's print media. In May, most Norwegian dailies were unable to publish when nearly 3,000 journalists went on strike for 11 days before settling a dispute over pensions and the treatment of temporary workers. The state subsidizes newspapers to promote political pluralism and limit the impact of local monopolies.

Oman

Status: Not Free

LEGAL ENVIRONMENT: 25
 POLITICAL ENVIRONMENT: 26
 ECONOMIC ENVIRONMENT: 21
 TOTAL SCORE: 72

Although the basic charter provides for freedom of press, government laws and actions tightly restrict this freedom in practice, a trend that continued in 2004. The law prohibits criticism of longtime ruler Sultan Qaboos. However, an August promulgation setting up the Law on Private Radio and Television Companies, which established regulations for creating Oman's first private radio and television companies, was a positive development.

While the government permits private print publications, many of them accept government subsidies, and the Ministry of Information may censor any material regarded as politically, culturally, and sexually offensive. As a result, journalists frequently practice self-censorship. In November, authorities barred the media from giving publication space or airtime to two intellectuals who, in an Iranian television broadcast, expressed serious doubts over the sultanate's commitment to democratic reform. However, the government allowed state television to broadcast

sessions in which members of the Consultative Council questioned government ministers.

The government owns and controls all broadcast media that have the widest reach with the Omani population. The number of households with access to satellite television has increased, permitting a greater diversity of information sources. Omanis can gain access to the Internet through the national telecommunications company, but the company blocked sites considered politically sensitive or pornographic and placed warnings of probable censorship and police questioning on others.

LEGAL ENVIRONMENT: 18

POLITICAL ENVIRONMENT: 25

ECONOMIC ENVIRONMENT: 18

Pakistan

Status: Not Free

TOTAL SCORE: 61

Status change explanation: Pakistan's rating dropped from Partly Free to Not Free to reflect increased harassment of journalists and media outlets by authorities as well as the passage of a bill that increased penalties for defamation.

The Pakistani media faced increased pressure from the government on a variety of fronts in 2004. The constitution and other laws 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; however, in November the Peshawar High Court overturned the July 2003 blasphemy conviction and life sentence handed down to *Frontier Post* copy editor Munawar Mohsin Ali. In a setback for press freedom, in August the lower house of parliament passed the controversial Defamation (Amendment) Bill, which expands the definition of defamation and increases the punishment for offenders to minimum fines of Rs. 100,000 (approximately US\$1,700) and/or prison sentences of up to five years. On several occasions, General Pervez Musharraf and other members of his administration have contributed to an atmosphere that is inimical to free speech by making public threats against or derogatory comments about specific members of the press.

Over the past two years, military authorities have used increasingly aggressive tactics to silence critical or investigative voices in the media. A number of journalists have been pressured to resign from prominent

publications, charged with sedition, or arrested and intimidated by intelligence officials while in custody, while media outlets have been shut down. Khawar Mehdi Rizvi, a freelance journalist who was detained in December 2003 while accompanying two French reporters near the Pakistan-Afghan border and held incommunicado, was charged with sedition and conspiracy in January 2004; although a court ordered him released pending trial in March, he had fled the country by year's end. On numerous occasions, police or security forces subjected journalists to physical attacks, intimidation, or arbitrary arrest. 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 covered by the terms of their visas. Both foreign and local correspondents were prevented from covering the Pakistan army's offensive against militants in the South Waziristan region at various times throughout the year. Islamic fundamentalists, other extremist groups, and thugs hired by feudal landlords or local politicians continue to harass journalists and attack or bomb newspaper offices; and Sajid Tanoli, a writer for a regional daily, was killed by the mayor of the northern town of Mansehra in January as a result of his reporting.

While some journalists practice self-censorship, a plethora of privately owned daily and weekly newspapers and magazines provides diverse and critical coverage of national affairs. Although restrictions on the ownership of broadcast media were eased in late 2002 and media cross-ownership was allowed in July 2003, most electronic media are state owned and follow the government line. Several new private cable and satellite television channels provide live news coverage and a wider variety of political viewpoints, but private radio stations are prohibited from broadcasting news programming. The Web site of an online newspaper established abroad by exiled editor Shaheen Sehbai was blocked sporadically by Pakistani telecommunications authorities, while some journalists' e-mail accounts were reportedly monitored. Authorities wield some economic influence over the media through the selective allocation of advertising, and both official and private interests reportedly pay for favorable press coverage. Local and international advocacy groups condemned the government's decision to withhold advertising from two major newspapers in the Nawa-e-Waqt publishing group for several months during the year, and another independent newspaper was subject to the same treatment in July.

Palau

Status: Free

LEGAL ENVIRONMENT: 1
 POLITICAL ENVIRONMENT: 4
 ECONOMIC ENVIRONMENT: 8
 TOTAL SCORE: 13

The government respects the constitutionally protected rights of free speech and press. There are three independent weekly newspapers and two independent radio stations in addition to the government gazette and national radio. The independent print press has reported on several instances of corruption this year without incident. Residents have unfettered access to cable television and the Internet. During the November general election, a Koror state law banning campaigning in print or broadcast media was suspended, allowing the press greater leeway in reporting on campaign issues.

Panama

Status: Partly Free

LEGAL ENVIRONMENT: 17
 POLITICAL ENVIRONMENT: 17
 ECONOMIC ENVIRONMENT: 10
 TOTAL SCORE: 44

Panama is notable for its harsh legal environment for journalists. The country's "gag laws," enacted under military rule more than 30 years ago, include severe penalties for criminal defamation. In March, police detained Roberto Eisenmann Jr., founder of the country's most popular daily, *La Prensa*, and charged him with criminal libel for a critical column he had written about Panama's attorney general. With a change of administration in May, some of the tensions between the state and journalists subsided; however, legislation to change the legal environment stalled. Outgoing president Mireya Moscoso had promised to repeal restrictive gag laws, and the legislative assembly took steps to repeal some provisions of the laws; however, the effort came too late before a new assembly took office in September. Before she left office in May, Moscoso did pardon more than 80 journalists who had been accused of criminal libel. The new president, Martin Torrijos, removed restrictions on the Law on Transparency (imposed by the Moscoso administration) that kept reporters from using the freedom of information statute.

Independent media are very active in Panama and express diverse views. However, journalists often practice self-censorship because of the poor

legal environment, and media often reflect the polarized political scene, with different outlets openly supporting various factions. During the elections, former president Endara, who unsuccessfully opposed Torrijos, was excluded from various popular television programs on networks aligned with Torrijos. Since Torrijos came to power, several influential journalists have been hired to work for his administration, leading to speculation of a decline in independence of the media.

All of Panama's media outlets are privately owned with the exception of one state-owned television network. President Moscoso had faced criticism for directing large amounts of government advertising to media outlets supportive of her party despite their poor circulation or ratings. A bill to standardize government advertising and reduce official abuse of the practice was under consideration at the end of the year. Poor salaries encourage corruption among some journalists. 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 Torrijos now leads.

Papua New Guinea

Status: Free

LEGAL ENVIRONMENT: 4
 POLITICAL ENVIRONMENT: 13
 ECONOMIC ENVIRONMENT: 12
 TOTAL SCORE: 29

The media are generally free, although the government sometimes ignores constitutional free press clauses and intimidates some journalists. The prime minister this year threatened to sue the Australian Broadcasting Corporation when one of its local correspondents reported on government involvement with a powerful timber company. In October, an Australian SBS Dateline television reporter had her passport confiscated by authorities after she traveled to the country without proper immigration clearance to film segments for a story about the foreign-dominated logging industry. Prime Minister Sir Michael Somare defended his government's action, but he was accused in parliament of encouraging the arrest because of a special relationship with Malaysian logging company Rimbunan Hijau, which owns *The National*, one of two daily newspapers. Media groups criticized *The National's* lack of independence. The second daily, the *Post-Courier*, is owned by a subsidiary of News Corporation.

For the most part the press is active, but access to media is limited to the capital. Radio serves as the most important news medium. The

government operates one national radio station and a network of regional stations. The diversity of the news media, which has been shrinking in recent years with the closure of the church-owned *Independent*, took a further knock in 2004. In December, it was announced that Fiji Television was buying out the sole national television channel, EM TV, from Australia's Publishing and Broadcasting Ltd. A Fijian company is already the owner and operator of the major privately owned PNGFM radio broadcaster.

LEGAL ENVIRONMENT: 17

POLITICAL ENVIRONMENT: 21

ECONOMIC ENVIRONMENT: 18

TOTAL SCORE: 56

Paraguay

Status: Partly Free

The Colorado Party has for the past 57 years governed Paraguay, ranked by Transparency International as the most corrupt country in Latin America. Press freedom is hampered by the harassment and intimidation of journalists, corruption in the justice system as it relates to libel and defamation laws, and a concentrated media ownership structure, much of it with close ties to government and business elites. The constitution provides for freedom of expression and the press; however, defamation and libel laws are enforced irregularly, with plaintiffs often receiving a favorable ruling if they agree to share the settlement with the judge. In September, the Inter-American Court of Human Rights ruled that a criminal defamation conviction in Paraguay against former presidential candidate Ricardo Canese (imprisoned without trial in 1992 after losing a libel suit brought by Juan Carlos Wasmosy, the man who defeated him for the presidency that year) violated international law because it was “an excessive limitation in a democratic society.” Vague and potentially restrictive laws mandating “responsible” behavior from journalists and media owners continue to threaten free expression. There also exists a tendency to conceal public information, as evidenced by the passage of a law that did not include an article guaranteeing public access to sworn statements by officials about their assets.

In 2004, the Inter-American Press Association noted that “the status of press freedom was marked by several attempts by government officials to interfere with the free practice of journalism, either by resorting directly to force or by using court rulings and legislation.” Journalists investigating corruption or covering strikes and protests are often the victims of

intimidation or violent attack by security forces, including torture and even death threats from politicians in the presence of legal authorities. On April 21, radio reporter Samuel Roman was shot dead by two men riding on a motorcycle in the Paraguayan border town of Capitan Bado. Several cases of journalists having been murdered remain unsolved.

A number of private television and radio stations exist, as do several independent newspapers. However, media ownership is highly concentrated and heavily tied to the interlocking Colorado and business elite. There is only one state-owned media outlet, Radio Nacional, which has a limited audience.

Peru

Status: Partly Free

LEGAL ENVIRONMENT: 12

POLITICAL ENVIRONMENT: 17

ECONOMIC ENVIRONMENT: 11

TOTAL SCORE: 40

Press freedom suffered a decline in 2004, a year that saw a marked increase in the harassment of journalists. Freedom of speech is guaranteed by the constitution, and a freedom of information act was passed in 2002. Governmental offices are now providing greater access to information, but critics complain that implementation of the law remains incomplete and awareness is low. On July 15, a new Law on Radio and Television was passed that began to be implemented in November. While the law is intended to ensure impartial regulation, critics alleged that it gave excessive power to the Ministry of Transportation and Communication and did not address the issues of bribery and corruption. Defamation, libel, and other lawsuits are used frequently against journalists. In February, for example, Huanuco regional president Luzmila Templo filed a lawsuit against the managing editor of the country's largest daily newspaper, *El Comercio*, for allegations of his links with *cocalero* leaders. The final case of a journalist charged in the "faceless court" system under former president Alberto Fujimori was resolved when a court declared Juan de Mata Jara innocent of terrorism charges on January 30.

While press freedom in Peru has greatly improved since Fujimori's fall in 2000, attacks against journalists have increased in the past few years, especially in cases involving the reporting of local corruption. Numerous cases of harassment by local authorities and private organizations included physical attacks, illegal arrests, and threats of judicial action or death, which

resulted in some self-censorship. The National Journalists Association reported 121 cases of harassment, three times the number from the previous year. The majority occurred in rural areas, where the state maintains a less effective presence. Two journalists were killed for their work during the year, with local government officials allegedly having a hand in both murders. The mayor of Yungay was reportedly involved in the murder of Antonio de la Torre Echeandia, a radio journalist and former supporter of the mayor who had suffered repeated threats and attacks after reporting on corruption within the mayor's administration. Local officials were also suspected in the murder of Alberto Rivera, a radio host and political activist in the eastern Ucayali Department. Many journalists reported threats after writing about local corruption. In April, for example, Rocio Vasquez reported receiving death threats after writing about the fishing industry; she later resigned. The government has been criticized for issuing demands for more favorable news coverage. At the same time, Vladimiro Montesinos, Fujimori's jailed former right-hand man, has been accused of exerting undue influence on certain pro-Fujimori media outlets.

The media are predominantly privately owned and represent a diverse array of viewpoints, including those that support and those that oppose the government. Various media serve the Lima market, and numerous newspapers, television networks, and radio stations operate in rural areas, where radio is the most influential medium of communication. The media corruption that was endemic in the Fujimori era continues to an extent today, contributing to a long-standing lack of confidence in the press as a credible institution.

LEGAL ENVIRONMENT: 6

POLITICAL ENVIRONMENT: 19

ECONOMIC ENVIRONMENT: 10

TOTAL SCORE: 35

Philippines

Status: Partly Free

The Philippine press had until recently enjoyed the reputation of being one of the freest in the developing world. Press freedom is enshrined in the constitution, which guarantees that “no law shall be passed abridging freedom of speech, of expression, or of the people peaceably to assemble and petition the government for redress of grievances.” This freedom legally has few limitations, such as the laws of libel, national security, privacy, and obscenity. There is no licensing of newspapers or journalists.

The killing of Filipino journalists continued to pose the greatest threat to press freedom. According to the National Union of Journalists of the Philippines (NUJP), 13 journalists were killed, making 2004 one of the deadliest years on record for newsmen. The latest victim was Stephen Omaois, a reporter for *Guru Press*, a community newspaper in Tabuk in remote Kalinga province, who was killed in December. This brought the number of journalists killed since the restoration of democracy in 1986 to 57, according to the NUJP. NUJP chair Inday Espina-Varona has alleged that criminal syndicates engaged in illegal drugs and gambling are likely to be behind the brutal murders of the newsmen. No one has been convicted of any of the murders, leading to sustained criticism from international press freedom watchdogs of a “culture of impunity” in which the government has not shown a commitment to seriously addressing this sustained threat to media freedom. Meanwhile, on the eve of presidential elections in May, the national Commission on Elections shut down two stations run by the private network Bombo Radyo in Cauayan City. After protests from local journalists who condemned the action as politically motivated, the stations were allowed to reopen a week later.

The press, mostly privately owned, has been vibrant and outspoken, with a tendency toward innuendo and sensationalism. The political and economic environment, however, has deteriorated since democracy was restored in 1986. There has been a trend toward concentration of ownership, with two powerful broadcast networks (ABS-CBN and GMA) now capturing a majority share of audiences and advertising. Politicians and businessmen with close ties to politicians influence journalists with economic incentives.

LEGAL ENVIRONMENT: 5

POLITICAL ENVIRONMENT: 8

ECONOMIC ENVIRONMENT: 7

Poland

Status: Free

TOTAL SCORE: 20

The 1997 constitution forbids censorship of the media and guarantees freedom of the press. Libel is a criminal offense subject to fines or imprisonment. This legal restriction was frequently used in a political manner against the independent media. Andrzej Marek, editor of the weekly *Więsci Polickie*, was convicted of libeling a local official and sentenced to three months in prison. His sentence was first postponed

and then dismissed in September after overwhelming local and international protests. Several other journalists received suspended prison sentences this year, and concerns over the chilling effect of such lawsuits against journalists are growing. Some journalists resort to self-censorship. Offending religious sentiment is punishable by imprisonment. Journalist Jerzy Urban's trial for an article criticizing Pope John Paul II began in September.

Private television is available throughout Poland, but the government-owned Polish Television, which includes four channels, remains the major source of information for the country. Public officials still exert pressure on public and state-owned media. In April, prominent filmmaker Lew Rywin was fined US\$25,000 and sentenced to two and a half years in prison for soliciting a bribe from a major newspaper. Rywin allegedly sought money from the popular daily *Gazeta Wyborcza* in return for the promise of lobbying the government to change a media bill and allow the newspaper's parent company, Agora SA, to acquire a television station. Rywin claimed he was acting on behalf of high-level government officials, including the prime minister, who resigned in May following Poland's European Union accession. This controversy has been ongoing since 2002 with the adoption of the Law on Broadcasting, which was designed to limit cross-ownership by private companies. Critics of the law claim that it is an attempt by the government to strengthen its control over public media by prohibiting private media ownership. Concentration has increased in recent years as big media companies have been buying up smaller newspapers and broadcast stations.

LEGAL ENVIRONMENT: 2

POLITICAL ENVIRONMENT: 6

ECONOMIC ENVIRONMENT: 6

Portugal

Status: Free

TOTAL SCORE: 14

Freedom of the press is guaranteed by the constitution, and laws against insulting the government or the armed forces are rarely enforced. The European Federation of Journalists expressed its concern over official statements this year that exerted pressure on the media, such as the government's stated intention to change media regulations and establish a new regulatory body without prior public debate. One government official announced that public service broadcasters should only have

“limited freedom.” Confidentiality of sources is typically recognized as a journalist’s right in Portugal, except in cases where the journalist’s knowledge could prevent a crime. Journalists contend that this year their right to protect their sources was not respected. In November, 53 journalists were summoned by the Lisbon public prosecutor’s office for “violating legal confidentiality rules” in the Casa Pia sex abuse trial, which opened that month. The case, which centers on a well-known orphanage, has rocked Portuguese society because it has implicated important political personalities and has attracted considerable media attention. Some of the journalists requested that they be questioned as accused rather than as witnesses, so they could retain the right to protect their sources. In December, journalist Jose Luis Manso Preto was given an 11-month suspended sentence for refusing to reveal his sources in a drug trial. Commercial television has been making gains in recent years, providing serious competition for the public broadcasting channels that lack funds. Internet access is not restricted. However, use of the Internet is well below the European Union average, with only 20 percent of the population accessing it regularly.

LEGAL ENVIRONMENT: 17

POLITICAL ENVIRONMENT: 23

ECONOMIC ENVIRONMENT: 22

Qatar

Status: Not Free

TOTAL SCORE: 62

While the new constitution provides for freedom of the press, the government restricts this right in practice. Qatar formally ended censorship of the media in 1995; however, social and political constraints make self-censorship very common, especially when reporting on government policies, the ruling family, and relations with neighboring countries. In addition, although the five leading daily newspapers are privately held, owners and board members of these newspapers include royal family members and other notables who exert significant influence on content. As a consequence, direct criticism of the government is rare. With the exception of the satellite channel Al-Jazeera, broadcast media are state run. A telephone call-in show sponsored by a government-owned radio station provided an opportunity for citizens to vent concerns about problems in public services. A censorship office within the Qatar Radio and Television Corporation reviews domestic and foreign media for pornography and material deemed inimical to Islam. Qataris have access to the Internet through a telecommunications monopoly that has recently

been privatized, but the government censors content and blocks access to certain sites deemed pornographic or politically sensitive.

Al-Jazeera, the most popular satellite television channel in the region, was launched from Qatar in 1997. The station generally shies away from covering local issues but has gained international recognition as a daring and controversial source of news from the Middle East and Central Asia. While the government pays some of Al-Jazeera's operating costs, both the station and the government attest to its editorial independence.

LEGAL ENVIRONMENT: 13

POLITICAL ENVIRONMENT: 18

ECONOMIC ENVIRONMENT: 16

Romania

Status: Partly Free

TOTAL SCORE: 47

Despite constitutional guarantees for freedom of expression, there is extensive political and economic control of the media, which has led to self-censorship, lack of pluralism, and decreasing media independence. As Romania moves towards European Union (EU) membership, the European Parliament repeatedly called on Romania in 2004 to guarantee press freedom. A new penal code adopted this year and scheduled to take effect in 2005 removed the libel provision from the code, but it remains a criminal offense subject to very high fines. The EU continues to criticize Romania for political interference and lack of independence of the judiciary. In January, a team of journalists and contributors left one of Romania's most prestigious independent weeklies, *Dilema*, after the parliament ruled that the government should appoint members of the board running the magazine.

The ruling Democratic Socialist Party (PSD), anxious to make a favorable impression on the EU, did not appreciate criticism from the press and has become less willing to provide information to the media. Romanian National Television (RTV) canceled a show known for its coverage of sensitive topics such as shortcomings in Romania's democracy. In October, the Romanian Senate withdrew the accreditation of *Romania Libera*, a critical opposition newspaper. The Romanian Centre for Investigative Journalism claims that investigative reporting is disappearing in the local press and has declined in the national press. According to the Bucharest-based Media Monitoring Agency, pluralism is lacking and there are frequent attempts to manipulate information within state-owned media, especially the national radio. State-owned broadcasters give little airtime to opposition politicians or critical journalists. In the fall, coverage of the

presidential campaign on state-controlled media was manipulated and reports were biased in favor of the PSD. An RTV reporter came forward and accused the station of censorship and conforming to government pressure. In March, a Hungarian journalist known for his right-wing attitude was banned from entering Romania for national security reasons, according to Romanian authorities. In 2003, over a dozen journalists reported being assaulted because of their work, but there were no convictions; instead, threats and physical attacks against journalists continued this year.

Media ownership falls primarily among foreign publishing houses, former politicians, and businessmen, with half of all local television stations being partially owned by ruling party officials and businessmen. Diversity of print media ownership is somewhat better, but individuals with close ties to the PSD control many local newspapers. Journalists at *Evenimentul Zilei* and *Romania Libera*, both known to be critical of the government, accused their respective foreign owners, the Swiss Ringier and the German WAZ, of editorial interference after they requested that journalists tone down critical coverage of the government. Ringier and WAZ collectively own three of the top-selling dailies. Foreign publishers say they are pressured to tone down criticisms to secure advertising revenue. Government advertising in the media increased this year to US\$8 million, up from US\$2 million spent in 2003. The EU issued a critical report in the fall claiming the government writes off debts for some media outlets in return for favorable coverage and uses fear of official audits and punitive taxes as threats against unfavorable coverage. An attempt at a parliamentary motion, introduced without success in October by opposition parties, condemned the government's attempts to control the media. On December 12, Traian Basescu, an outspoken reformer, won the presidential elections and promised to reverse the previous government's treatment of the media and to foster press freedom.

LEGAL ENVIRONMENT: 14

POLITICAL ENVIRONMENT: 31

ECONOMIC ENVIRONMENT: 23

TOTAL SCORE: 68

Russia

Status: Not Free

In 2004, press freedom in Russia remained restricted as the government continued to control mass media and to obstruct the reporting of independent journalists. Although the constitution provides for freedom

of speech and of the press, the Kremlin, having secured the country's main national television networks—Channel One, RTR, and NTV—and most radio stations, limits these rights in practice. Authorities abuse a weak judicial system and use it for arbitrary arrests and lawsuits. Throughout 2004, parliamentarians also considered a proposal, seen by many as a violation of the people's right to information, to adopt media law amendments banning any television or video information on terror acts, except information allowed for publication by law enforcement agencies. The parliament voted against these amendments until the tragic rebel takeover of a school in Beslan, South Ossetia, in September 2004, after which the Duma passed draft antiterrorism legislation permitting the suspension of media outlet activities for up to 60 days under the imposition of an "immediate terror threat regime." Crimes against journalists generally remain unsolved, fostering a climate of impunity. The Moscow Circuit Military Court acquitted all the suspects accused of organizing the murder of a journalist in 1994. According to the Committee to Protect Journalists, 11 journalists have been murdered in contract-style killings since President Vladimir Putin came to power in 1999.

Authorities exert direct influence on state-owned media, where journalists receive "guidelines" on editorial content prepared by the government. Often, journalists at these outlets are required to obtain approval for reports. Of the national television stations, the government owns two and controls the third, NTV, whose independence dwindled this year with reports and critical shows taken off the air. During the March 2004 presidential election campaign, Russian media coverage was unbalanced and biased, with media outlets giving the majority of airtime and newspaper space to President Putin. National television channels prevented equal access of the candidates to the media through censorship and the refusal to broadcast political advertising clips from Putin's opponents, while opponents' attempts to file complaints with the Central Election Commission and Supreme Court failed. Believing that the elections were predetermined and the media was nothing but an instrument, many journalists practice self-censorship and keep away from electoral issues. During the Beslan hostage tragedy, local and foreign reporters were also detained and arrested arbitrarily to bar them from traveling to Beslan to cover the story. Journalists, particularly those who work outside major urban areas, continue to be fined and punished under the penal code, brought up on libel charges, and fired and harassed for reporting on certain topics, such as Chechnya or government corruption. In 2004, numerous journalists were threatened and attacked, and two

journalists were killed. Paul Klebnikov, the Russian-American editor of *Forbes Russia*, was gunned down on July 9 as he left his Moscow office. Payl Peloyan, editor in chief of *Armyanski Pereulok*, a Russian-language arts and literature magazine serving the Armenian community, was stabbed and beaten on the side of a road outside Moscow on July 17.

Most print media are privately owned. Some diversity of viewpoints exists in the Russia media, as oligarchs own various electronic and print media outlets and use them to advance personal interests. The government allows the existence of a few independent, critical media outlets, but these have very limited coverage. The majority of private media remain dependent on the government for access to printing and distribution services and are disadvantaged by subsidies that the state gives to government-controlled media. The state can also penalize government-controlled media for independent editorial judgment by withholding subsidies. The government generally does not restrict Internet use, and President Putin has thus far not supported Duma proposals to regulate the Internet. However, Internet service providers are required to cooperate with security services and allow the tracking of e-mail and Internet activities.

LEGAL ENVIRONMENT: 24

POLITICAL ENVIRONMENT: 34

ECONOMIC ENVIRONMENT: 26

Rwanda

Status: Not Free

TOTAL SCORE: 84

Citing the contentious and provocative role of certain media outlets during the 1994 genocide, the present government sharply restricts the ability of the media to operate freely, leaving a handful of independent newspapers struggling to survive. President Paul Kagame vetoed a media bill passed by the parliament in September 2001 that prescribed the death penalty for journalists found guilty of inciting genocide and would have compelled reporters to reveal confidential sources. However, media watchdogs reported a decline in press freedom in 2004. A media bill passed in 2003 paved the way for the licensing of private radio and television stations, but the state continues to monopolize the broadcast media. Journalists doubt the independence of the High Council of the Press, which was established in 2003 to regulate the media.

Reporters continue to suffer intimidation, attacks, arbitrary arrest and detention, and deportation at the hands of authorities. In March 2004, Robert Sebuhirira, editor of Rwanda's main independent newspaper,

Umuseso, and two colleagues were forced to flee the country after receiving death threats from senior members of the government security services. The newspaper had published a series of articles accusing a high-ranking justice official of abuse of office. When the journalists were detained in February, a top military official referred to them as “Interahamwe,” a reference to the Hutu militia that spearheaded the genocide and a term understood to constitute a threat of death or imprisonment. Sebufirira’s successor, Charles Kabonero, was detained or interrogated at least four times in the remaining months of the year and eventually tried on charges of ethnic “divisionism” and defaming a high-ranking official. It was the first criminal case against a news outlet to go to trial since President Kagame took power in 1994. In late November, Kabonero was acquitted of the divisionism charge and punished with only token fines and damages on the defamation charges, a decision that raised hopes for greater press freedom. At the same time, the government censored the press by confiscating newspapers on several occasions.

The government is able to influence the press through its purchase of advertising space, upon which many private publications are financially dependent. There are a growing number of independent newspapers, but fearing official reprisals, many journalists practice self-censorship and coverage tends to follow the government line. This is compounded by the existence of only one government-run printing press available to nonreligious media, which forces Rwandan print media to publish abroad to avoid direct government control of their content.

LEGAL ENVIRONMENT: 6

POLITICAL ENVIRONMENT: 8

ECONOMIC ENVIRONMENT: 9

Saint Kitts and Nevis

Status: Free

TOTAL SCORE: 23

Freedom of the press is enshrined in the constitution. Toward the end of 2004, media issues briefly took center stage as the opposition party’s newspaper settled a double libel suit in November amounting to just over EC\$95,000 (US\$35,000). The settlement arose out of a suit brought against the paper by two ruling party ministers in 1999. In December, Clive Bacchus, a Guyanese national and manager of the independent WINN FM radio station, had his work permit renewal delayed in a move that was criticized as an attempt to suppress the independent media. The ruling Saint Kitts and Nevis Labour Party publishes a twice weekly

newspaper, while the opposition People's Action Movement publishes its own weekly paper. Additionally, there are several independent weeklies. The electronic media consist of government-owned and -operated television and radio stations as well as several private radio stations. The opposition accuses the government of limiting access to the country's lone television station, which is state controlled, but acknowledges it has access to private media.

LEGAL ENVIRONMENT: 6

POLITICAL ENVIRONMENT: 5

ECONOMIC ENVIRONMENT: 5

Saint Lucia

Status: Free

TOTAL SCORE: 16

Traditionally, citizens of Saint Lucia have enjoyed a high degree of press freedom. In late 2003, however, the parliament adopted controversial legislation prescribing possible jail terms for anyone publishing false news that harms the public good. Section 361 of the criminal code states: "Every person who willfully publishes a statement, tale, or news that he or she knows is false, that causes or is likely to cause injury or mischief to a public interest, is guilty of an indictable offense and liable to imprisonment for a term not exceeding two years." Critics of the legislation say the measure is too harsh and endangers media freedom. Furthermore, the government has taken a somewhat more oppositional stance toward the press, reflected in a government lawyer's criticism in May of the media as an institution. The print press, which is privately owned, carries a wide spectrum of views that are often critical of the government. Broadcast media are both state owned and private, as the government operates a radio network.

LEGAL ENVIRONMENT: 2

POLITICAL ENVIRONMENT: 5

ECONOMIC ENVIRONMENT: 9

Saint Vincent and the Grenadines

Status: Free

TOTAL SCORE: 16

The constitution guarantees a free press, and publications openly criticize government policies. There are two privately owned daily newspapers and

two weeklies, along with several other publications whose appearance is less structured. Radio in Saint Vincent and the Grenadines includes NBC Radio, which is partly funded by the government, in addition to several private stations. The state-owned radio station prohibits call-in shows. The sole national television station, SVG Television, is operated by the Saint Vincent and the Grenadines Broadcasting Corporation, and there are also two cable television networks. Some journalists complain that government advertising is occasionally withheld from entities that are more critical of the government, thus denying them a significant source of revenue.

LEGAL ENVIRONMENT: 4

POLITICAL ENVIRONMENT: 9

ECONOMIC ENVIRONMENT: 12

TOTAL SCORE: 25

Samoa

Status: Free

The constitution protects freedom of the press, although harassment by the government has occurred. Samoa has three English- and several Samoan-language newspapers, as well as five private radio stations, a government radio station, and some access to local and foreign satellite television. The government requires media outlets to be licensed, but the licensing process is fair and licenses are rarely denied. Police in Apia were accused in June of withholding information about rising crime levels in the region. In October, the minister of health sued the *Samoa Observer*, the largest private newspaper, for defamation after it reported on a corruption and misuse of funds scandal that led to the minister's suspension. In January, a *Samoa International* journalist was ordered to pay a fine consisting of several food items for publishing a story damaging to the Safotu village. Provisions of the Publishers and Printers Act threaten imprisonment for any journalist who refuses to reveal a confidential source upon request from a government official, which some say hinders investigative reporting. The government has also canceled advertising in publications that print critical articles. In 2004, the government announced plans to expand broadcasting services, and the Ministry of Communications approved the applications for the development of two television stations. Samoa also adopted a national strategy for information and communications technology, and the government plans a major promotion of Internet access in the country.

San Marino

Status: Free

LEGAL ENVIRONMENT: 1
 POLITICAL ENVIRONMENT: 8
 ECONOMIC ENVIRONMENT: 7
 TOTAL SCORE: 16

The right to freedom of expression is guaranteed in the Declaration on the Citizens' Rights and Fundamental Principles of San Marino Legal Order. The media operate freely, and no major impediments were reported in 2004. The only private radio station in the republic is Radio Titano. *La Tribuna Sammarinese* and *San Marino Oggi* are the two major daily newspapers. State-owned broadcaster Radio Televisione della Repubblica di San Marino operates both a television and a radio station. Internet access is open and unrestricted, and a wide range of Italian media are available. The San Marino Web-based information portal was launched in September 2004, aiming to publish news about the economic and political life of the republic.

Sao Tome and Principe

Status: Free

LEGAL ENVIRONMENT: 4
 POLITICAL ENVIRONMENT: 10
 ECONOMIC ENVIRONMENT: 14
 TOTAL SCORE: 28

Constitutionally protected freedom of expression is generally respected in practice. Two state-run and six privately owned newspapers and newsletters are published, although limited resources constrain a regular publishing schedule. While the state controls a local press agency and the only radio and television stations, no law forbids independent broadcasting. The Voice of America, Radio International Portugal, and Radio France Internationale are rebroadcast locally. Opposition parties receive free airtime, and newsletters and pamphlets criticizing the government circulate freely. A Superior Council for the Press comprising representatives from each branch of the media acts as a mediator in cases of disputes.

Saudi Arabia

Status: Not Free

LEGAL ENVIRONMENT: 29
 POLITICAL ENVIRONMENT: 28
 ECONOMIC ENVIRONMENT: 23
 TOTAL SCORE: 80

Authorities do not permit criticism of Islam or the ruling family by domestic media, and a national security law prohibits criticism of the

government. These prohibitions are echoed by a media policy statement that urges journalists to “uphold Islam, oppose atheism, promote Arab interests, and preserve cultural heritage.” Newspapers are created by royal decree, and all journalists must register with the Ministry of Information, which also appoints all editors in chief. Saudi Arabia’s first professional journalists association was granted a charter in 2003, though the Ministry of Information can veto any of its decisions.

The print media are privately owned but publicly subsidized and are often closely associated with members of the royal family. Authorities frequently ban or fire journalists and editors who publish articles deemed offensive to the country’s powerful religious establishment or the ruling authorities. Official censorship is common, as is self-censorship. Nevertheless, recent years have seen newspapers report on previously taboo issues—such as crime, corruption, women’s rights, religion, terrorism, and elections in neighboring states—without prior authorization. In 2004, newspapers featured extensive coverage of upcoming municipal elections. In addition, two London-based dailies, *Al-Sharq al-Awsat* and *Al-Hayat*, were available and read widely, though content was tempered to comply with government guidelines. In March, authorities banned *Al-Sharq al-Awsat* journalist Faris Hizam Al-Harbi for his reporting on terrorism and corruption. The following month, Al-Harbi was detained and then released after about two weeks in custody. In December, journalists from the domestic newspapers the *Saudi Gazette* and *Al-Madina* were detained (and later released) at the trial of arrested advocates of democratic reforms.

The state-owned Saudi Press Agency does not deviate from official government positions. The broadcast media are government owned and subject to rigorous government censors; private radio and television stations cannot broadcast from Saudi soil. However, satellite television—through which Saudi citizens have access to foreign news channels such as Al-Jazeera and CNN—is widespread, despite its illegal status. In January, the government launched an all-news satellite channel, Al-Ikhbariya, which featured a female presenter in its opening broadcast, a first for Saudi media. The channel was established as an alternative to Al-Jazeera, which has repeatedly drawn the ire of authorities and is barred from covering the annual Hajj pilgrimage.

The government continues to censor foreign publications before they enter the country, blacking out and banning some objectionable materials. Foreign broadcasts are similarly censored, and references to politics, pork or pigs, alcohol, sex, and religions other than Islam are removed. The entry of foreign journalists is tightly controlled through the granting of visas, though restrictions have eased significantly in recent years. In June,

BBC cameraman Simon Cumbers was shot dead while filming the house belonging to an al-Qaeda terrorist killed in 2003 by Saudi police. A BBC security correspondent, Frank Gardner, was injured in the attack.

The Internet is widely available, but the government has employed a sophisticated filtering system to block access to Web sites deemed morally or politically inappropriate. Some users circumvent these controls by accessing servers based in the more liberal Gulf states. Government officials reportedly ordered mobile phones with cameras to be banned from the country.

Senegal

Status: Partly Free

LEGAL ENVIRONMENT: 10

POLITICAL ENVIRONMENT: 15

ECONOMIC ENVIRONMENT: 12

TOTAL SCORE: 37

Senegal's constitution guarantees freedom of expression. However, Article 80 of the penal code provides for three-to-five-year prison sentences for acts that compromise public security, and journalists are still jailed and harassed because of what they report, despite President Abdoulaye Wade's continued promises to decriminalize several press offenses and repeal Article 80. In July, Madiambal Diagne, editor of the private daily *Le Quotidien*, was detained for two weeks and charged with publishing confidential documents and compromising public security. Journalists and press freedom organizations protested Diagne's arrest and staged a one-day news blackout as well as a series of protests in the capital. Despite his provisional release, Diagne faces criminal charges and could serve time in jail. Libel is a criminal offense, and until recently it was a rarely used statute. However, in January, French journalist Christian Costeaux, who ran a Web site about tourism in Senegal, was sentenced in absentia to one year's imprisonment for libeling a mayor and two local hotel owners in an article alleging there was organized crime in their city. The recent spate of intimidation against journalists has led press freedom organizations to express frequent concern about media freedom. President Wade again promised to decriminalize press offenses, urging journalists to submit reform proposals in October. However, by year's end no legislation had been introduced.

Senegal has many private, independent publications and a string of private and community radios. Nevertheless, the Wade administration refuses to accept private participation in television except for entertainment channels. The state owns and controls the only national television station,

which broadcasts generally favorable coverage of the government. In July, Senegal's media watchdog, the High Audiovisual Council, criticized the government-run television station for not reflecting diverse viewpoints and not allowing equal coverage of opposition members and religious groups. Foreign satellite television and radio stations are available. Radio France Internationale, which had closed its Senegalese office in October 2003 to protest the government expulsion of reporter Sophie Malibeaux, resumed broadcasting in August 2004.

LEGAL ENVIRONMENT: 12

POLITICAL ENVIRONMENT: 17

ECONOMIC ENVIRONMENT: 11

Serbia and Montenegro

Status: Partly Free

TOTAL SCORE: 40

Freedom of speech and of the press is constitutionally guaranteed, but political pressure, libel suits, an unreformed regulatory system, and physical attacks against journalists restrict press freedom. There are still a high number of politically motivated defamation lawsuits, and little progress was made in 2004 to decriminalize libel. Two journalists were convicted of criminal libel and given suspended prison sentences. In Montenegro, the opposition daily *Dan*, based in Podgorica, was sued twice by the prime minister. Independence of the judiciary is uncertain, particularly in Montenegro, where the ruling party appoints judges. The Access to Public Information Act in Serbia was adopted late this year; however, there was immediate speculation that the law would not be implemented properly. In Serbia, a military court indicted a journalist accused of revealing state secrets in his book. The offices of the Helsinki Committee in Belgrade, the book's publisher, were ransacked and the remaining copies of the book confiscated. The unimplemented Broadcast Act is designed to create a regulatory framework and independent Broadcast Council, in order to transform the national Serbian Television and Radio (RTS) into a public broadcaster and allocate broadcasting frequencies. Little progress was made this year in transforming RTS. In March, the Serbian government replaced the general director of RTS with a government loyalist. The next month, using outdated legislation, the Serbian government appointed a new board of RTS. The Broadcast Council's operations have been suspended because of disputes over contentious member appointments. In August, the Serbian parliament adopted controversial amendments to the Broadcast Act, which media organizations argued gave the government more control over the

council. In Montenegro, transfer of regulatory authority from the government to an independent regulatory body has been delayed, and as a result radio and television stations could not get licenses.

In 2004, media worked in a polarized political environment, and some journalists still practice self-censorship and avoid politically sensitive topics as a result of legal and physical intimidation. The Center for Free Elections and Democracy (CeSID) reported that owners used certain local broadcasters for personal or party promotion during local elections. In Serbia, the bodyguard of the investment minister attacked the owner of two popular Belgrade dailies. Svetlana Djordjevic, a Serbian journalist who had previously worked in Kosovo, was attacked; an unidentified man broke into her Belgrade apartment, forced her to drink an unknown liquid, injected her with an unknown substance, and demanded she publicly renounce her book on human rights abuses by the Serbian military in Kosovo. In Montenegro, Dusko Jovanovic, a controversial publisher and editor of *Dan* who had frequently criticized Montenegro's prime minister and faced numerous lawsuits as a result, was killed in a drive-by shooting. One suspect was indicted. Jovanovic's colleagues and media outlets called the murder an attack on press freedom.

There are numerous private media outlets. Independent media were very active and covered diverse political and social views. Media operating outside of urban areas faced stronger pressure from owners and local governments. Media privatization rules were finally adopted for local public media. There is little ownership transparency. A politicized regulatory environment makes it possible for certain pro-government owners to maintain broadcasting licenses gained illegally under former president Slobodan Milosevic's rule and continue to get advantages. This year, a municipal council in the town of Trstenik granted ownership of Television Trstenik to the Serbian Orthodox Church, despite public protests.

In Kosovo, United Nations Mission in Kosovo regulations and the Constitutional Framework provide for freedom of the press. There is a wide variety of print and broadcast media, but freedom of expression is limited owing to frequent harassment and intimidation by local and international authorities. In March, the news team of the independent Belgrade B92 TV discovered a bomb under its van while reporting on violence that had erupted in the region. Later in the year, a local reporter was shot and wounded while traveling in a car in central Kosovo. Following the March riots, the international community blamed the Kosovo media for sensationalist reporting and inciting violence. As a

result, the government imposed stricter regulations, which local journalists and media organizations claim restrict press freedom.

Seychelles

Status: Partly Free

LEGAL ENVIRONMENT: 21
 POLITICAL ENVIRONMENT: 19
 ECONOMIC ENVIRONMENT: 18
 TOTAL SCORE: 58

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.” The government owns the country’s only daily newspaper, *The Nation*. The only significant opposition newspaper, the weekly *Regar*, has been repeatedly brought to court on libel charges, which carry steep monetary penalties. In October, the Supreme Court ordered *Regar* not to publish an internal letter written by three judges, an order that *Regar* editor Roger Mancienne refused to obey. As a result, the newspaper was fined heavily during a court hearing presided over by one of the authors of the contested letter. The Paris-based watchdog Reporters sans frontieres, which had earlier named Seychelles as one of a group of “paradise dictatorships” that regularly violate press freedoms, condemned this ruling. Although the private press continues to criticize the government, such harsh legal penalties and libel laws promote self-censorship. The state retains a virtual monopoly over the widely consumed broadcast media, whose coverage adheres closely to official policy positions. High licensing fees have discouraged the development of privately owned broadcast media, and telecommunications companies must submit subscriber information to the government. The Internet is available and unrestricted in Seychelles.

Sierra Leone

Status: Partly Free

LEGAL ENVIRONMENT: 20
 POLITICAL ENVIRONMENT: 21
 ECONOMIC ENVIRONMENT: 18
 TOTAL SCORE: 59

Sierra Leone’s constitution guarantees freedom of expression, but the unreformed legal sector and government actions restrict this right in practice. The 1965 Public Order Act criminalizes libel and holds accountable not only journalists, but vendors, printers, and publishers as

well. In October, Paul Kamara, editor and publisher of the independent newspaper *For di People*, was found guilty of two counts of seditious libel and sentenced to two concurrent two-year prison sentences as the result of a 2003 article linking the president to corruption. Press freedom organizations pressed President Ahmad Tejan Kabbah to use the opportunity to make a public show of support for freedom of expression in the country, pardon Kamara, and move to decriminalize defamation. Nonetheless, Kamara, who has appealed the sentence, remained in jail. The judge also recommended a six-month ban on *For di People*. Even though the Independent Media Commission (IMC) has yet to rule on the recommendation, the newspaper stopped publishing for several weeks, fearing more legal action. In late October, following Kamara's imprisonment, the justice minister threatened to jail the editor of the newspaper *The Pool* for publishing a story that had criticized the justice minister.

Targeting uncooperative reporters with libel laws and using the judicial powers of the courts to ambush correspondents seem to have become a growing regime strategy, while investigative reporting into high-level corruption often leads to harassment and violence against journalists perpetrated by both government and security forces and by criminal groups. In July, the speaker of the parliament banned the privately owned newspaper *Standard Times* from covering parliamentary activities for one month and ordered the newspaper's editor to retract a story that criticized the government and publish an apology. Prior to the ban, according to the Media Foundation for West Africa (MFWA), the editor and author of the article were summoned to the parliament, where they refused to disclose their source for the article. In January, police raided the offices of the independent daily *Awoko* and assaulted and threatened journalists who had reported on an accident involving a police vehicle. On two separate occasions in August an armed youth group attacked the station manager and a reporter from the private community radio station Citizen FM. According to MFWA, the attacks were in response to a Citizen FM program that criticized the local police station. In late November, a group of men assaulted journalist Mohamed Amara Josiah of the *Standard Times*, leaving him in a coma.

Sierra Leone's diverse and lively media, particularly the growing print press, have been a strong voice against corruption; however, serious ethical problems continue to pose challenges for the profession. The media are highly politicized, and there is widespread corruption among journalists.

Radio remains the medium of choice for most Sierra Leoneans, who for economic reasons have limited access to television and newspapers. Among the developments in the media sector in 2004 was the resolution of the three-year struggle to review the licensing regime imposed by the IMC; the annual license fee was lowered this year. Critics of the Kabbah administration had frequently accused it of manipulating the IMC regulatory mechanism to secure compliance and pronounce punishments against the growing rank of independent private and community broadcasters.

Singapore

Status: Not Free

LEGAL ENVIRONMENT: 23

POLITICAL ENVIRONMENT: 24

ECONOMIC ENVIRONMENT: 19

TOTAL SCORE: 66

Media freedom in Singapore is constrained to such a degree that the vast majority of journalists practice self-censorship rather than risk being charged with defamation or breaking the country's criminal laws on permissible speech. The constitution provides the right to freedom of speech and expression in Article 14 but permits restrictions on these rights. Legal constraints include strict censorship laws, including the Newspaper and Printing Presses Act, which allows authorities to restrict the circulation of any foreign periodical for publishing news that interferes in domestic politics, and the Internal Security Act (ISA). Although not implemented in recent years, the ISA gives officials the power to restrict publications that incite violence, arouse racial or religious tension, or threaten national interest, national security, or public order. Given the government's record of successfully suing critics under harsh criminal defamation laws, journalists most often refrain from publishing critical stories about corruption or nepotism. In September, *The Economist* agreed to pay a fine of more than US\$200,000 to avoid a lawsuit over an article it had published that claimed a government-linked investment company lacked transparency.

The government has mastered the art of "calibrated coercion," in the words of a veteran Singapore journalist. The vast majority of print and broadcast media outlets, as well as Internet service providers and cable television services, are either owned or controlled by the state or by companies with close ties to the ruling party. Moreover, annual licensing requirements cause media outlets to limit or moderate their criticism of

the government. The primary development on the media scene in 2004 was the megamerger between two giants—Singapore Press Holdings, which publishes 14 paid newspapers and 1 free paper in four official languages, including the flagship *Straits Times*, and Media Corp TV Holdings, which operates 5 television stations, 1 free newspaper, and Media Corp Studios. The merger was agreed upon to stop four years of cutthroat competition, ending any semblance of competition and diversity in the Singapore mass media, which virtually without exception support the government line. International newspapers and magazines are available, although authorities have at times banned or censored foreign publications that carry articles the government found offensive. The circulations of some Western-owned publications are “gazetted,” or limited. Internet use is widespread but the Internet is under the supervision of the Singapore Broadcast Authority, which controls access to Web sites and censors some information, and political and religious Web sites are required to register with the government’s Media Development Authority.

LEGAL ENVIRONMENT: 5

POLITICAL ENVIRONMENT: 9

ECONOMIC ENVIRONMENT: 7

Slovakia

Status: Free

TOTAL SCORE: 21

Press freedom in Slovakia is constitutionally guaranteed and generally respected. Although defamation was decriminalized in 2003, individuals still target media outlets in civil defamation suits that demand excessive compensation. In December 2004, the Bratislava regional court ordered the daily *Sme* to pay 3 million Slovak koruny (approximately US\$96,750) as compensation for libeling a Supreme Court judge. Following this event, local nongovernmental organizations pointed out that many Slovak journalists, fearing potential financial ruin, might choose to abstain from publishing stories critical of public figures, compromising an essential role that the press plays in a democratic society.

Independent media outlets freely publish and disseminate diverse views. Most Slovak media are privately owned. A parliament-appointed council and the state-funded press agency TASR control the public broadcaster STV. Some Slovak media still experience government interference. Economy Minister Pavol Rusko continues to influence editorial policies of the popular TV Markiza even after he divested his ownership in the company. A military court ruled that an illegal wiretap targeted a major

national newspaper rather than Pavol Rusko, who had complained of being wiretapped. Three security officers were charged with abuse of power.

Print media in Slovakia are undergoing economic troubles as the largest share of advertising funds is channeled into the television market. In efforts to attract advertising revenues, the competition has compelled even serious newspapers to turn toward tabloidization. This trend is more visible among Slovak weeklies. The government does not restrict access to the Internet; approximately 20 percent of the population uses the Internet periodically to obtain information.

Slovenia

Status: Free

LEGAL ENVIRONMENT: 3
 POLITICAL ENVIRONMENT: 9
 ECONOMIC ENVIRONMENT: 7
 TOTAL SCORE: 19

Freedom of expression and the press is guaranteed in Article 39 of the constitution, and the government generally respects these rights. Libel, however, remains a criminal offense. There was finally progress this year in the investigation into the assault on investigative journalist Miro Petek. The prosecutor's office, frequently criticized for stonewalling the investigation, filed five indictments and the trial began in May 2004. It had not concluded at year's end.

The Slovenian mainstream media do not present a wide range of political and ethnic views. Most print media are privately owned and support themselves with advertising revenues from companies in which the government owns major stock. Three of the six national television channels are a part of the government-sponsored RTV Slovenia network. Foreign broadcasts and print publications are widely available. However, foreign ownership in Slovenian media is low.

Although media are editorially independent, limited self-censorship exists as a result of indirect political and economic pressures. Commercial demands on media companies have often led to biased editorial policies and paid advertising disguised as editorial content. Slovenian journalists launched their first ever general strike on election day in October in a dispute over the national collective agreement and low wages. The strike, which lasted three days, caused a media "blackout" that was breached only by the commercial station POP and the news program *Finance*. Internet access in Slovenia is free and unrestricted; approximately one-third of the population uses the Web to obtain information.

	LEGAL ENVIRONMENT: 5
	POLITICAL ENVIRONMENT: 14
	ECONOMIC ENVIRONMENT: 11
Solomon Islands	
Status: <i>Free</i>	TOTAL SCORE: 30

The media climate has improved since the establishment of the Australian-led Regional Assistance Mission in the Solomon Islands, which effectively ended the pattern of ethnic violence of the previous few years and encouraged the redevelopment of the country's policing and judicial systems. This in turn led to a safer environment for journalists and the media during 2004. However, threats from political figures have continued. In February, a cabinet minister (and former militant) was sentenced to three years in prison for attempting to extort money from the owner and publisher of a newspaper in 2003. The country lacks diversity in the media, as just one daily newspaper, the *Solomon Star*, dominates the media scene, with two weekly papers and two monthly newsletters also publishing. 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. One private commercial station, Paoa FM, broadcasts. There is no television station, although Australia's state-run ABC Asia Pacific, BBC World, and other satellite channels are accessible.

	LEGAL ENVIRONMENT: 26
	POLITICAL ENVIRONMENT: 33
	ECONOMIC ENVIRONMENT: 24
Somalia	
Status: <i>Not Free</i>	TOTAL SCORE: 83

Somalia's charter provides for press freedom, but this is restricted in practice. The inauguration of a new federal parliament and prime minister led to greater calls to respect media independence. However, in 2004 the transitional government issued a new press law that forces media outlets to register with the attorney general's office, criminalizes defamation of public officials, and imposes steep penalties on the publication of military secrets.

The country has about 20 privately owned newspapers, a dozen radio and television stations, and several Internet news sites. Most of the independent newspapers or newsletters that circulate in Mogadishu are linked to one faction or another. Owing to the weakness of the state, most media outlets receive the protection of the clan behind their publication. There

were numerous instances of journalists being harassed, beaten, and detained with impunity throughout the country, but particularly in the capital. According to the Committee to Protect Journalists, Abshit Ali Gabre of the independent station Radio Jawhar was detained twice by forces loyal to Mohamed Dhere, chairman of the self-appointed administration in Jawhar, because of the station's criticism of Dhere's position on the peace talks in Kenya. Dhere's militiamen also detained, assaulted, and banned Radio Banadir's Adbiwani Sheik Mohamed for broadcasting a report on a management dispute at a Jawhar mosque. Bribery and corruption remain a problem because of the very low pay of most journalists, about US\$18 per month.

Press freedom is very limited in the country's two self-declared autonomous regions, particularly as it relates to coverage of politics and insecurity. In January 2004, two radio journalists were detained briefly by authorities in Puntland for coverage of the escalating border dispute between Puntland and Somaliland. In April, the editor of an independent weekly newspaper, *War-Ogaaal*, was arrested and jailed for more than a month without charge for publishing an article accusing a Puntland minister of corruption. Hassan Said Yusuf, editor of the Somaliland independent daily newspaper *Jambhuriya*, was arrested in September for the fifteenth time in 10 years. The international media watchdog Reporters sans frontieres described the incident as the latest in a long campaign of legal harassment. Yusuf was freed and absolved of all charges by a regional court the following month.

South Africa

Status: Free

LEGAL ENVIRONMENT: 7

POLITICAL ENVIRONMENT: 10

ECONOMIC ENVIRONMENT: 9

TOTAL SCORE: 26

Freedom of expression and the press, protected in the constitution, is generally respected. Nevertheless, several apartheid-era laws remain in effect that permit authorities to restrict the publication of information about the police, national defense forces, prisons, and mental institutions and to compel journalists to reveal sources. In November 2004, the parliament passed the controversial Law on Antiterrorism, which had been vigorously opposed by press freedom advocates and other elements of civil society. While this opposition forced the government to shelve the legislation earlier in the year, it reintroduced the law after its resounding victory in April's general election.

A number of private newspapers and magazines are sharply critical of the government, political parties, and other societal actors. For primarily socioeconomic reasons, most South Africans receive the news via radio outlets, a majority of which are owned and controlled by the state broadcaster, the South African Broadcasting Corporation (SABC). However, a number of independent community radio stations operate throughout the country. The SABC also dominates the television market; the country's only commercial television, e.tv, reaches under 40 percent of the population. While editorially independent from the government, the SABC has come under increasing fire for displaying a pro-African National Congress (ANC) bias and for practicing self-censorship. In January, the SABC broadcast live a campaign speech by ANC leader and president Thabo Mbeki, denying similar coverage to the opposition. In addition, 2004 saw the government reveal a heightened sensitivity to media criticism. In April, the government ordered members of the South African Parliamentary Press Gallery Association to vacate their parliamentary office space and relocate off-site. In September, the ANC threatened to sue the newspaper *This Day* for publishing a list of names connected with a parliamentary probe into the abuse of government travel vouchers. According to the Johannesburg-based Freedom of Expression Institute, community radio stations feel pressure from ANC officials to produce positive coverage at the risk of licensing and advertising sanctions.

Reporters continue to be subjected to occasional instances of threats and harassment. In February, journalist Mpumi Phaswa of the SABC was assaulted by relatives of Joseph Zitha, the suspected leader of a criminal syndicate, after attempting to take a photograph of Zitha. In April, a police officer threatened to beat journalist Frans Der Merwe of the *Limpopo Mirror* and *Zoutsofansberger* newspapers. South Africa features vibrant press freedom advocacy and journalists organizations. Internet access is unrestricted and growing rapidly, although many South Africans cannot afford the service fee.

LEGAL ENVIRONMENT: 8

POLITICAL ENVIRONMENT: 11

ECONOMIC ENVIRONMENT: 10

TOTAL SCORE: 29

South Korea

Status: Free

Tensions heightened this year between President Roh Moo-hyun's liberal government and conservative newspapers as the ruling Uri Party supported

media reform proposals that critics saw as attempts to tame the opposition press. The opposition was able in October to table revisions to the Registration of Periodicals Act that called for limiting both the size and editorial independence of the nation's leading daily newspapers. The revisions would have restricted newspapers to a market share of 30 percent apiece and a combined total of 60 percent for the three leading dailies. *Chosun Ilbo* (whose market share exceeds 30 percent), *Dong-a Ilbo*, and *JoongAng Ilbo*—the latter two papers President Roh sued for defamation in August 2003—have a combined market share of over 70 percent. The bill would also have required newspapers to undertake expensive and restrictive efforts to protect “readers’ rights” and would have created centralized, government-run distribution centers for periodicals.

Censorship of the media is against the law in South Korea, although the BBC states that journalists who report favorably on North Korea may face intimidation. A North Korean refugee group also reported receiving threats—including a threat against their landlord that led to eviction from their original office—after the February launch of FreeNK, a radio station aimed at stirring dissent in the north. South Korea boasts vibrant and diverse media, with over 100 daily newspapers across the nation. Three public and several private national television stations are major sources of news, and cable and satellite channels have been available since 2002. Most South Koreans have access to the Internet, and a significant number of young people get their news exclusively through electronic media. The Internet has had a democratizing effect on news and, along with 2003 media reforms that allowed smaller media greater access to government briefings, has increased competition in the media market.

LEGAL ENVIRONMENT: 4

POLITICAL ENVIRONMENT: 13

ECONOMIC ENVIRONMENT: 5

Spain

Status: Free

TOTAL SCORE: 22

Concerns for press freedom in Spain include antiterrorism legislation and high awards in defamation suits against journalists. In July, the Spanish Supreme Court upheld the 1997 and 1999 convictions of a former editor and a journalist of *Diario 16*, a now defunct publication, for insulting the

former king of Morocco, Hassan II, even though the court confirmed that the contested article was truthful. Spain has a free and lively press, with more than 100 newspapers that cover a wide range of perspectives and are active in investigating high-level corruption. Daily newspaper ownership, however, is concentrated under large media groups like Prisa and Zeta.

Al-Jazeera television reporter Tayseer Alouni, a Syrian-born Spanish citizen originally arrested in September 2003 and charged with terror-related offenses, was released for medical reasons in October 2004 but rearrested in November. Alouni interviewed Osama bin Laden for Al-Jazeera. In May, a European Commission report criticized restrictions placed on journalists in the Basque region, many of whom practice self-censorship and avoid sensitive issues. In 2003, the Basque-language daily *Euskaldunon Egunkaria* was shut down under suspicion of collaborating with the Basque separatist group Euskadi Ta Askatasuna (ETA, or Basque Fatherland and Freedom). Spanish courts approved additional four-month extensions of the closing in February, June, and November 2004. Ignacio Uria, one of *Egunkaria's* managers who had been imprisoned since February 2003, was released from jail in August. In November, seven key members of *Egunkaria* were charged with forming an “illegal association.” The trial was pending at the end of the year. During 2004, ETA continued its campaign of fear targeted against journalists who oppose its separatist views in the disputed region. Journalists and newspapers reported receiving threats by ETA in October.

LEGAL ENVIRONMENT: 15

POLITICAL ENVIRONMENT: 24

ECONOMIC ENVIRONMENT: 17

Sri Lanka

Status: Partly Free

TOTAL SCORE: 56

The ability of Sri Lankan media outlets to express their views openly was tested by heightened political conflicts in 2004, while the partisanship of the state-owned media emerged as a major concern. Freedom of expression is provided for in the constitution, and although the government is permitted to curtail press freedom on national security grounds, authorities generally did not use legal restrictions against the media during the year. However, contempt of court legislation has been

used in the past to punish reporters who investigate judicial misconduct; and in September, four journalists were threatened with court cases for articles published in 2001 and 2002 that allegedly showed contempt for the anticorruption commission.

Reporters, particularly those who cover human rights issues, corruption, or official misconduct, continued to face some harassment and threats from government officials, irate politicians, and party activists. In several other instances, police or security forces manhandled reporters as they attempted to cover the news. The Liberation Tigers of Tamil Eelam (LTTE), a separatist rebel group, does not permit freedom of expression in the areas of northern and eastern Sri Lanka under its control and continues to intimidate and threaten a number of Tamil journalists and other critics. Rival LTTE factions killed one reporter in May and another in August. Meanwhile, the offices of the Tamil-language daily *Thinakkural* suffered two grenade attacks in December, and the paper's distribution was disrupted on several occasions by LTTE cadres.

While some journalists, particularly those covering the LTTE-controlled areas, practice self-censorship, a number of privately owned newspapers and broadcasters scrutinize government policies and provide diverse views. The state controls the largest newspaper chain, two major television stations, and a radio station; political coverage in the state-owned media tends to favor the ruling party, and these outlets remain prone to frequent official interference. During the November 2003 state of emergency, President Chandrika Kumaratunga briefly deployed troops outside government-run media outlets, sacked the chairman of the government-owned Lake House media group, and replaced the editors of state-run print and broadcast outlets with her own supporters. In 2004, the Colombo-based Free Media Movement repeatedly condemned the manipulation of the state media by the president's party for political ends, including pressure on editors and biased coverage of the April elections. For example, Lakshman Gunasekera, the editor of a government-owned weekly, was suspended from his post in March after writing editorials opining that the state media should refrain from political partisanship, and he had not been reinstated by year's end. Another editor was removed from his post in September. Business and political interests wield some control over content in the form of selective advertising and bribery.

Sudan

Status: Not Free

LEGAL ENVIRONMENT: 28

POLITICAL ENVIRONMENT: 33

ECONOMIC ENVIRONMENT: 25

TOTAL SCORE: 86

The government continues to place severe restrictions on the ability of media to operate freely despite constitutional provisions for freedom of expression. National security legislation and other laws empower authorities to conduct prepublication censorship, confiscate or ban publications, and detain and fine journalists. As a result, many journalists practice self-censorship. In 2004, the government instituted even harsher legal restrictions under the Sudanese Press and Printed Materials Act, which the press freedom organization Article 19 decried as rendering “independent and critical journalism virtually impossible.” The quasi-official National Press Council is responsible for applying the press law and has the power to license and suspend newspapers.

There are several daily newspapers and a wide variety of Arabic- and English-language publications. While all of these are subject to censorship, some do criticize the government. Domestic broadcast media are directly controlled by the government and are required to reflect official views, though some foreign programs are available. During the year, authorities continued to crack down on independent media. In January, Mahjoud Mohamed Salid, editor in chief of the suspended newspaper *Al-Ayam*, was arrested on charges of tax arrears and forced to pay the government 7.28 million Sudanese pounds (about US\$28,000) before being released. In April, the Khartoum bureau chief of the Qatari satellite television channel Al-Jazeera was convicted of “disseminating false news,” sentenced to one month in prison, and ordered to pay a fine of 1 million Sudanese pounds (about US\$3,800). In May, the government detained and released 11 journalists, 5 of whom were planning to publish a statement opposing the new press law. The other 6 journalists were arrested for an article published in the daily *Al-Azmina* about the collapse of the Sudanese economy. In September, Hussein Khogali, editor in chief of the daily *Alwan*, was imprisoned for 17 days and instructed to cease writing for his publication because of his association with Islamist opposition leader Hassan Al-Turabi. In November, authorities confiscated the print run of *Alwan*’s November 23 issue and arrested Khogali again (he was

released in January 2005). On a positive note, two newspapers suspended in 2003, the *Khartoum Monitor* and *Al-Ayam*, were allowed to resume publication. Journalists are often subject to verbal and physical harassment by security forces and other armed groups.

According to the International Federation of Journalists and Reporters sans frontieres, the government has systematically prevented journalists from traveling to Darfur in order to cover the conflict there. However, the U.S. State Department claimed that the government eased restrictions on foreign journalists covering Darfur during 2004. Domestic journalists are prohibited from reporting independently from the region. Access to the Internet is limited by political and economic constraints. According to the Committee to Protect Journalists, authorities blocked the U.S.-based Web site *Sudanese Online* in July.

LEGAL ENVIRONMENT: 2

POLITICAL ENVIRONMENT: 11

ECONOMIC ENVIRONMENT: 7

Suriname

Status: Free

TOTAL SCORE: 20

The government of Suriname, headed by President Ronald Venetiaan, 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, such as narcotics trafficking and the human rights violations that took place under the former dictatorship of Desi Bouterse, who ruled Suriname with an iron fist in the 1980s and remains a political force within the country. This tendency toward self-censorship was strengthened after a July public opinion poll by the Institute for Demographic Research showed Bouterse's National Democratic Party placing less than 1 percent behind the ruling New Front, barely a year out from critical legislative elections. In a positive development, unlike in 2003, journalists and media entities this year were free from harassing lawsuits by public figures. There are two privately owned daily newspapers, *De Ware Tijd* and *De West*, and a number of small commercial radio stations as well as the government-owned radio and television broadcasting system, which generally offer pluralistic viewpoints.

Swaziland

Status: Not Free

LEGAL ENVIRONMENT: 25
 POLITICAL ENVIRONMENT: 28
 ECONOMIC ENVIRONMENT: 26
 TOTAL SCORE: 79

Freedom of expression is severely restricted, especially regarding political issues or matters concerning the royal family. In the absence of a formal constitution or bill of rights, there are no legal protections for journalists and media workers in Swaziland. For example, there is no privilege under Swazi law for journalists to protect confidential sources. A controversial draft constitution provides for limited freedom of speech, but 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 Proscribed Publications Act (1968) 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 or embarrassed the monarchy.

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 free of government control. Generally, the government withheld its advertising, a crucial source of revenue, from the *Times*. Despite being owned by a royal conglomerate, the *Swazi Observer* was shut down temporarily in 2002 because its editorial direction was viewed as too liberal. In July, two *Swazi Observer* journalists covering the funeral of a local prince were harassed and temporarily detained by security officials for providing "negative coverage" of the late prince. The Swaziland Television Authority is both the state broadcaster and industry regulatory agency and dominates the airwaves. There is one independent radio station, Voice of the Church, which focuses on religious programming. Broadcast and print media from South Africa are also received in the country. In 2003, the new information minister, Abednego Ntshangase, announced that the state media would not be permitted to cover anything that has a "negative bearing" on the government. The ban affects the country's only television station and news-carrying radio channels. The government does not restrict access to the Internet.

Sweden

Status: Free

LEGAL ENVIRONMENT: 2
 POLITICAL ENVIRONMENT: 3
 ECONOMIC ENVIRONMENT: 4
 TOTAL SCORE: 9

Legal protections for press freedom date back to the 1766 Freedom of the Press Act. The governing Social Democratic Party announced in December the purchase of insurance to cover court costs for suing media outlets that report false or libelous information about the party or its members. In October, a reporter for the state-owned radio network was barred from broadcasting live for two weeks after expressing on the air his support for U.S. Democratic Party presidential candidate John Kerry. Journalists who investigate extreme right-wing groups are sometimes threatened and even physically attacked by neo-Nazi militants.

Independent media express diverse political and social views. All print media are privately owned. Media ownership is highly concentrated, particularly under regional media conglomerates Bonnier and Modern Times Group. The Swedish Broadcasting Corporation and the Swedish Television Company broadcast weekly radio and television programs in several immigrant languages. The state provides subsidies to support financially struggling newspapers regardless of their political affiliation. The ethnic press is entitled to the same subsidies as the Swedish-language press.

Switzerland

Status: Free

LEGAL ENVIRONMENT: 3
 POLITICAL ENVIRONMENT: 3
 ECONOMIC ENVIRONMENT: 5
 TOTAL SCORE: 11

Media freedom is guaranteed in the constitution, although the penal code prohibits racist or anti-Semitic speech. Swiss media are free from editorial and government interference but operate mainly along linguistic-regional divisions. Broadcast media are dominated by the Swiss Broadcasting Corporation, which is a public service association subject to private law. The corporation is mandated to provide radio and television programs in all four national languages (in order of population size, German, French, Italian, and Romansch) and to promote mutual understanding and exchange among all Swiss communities. It is dependent on the government for

financing, although its news reporting is politically neutral. Revenue from licensing fees is distributed from the dominant German-speaking region to the others in order for all to be able to produce their own programming. Some private broadcasters are beginning to emerge but do not significantly challenge the Swiss Broadcasting Corporation. 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 multimedia conglomerates, which have steadily pushed smaller publications out of the market. Ownership is concentrated, and advertising has been declining. Newspaper readership levels are high and internet access is open and unrestricted.

LEGAL ENVIRONMENT: 29

POLITICAL ENVIRONMENT: 34

ECONOMIC ENVIRONMENT: 20

Syria

Status: Not Free

TOTAL SCORE: 83

Syria's regime continued to severely restrict press freedom in 2004, with no significant changes to report in the period. Although the constitution provides for freedom of speech and the press, the overall legal framework for press freedom is weak, hampered by vague laws with clauses aimed at protecting the Baath Party's monopoly on power. The State of Emergency Law and penal code ban publishing information that "opposes the goals of the revolution" or damages the image of the state. The Publications Law delineates the government's power to deny and rescind licenses for publications for reasons related to the public interest, which is not clearly defined. Journalists accused of libel or publishing "falsehoods" are subject to large fines and prison sentences.

Private and party newspapers rarely deviate from government-approved coverage and opinions, though criticism of the government increased slightly in late 2004. Kurdish protests in the spring of 2004 led to a government crackdown on journalists who called for expanded Kurdish rights. In March, the government detained Muhammad Ghanem, a Syrian correspondent for two newspapers based in the United Arab Emirates (UAE), after he published an article arguing that all Syrian Kurds should receive citizenship. In August, the Supreme State Security Court sentenced Ferhat Abdalrahman and Ibrahim Nassam to three years in prison for

writing articles and petitions advocating greater political freedom for the Kurds. In October, Masoud Hamid was sentenced to five years in prison for sending e-mail photos of a Kurdish demonstration in Damascus to a number of dissident-run Web sites. Finally, security services detained Syrian-Kurdish journalist Taha Hamed for one week in December after he wrote articles critical of the government on Kurdish issues.

Except for a handful of radio stations that do not broadcast news and do not report on political issues, radio and television outlets are all state owned. However, satellite dishes are widely available and used. The government has attempted to control access to the Internet and monitor its use, but Syrians can gain unfettered access by dialing up through other countries and through a new regional satellite company that offers Internet access. The government has stepped up prosecutions against journalists and advocates using the Internet. In June, Abdel Rahman Shaguri was sentenced to two years in prison on charges of “harming the image and national security of Syria” for sending e-mail copies of a dissident newsletter. In June, three journalists who wrote articles using pseudonyms for a UAE-based online newspaper were sentenced to prison terms ranging from two to four years for allegedly revealing state secrets.

LEGAL ENVIRONMENT: 8

POLITICAL ENVIRONMENT: 6

ECONOMIC ENVIRONMENT: 7

Taiwan

Status: Free

TOTAL SCORE: 21

A consolidated democracy, Taiwan is well known for having one of the freest media environments in East Asia because of its firm commitment to judicial independence and economic freedom. President Chen Shui-bian and Vice President Lu Hsiu-lien were themselves victims of political repression in the 1980s and have been eager to champion freedom of speech since taking office in 2000. In July, President Chen announced his hope to see full protection of media freedoms enshrined in a new constitution, currently under consideration by Taiwan’s parliament. National security laws, which prohibit the media from promoting Communism or Taiwanese independence from China, are rarely enforced. Taiwan continues to restrict broadcasts by Chinese television stations in response to a long-standing ban by Beijing on Taiwanese television programming.

Taiwan has over 350 privately owned newspapers, 150 radio stations, and widespread availability of cable and satellite television. President Chen supported the 2003 passage of legislation mandating divestment by politicians and political parties of all media holdings, which has reduced political influence over news content and led to the establishment of eight new public television channels. Nationalists and Democratic Progressive Party members have given up considerable television and radio holdings. However, the results of an opinion poll released on September 3, Journalists' Day in Taiwan, indicated that Taiwanese believe media content is excessively sensational, commercialized, and overly partisan, as evinced by inaccurate reporting on the results of the 2004 presidential election.

LEGAL ENVIRONMENT: 24

POLITICAL ENVIRONMENT: 27

ECONOMIC ENVIRONMENT: 23

Tajikistan

Status: Not Free

TOTAL SCORE: 74

The government frequently restricts constitutional guarantees of freedom of the press. While the overall media environment did not register significant changes in Tajikistan in 2004, a government campaign against opposition newspapers—part of an effort to consolidate power in the run-up to the 2005 parliamentary elections—cast a pall over the press. There were several instances in which independent journalists were denied access to information and libel laws were used against critical media outlets. On February 28, President Emomali Rahmonov signed a law on broadcasting, which required licenses to produce television programs; Internews later alleged that the authorities applied the law retroactively, objecting to “unlicensed” programs produced before the law went into effect, and a local media watchdog noted in October that the government had not yet established new procedures for granting the necessary licenses.

State-controlled broadcast media continue to dominate the airwaves, providing coverage generally favorable to the authorities. There is one state-run television network, and opposition politicians have very limited access to state-controlled media. On a number of occasions in 2004, journalists were subject to government harassment and intimidation. Journalist Mavluda Sultanzoda was threatened repeatedly after writing critical articles in *Ruzi Nav* about Dushanbe mayor Mahmadsaid Ubaydullayev and in August publishing an article that questioned the

record of President Rahmonov. Rajab Mirzo, editor in chief of *Ruzi Nav*, was assaulted in January and badly beaten on July 29.

The government controls most printing presses, broadcasting facilities, and (through government subsidies) major publications and broadcasting productions. On August 19, tax police shut down the printing house Jiyonkhon, which printed a number of newspapers, most notably *Nerui Sukhan* and *Ruzi Nav*, Tajikistan's best-known independent weeklies. Both newspapers had previously roused the ire of authorities. Prosecutors warned *Ruzi Nav* in January, and *Nerui Sukhan* in June, to refrain from printing articles insulting to President Rahmonov. After the closure of Jiyonkhon, the two newspapers and other independent publications continued to experience difficulty finding printing facilities amid various forms of harassment from tax authorities. When the staff of *Ruzi Nav* had an issue of the newspaper printed in neighboring Kyrgyzstan in November, tax police impounded the print run at the airport in the Tajik capital of Dushanbe after a search conducted on flimsy legal pretexts. The state was also able to use Sharqi Ozod, a state-controlled printing house, as a mechanism of control; after tax police shuttered the Jiyonkhon printing house, Sharqi Ozod found various pretexts to turn away the independent weeklies that had been printed at Jiyonkhon. The Internet, though left free, is a negligible factor in a mountainous, impoverished country with a low percentage of users.

LEGAL ENVIRONMENT: 18

POLITICAL ENVIRONMENT: 18

ECONOMIC ENVIRONMENT: 15

Tanzania

Status: Partly Free

TOTAL SCORE: 51

Although the constitution provides for freedom of speech, several other laws limit the ability of media to function effectively. Authorities are empowered to register and ban newspapers under the Newspaper Registration Act, while the Broadcasting Services Act provides for state regulation of the electronic media and the National Security Act allows the government to control the dissemination of information to the public. Libel is a criminal offense, and the threat of exorbitant, politically motivated fines is used to intimidate the media. In late 2003, the government adopted a new information and broadcasting policy that has yet to be fully implemented. Even though it includes provisions protecting press freedom, it fails to put

an end to the registration requirement for newspapers and contains broad content restrictions. Lack of access to government and public information is a major problem for the media. Government workers are prohibited from disclosing official information to the media; therefore, the media receive information informally from only a select group of government officials.

Under the island of Zanzibar's separate and more restrictive media policies, journalists must be licensed and the state tightly controls the broadcast media. In November 2003, Zanzibar's first and only independent private newspaper, *Dira*, was subjected to an indefinite ban by the government under the repressive 1988 national security law. The newspaper had run articles accusing the ruling party of planning to rig elections in 2005 and published features on the sensitive subject of Zanzibar's union with Tanganyika. The country's high court refused the paper's petition to reopen in November 2004, saying it had violated registration procedures, and the ban remains in effect.

Reporters continue to face some harassment at the hands of authorities, particularly in Zanzibar, and a number practice self-censorship. Nevertheless, independent media outlets as well as the state-owned newspaper criticize official policies, although the government occasionally pressures outlets to suppress unfavorable stories. In April, the Ministry of Information repealed a decree that required all radio stations to broadcast government-produced news programs. Economic liberalization has brought a wide variety of media outlets, including dozens of FM radio stations, 350 registered newspapers, and a dozen television stations. Only 4 radio stations have a national reach—Radio Tanzania, privately owned Radio One and Radio Free Africa, and Radio Uhuru—and all are viewed as sympathetic to the ruling party. With most of the population unable to afford the 25 cents to buy a newspaper, radio remains the most popular means of mass communication. According to the U.S. State Department, there were reports that the government at times withholds advertising from critical newspapers and maintains prohibitively high taxes on newsprint and advertising

LEGAL ENVIRONMENT: 13

POLITICAL ENVIRONMENT: 17

ECONOMIC ENVIRONMENT: 12

TOTAL SCORE: 42

Thailand

Status: Partly Free

Press freedom declined further in Thailand in 2004 as editors and publishers faced increased pressure from the government in the form

of civil and criminal defamation lawsuits, as well as more subtle forms of editorial interference and economic pressure. While there are strong constitutional protections for freedom of expression, they are balanced by laws that enable the government to restrict this right in order to preserve national security, maintain public order, or prevent insults to the royal family or Buddhism. Though rarely used, the 1941 Printing Act gives authorities the power to shut down media outlets. The National Broadcasting Commission, which administers broadcast frequencies and is constitutionally mandated to be independent and nonpartisan, held elections this year that nevertheless saw victories by candidates that to a person had close ties to business and government. Access to government information has diminished under Thai premier Thaksin Shinawatra, despite the 1997 passage of a freedom of information law. The year's highlight development was a US\$9.6 million libel suit filed during the last week of August against Thaksin's critics by Shin Corporation, the country's largest telecommunications conglomerate founded by Thaksin himself. The Southeast Asian Press Alliance (SEAPA) expressed concern over reports published by one of Bangkok's leading English-language newspapers, *The Nation*, that the Thai government is considering laws and measures patterned after Singaporean and Malaysian internal security acts to preempt expected violence in its troubled southern provinces.

Over the past three years, the Thai Journalists Association and the Thai Broadcasters Association have documented more than 20 cases in which news editors and print and broadcast journalists have been dismissed or transferred or have had their work tampered with to appease the government. Journalists and editors report that they are routinely pressured by the government to alter news coverage and edit overly critical stories. Even international news agencies now face pressure from the government. *The Nation* reported that police harassed reporters into identifying a photographer who took a damning photo of a soldier firing into a crowd of protesters in one of Thailand's southern provinces, where violence claimed more than 500 lives in 2004. There is an increasing level of self-censorship, but many journalists continue to scrutinize official policies and report allegations of corruption and human rights abuses despite threats and pressures.

While the print media are privately run, the government and armed forces own or oversee most radio and broadcast television stations. Conflicts of interest remain a concern, as corporations controlled by Thaksin's family or with ties to the ruling party own or have shares in

a growing number of private media outlets and exert influence over editorial policy. The government rewards media outlets supportive of its policies through the allocation of advertising by telecommunications firms and state enterprises.

	LEGAL ENVIRONMENT: 21
	POLITICAL ENVIRONMENT: 31
	ECONOMIC ENVIRONMENT: 21
Togo	
Status: Not Free	TOTAL SCORE: 73

The constitution provides for freedom of speech and of the press, but these rights have generally been restricted in practice. President Gnassingbe Eyadema, whose 37-year ironclad rule as Africa's longest-serving dictator has paralyzed the vibrancy of intellectual, political, and economic life, has stifled the media. However, after a decade of defying the European Union (EU), Eyadema reluctantly accepted 22 democratic reforms in a bid to get the EU to lift economic sanctions imposed in 1993. Five of the 22 pledges related to improving the climate for press freedom. In August, Togo's national assembly unanimously passed amendments to the Press and Communications Law, adopted in 2000 and arguably one of the harshest in Africa. The amendments abolished harsh restrictive provisions, including prison sentences for offenses such as defamation and insult. The original press legislation, which allowed the state to impose up to five-year imprisonments and prohibitive fines on journalists found guilty of defaming military or government officials, was often used to harass the media. The amended law also prohibits the Ministry of the Interior from seizing and closing media outlets without judicial approval. However, the law continues to include serious penalties for journalists convicted of defamation and insult; they can be fined as much as 5 million CFA (about US\$9,000). A sentence of up to one year's imprisonment may still be imposed for several offenses, such as incitement of ethnic hatred or security forces rebellion and incitement to commit a crime against the state. The new law also stipulates that journalists' licenses can be revoked if they are convicted of more than one offense. Media practitioners in Togo are still hopeful that the two-year evaluation period launched by the European Commission will lead to a freer media environment.

Togo's only significant television station is the government-owned Television Togolaise, and the only daily newspaper is the state-owned

Togo Presse. Some of the ostensibly private radio stations are owned by or associated with the ruling Rassemblement du Peuple Togolais party. There is little diversity of viewpoints on radio, as both the private and state-owned stations reinforce government policies. There were several reports of journalists being assaulted and receiving death threats. On a positive note, in October the Minister of Communications and Civic Education gave assurances that the government had an obligation to guarantee the safety of journalist Jean-Baptiste Dzilan, publication director of the privately owned weekly *Forum de la Semaine*. The assurances followed repeated death threats to Dzilan after he published a report by an opposition group. Dzilan regularly publishes articles critical of the way Eyadema and those close to power have been running the country.

LEGAL ENVIRONMENT: 11

POLITICAL ENVIRONMENT: 15

ECONOMIC ENVIRONMENT: 11

Tonga

Status: Partly Free

TOTAL SCORE: 37

In a victory for press freedom, on October 8 the Nuku'alofa Supreme Court issued a decision invalidating a 2003 amendment to the press clause of the constitution and struck down the restrictive 2003 media operators and newspaper acts. The court declared that the laws were incompatible with the general presumptions of free speech set forth in the constitution and ordered the government to cease enforcing them. The legislation required all publications to obtain government licenses and granted extremely wide latitude for officials to deny licenses, especially to publications that may be critical of the government. The independent newspaper *Taimi o' Tonga*, which was allowed to resume distribution on October 15 after being banned in November 2003, was among 173 plaintiffs in the court case against the laws. Several people had been arrested throughout the year for distribution or possession of illegal publications; those charges have since been dropped. Strong public opposition to the laws generated mass protest during their tenure, including the first public demonstrations in over a decade.

Tonga boasts an impressive array of media considering its small size. Seven private newspapers and magazines publish regularly, and there are two privately owned television stations and three private radio stations. The government runs a weekly newspaper, a television station, and AM

and FM radio stations, all of which have been accused of self-censorship in favor of official viewpoints. The government has also made regular attempts to censor foreign publications' reporting of events in Tonga, but the new legal framework should allow Tongans access to uncensored print media. Residents may also access the Internet and foreign media via satellite television without restriction.

Trinidad and Tobago

Status: *Free*

LEGAL ENVIRONMENT: 4
 POLITICAL ENVIRONMENT: 11
 ECONOMIC ENVIRONMENT: 9
 TOTAL SCORE: 24

In keeping with the general trend in the Caribbean, media in Trinidad and Tobago are generally free to express independent views, even if they are highly critical of the government. Freedom of the press is enshrined in the constitution. However, Prime Minister Patrick Manning and members of his party, the People's National Movement, issued numerous criticisms of the press and suggested that there was a need for a code of ethics for journalists. Several journalists reported being assaulted during the year, causing media organizations to call for more protection for journalists. There are three daily newspapers and three political weeklies. Daily newspapers are widely read, with a relatively high circulation rate of approximately 123 per 1,000 people. However, radio is the most ubiquitous medium on the twin island republic. The Trinidad Broadcasting Company operates a number of stations in addition to Radio Trinidad, while several other private stations operate.

Tunisia

Status: *Not Free*

LEGAL ENVIRONMENT: 26
 POLITICAL ENVIRONMENT: 30
 ECONOMIC ENVIRONMENT: 24
 TOTAL SCORE: 80

Despite the Tunisian government's professed commitment to democracy, it tightly controls the media and represses dissent through a highly effective system of legal, financial, and psychological measures. The constitution guarantees freedom of the press except under "conditions laid down by law." The press code stipulates imprisonment and heavy fines for defamation of government officials and for the dissemination of "false information,"

and all local and foreign publications require a receipt from the government, called a “depot legal,” before they can be distributed. Authorities simply decline to issue receipts for publications they deem objectionable.

The print press comprises several large-circulation state-owned and private pro-government papers and a few small-circulation independent and opposition party-affiliated publications. Foreign publications are subject to government censors. The government regularly issues directives on press coverage, and media content is generally bland. Open criticism of government policies, and especially of President Zine Al Abidine Ben Ali, is exceedingly rare and results in a swift repressive response from the authorities. Nonetheless, some small-circulation papers, such as *Al-Mawqif*, have begun to cover human rights issues and to publish mild criticism of the government. In advance of the October 2004 presidential and legislative elections, Tunisian media were dominated by positive coverage of the president and of pro-government candidates. Public debate was further muffled by a 2003 amendment to the electoral law that bans Tunisians from discussing the campaign on foreign broadcasts two weeks before the vote. Journalists are subject to detentions, police surveillance, harassment, and physical assault, resulting in self-censorship. In January 2004, journalist and human rights activist Sihem Bensidrine was attacked by unknown assailants; a week later, the authorities again rejected her application to publish a weekly newspaper, *Kalima*. In February and March, the security forces disrupted peaceful demonstrations in Tunis calling for an independent press.

Security officials vigorously monitor e-mail, conduct surveillance of Internet cafes, and block Web sites that publish information critical of the government. In April 2004, after a trial described as deeply flawed by human rights groups, nine young Tunisians were sentenced to between 19 and 26 years in prison for planning terrorist attacks after they allegedly viewed “terrorist” Web sites at an Internet cafe in Zarzis. (Some of the sentences were later reduced to 13 years on appeal.) In 2004, authorities attempted to prevent former political prisoner and journalist Abdallah Zouari from accessing the Internet. Throughout the year, international human rights groups protested Tunisia’s selection as host of the UN’s November 2005 World Summit on the Information Society, calling it highly inappropriate given the country’s dismal record on freedom of expression and access to information.

The government withholds advertising funds from publications that do not provide sufficiently favorable coverage. All broadcast media are owned by the government, with the exception of one private radio station,

Radio Mosaïque, approved in 2003, and one private television station, Hannibal TV, launched on a trial basis in February 2004. Both are owned by supporters of President Ben Ali and, like the state-run stations, avoid airing viewpoints contrary to official policy. Many foreign satellite stations can be viewed in Tunisia, although the government blocks France 2 and has blocked Al-Jazeera for their negative coverage of Ben Ali.

LEGAL ENVIRONMENT: 16

POLITICAL ENVIRONMENT: 21

ECONOMIC ENVIRONMENT: 11

Turkey

Status: Partly Free

TOTAL SCORE: 48

Constitutional provisions for freedom of the press and of expression are only partially upheld. As part of its ongoing reforms to prepare for membership in the European Union, Turkey passed another series of reforms in 2004 that affected press freedom. A new press code was adopted in June that includes heavy fines instead of prison sentences for some press crimes, permits noncitizens to own periodicals and serve as editors, protects against disclosure of sources, and prevents authorities from closing publications or hindering distribution. The government overhauled the penal code in September 2004. The new code, which was due to take effect in April 2005, reduced the minimum sentence for defamation. However, prison sentences remain in place for crimes such as stating that genocide was committed against the Armenians in 1915, instigating hatred in one part of the population against another (used against journalists who write about the Kurdish population), or calling for the removal of Turkish troops from Cyprus. Criminal defamation laws for insult against institutions such as the president, the military, and Turkish national identity stand as well, and sentences are in fact longer for members of the media than for others. As part of a package of reforms passed in June, the government removed the military member of the Supreme Council of Radio and Television (RTÜK), the broadcast regulatory authority. Also in June, after considerable delay (the initial law was passed in August 2002), state television and radio began limited broadcasting in minority languages, including Kurdish. Critics protested that the broadcasts were too restricted and quality was poor, but the move was a major step forward for Kurdish rights and freedom of expression.

Censorship is not explicit, but content censorship and self-censorship occur among editors and journalists, who are concerned about violating the many legal restrictions. Often, the courts side against journalists, who continue to be jailed and face huge fines for various press offenses. In May, Hakan Albayrak, former editor of *Mili Gazete*, was sentenced to 15 months in prison without bail for insulting Kemal Ataturk (the founder of modern Turkey). Sabri Ejder Ozic, the former head of the Radyo Dunya station in the city of Adana, was sentenced to one year in jail in December 2003 after he criticized the government's decision to allow foreign troops on Turkish territory and to send Turkish troops to Iraq. Ozic appealed the sentence and has not yet been imprisoned. In May, an Ankara court ordered three journalists of the Islamist-oriented newspaper *Vakit* to pay 551 billion lira (US\$408,000) to 312 generals for allegedly insulting them in a 2003 article. Some media outlets were temporarily closed during the year. RTUK has the authority to sanction broadcasters if they are not in compliance with the law or its expansive 23 broadcasting principles. Although independent, RTUK, whose members are elected by the parliament, is frequently subject to political pressure. Thus, a local television station was shut down for a month in April 2004 after broadcasting songs in Kurdish, a language that has traditionally been banned in public. The pro-Kurdish newspaper *Yeniden Ozgur Gundem* was forced to close in February because of fines amounting to hundreds of thousands of dollars. In March, police officers attacked nine journalists in Diyarbakir who were covering a protest by a pro-Kurdish party over alleged rigged elections. Pro-Kurdish journalists continue to be victims of many kinds of pressure. In June, police detained 25 journalists from pro-Kurdish media outlets. Antiterrorist police searched the offices of pro-Kurdish news agency Dicle and arrested 16 journalists and staff. Antiterrorist police also searched the offices of the pro-Kurdish monthlies *Ozgur Halk* and *Genc Bakis* and arrested six staff members.

Despite overt government restrictions, independent domestic and foreign print media provide diverse views, including criticism of the government and its policies. Turkey's broadcast media are well developed, with hundreds of private television channels, including cable and satellite, as well as commercial radio stations. Media are highly concentrated in a few private 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, which often has contracts with other arms of the companies and advertisers. As the strength

of these media groups continues to grow unchecked, they could become a bigger obstacle to press freedom than the state. The quality of the Turkish media is low. About a quarter of the population accessed the Internet in major cities, with a growing percentage in rural areas.

LEGAL ENVIRONMENT: 30

POLITICAL ENVIRONMENT: 37

ECONOMIC ENVIRONMENT: 29

Turkmenistan

Status: Not Free

TOTAL SCORE: 96

The extraordinarily repressive political environment in Turkmenistan has gutted the very concept of media freedom in the country. All media outlets are controlled by the state, subject to stringent censorship, and frequently employed as vehicles not for the dissemination of information, but for the glorification of President Saparmurat Niyazov. State interference extends to foreign media and the Internet, severely limiting access and hindering reporting from within the country. Russia's state-run Radio Mayak was forced to stop broadcasting in Turkmenistan in 2004. Freelancers Rakhim Esenov and Ashyrguly Bayryev were detained in February and March by the National Security Ministry and told to stop reporting for Radio Free Europe/Radio Liberty (RFE/RL). RFE/RL Ashgabat correspondent Saparmurat Obezverdiyev was forced into exile in 2004 following an abduction and death threats in 2003. And Mukhamed Berdiyev, a Moscow-based correspondent for RFE/RL's Turkmen Service, was brutally beaten in Moscow in April 2004 after receiving warnings to curb his criticism of the Turkmen government.

A fourth television station broadcasting in several languages was launched amid much fanfare in October 2004, but the project appears to be more of a public relations stunt and does not significantly affect the media environment. Some reports indicate that despite official restrictions, individual Internet access is obtainable and satellite dishes are a common feature of city life. Nonetheless, the cost is prohibitive for the vast bulk of the population. President Niyazov's government places a premium on the media, and particularly television, as a propaganda device, as evidenced by the president's personal involvement in management shake-ups at three state-run nationwide television stations. At the same time, President Niyazov in August ordered the editorial offices of newspapers and magazines to downsize staffs and

increase salaries for remaining employees by 50 percent by January 1, 2005. As in preceding years, the Turkmen government's continuing efforts in 2004 to transform the media into an adjunct of the official press service and an accomplice in a cult of personality stood as a distressing example of the state's capacity to undermine the media's core mission of informing and enlightening the population.

Tuvalu

Status: Free

LEGAL ENVIRONMENT: 1
 POLITICAL ENVIRONMENT: 7
 ECONOMIC ENVIRONMENT: 12
 TOTAL SCORE: 20

The constitution protects freedom of the press. However, in practice media freedom is constrained by the small size of the market and the fact that major media outlets are government funded. The Tuvalu Media Corporation runs the sole radio station as well as a television station that broadcasts sporadically. *Tuvalu Echoes*, the only national newspaper, is also government owned. All broadcast content must be approved by the secretary to government, who censors stories critical of the government. Tuvalu residents access foreign media without restriction via satellite television and the Internet. The nation's single largest source of income is licensing Internet addresses with the .tv suffix.

Uganda

Status: Partly Free

LEGAL ENVIRONMENT: 15
 POLITICAL ENVIRONMENT: 17
 ECONOMIC ENVIRONMENT: 12
 TOTAL SCORE: 44

The constitution provides for freedom of expression, but laws enacted ostensibly in the name of national security, together with the harassment of journalists who cover the country's civil war, produce much self-censorship among Ugandan media. Several statutes require journalists to be licensed and meet certain standards, and a sedition law remains in force and has been used to prosecute journalists. The Antiterrorism Act of 2002 provides a possible death sentence for anyone publishing news "likely to promote terrorism," a vague enough charge that it promotes self-censorship. However, in February the Supreme Court gave a boost

to freedom of expression by repealing a frequently invoked colonial-era law that permitted criminal charges against journalists for reporting subversive “false news.”

Reporters continue to face some harassment and threats at the hands of both police and rebel forces. *The Monitor*, a leading independent newspaper, was closed briefly in late 2002 over the veracity of a report regarding the government’s fight against the rebels of the Lord’s Resistance Army in the northern part of the country. Media watchdogs report that this incident has had a chilling effect on the newspaper and on free speech generally. Journalists from *The Monitor* again came under attack in 2004, when a spokesman for the Ugandan army publicly denounced two of them as “rebel collaborators.” However, the publication won a legal victory in April when it was exonerated of charges that it had endangered national security by reporting on the civil war in the north, a charge often put forth by officials to intimidate journalists who criticize the government’s handling of the war.

Independent media outlets, including more than two dozen daily and weekly newspapers as well as a growing number of private radio and television stations, are often highly critical of the government and offer a range of opposition views. High annual licensing fees for radio and television stations place some financial restraints on the broadcast media. Indeed, as many as 50 radio and television broadcasters were closed in January for failing to pay their operating permits. Plans are in the works to merge Uganda Television and Radio Uganda into a single, autonomous Uganda Broadcasting Corporation. The state broadcasters wield considerable clout and are generally viewed as sympathetic to the government.

LEGAL ENVIRONMENT: 15

POLITICAL ENVIRONMENT: 21

ECONOMIC ENVIRONMENT: 23

Ukraine

Status: Partly Free

TOTAL SCORE: 59

Status change explanation: Ukraine’s rating improved from Not Free to Partly Free to reflect significant openings in the media environment following the November 2004 presidential elections.

With a constitution providing for freedom of speech and press and a law guaranteeing citizens access to information, Ukraine’s legal framework is

considered satisfactory; however, the media's legal rights were not respected in practice under former president Leonid Kuchma's administration throughout most of 2004. The government used politically motivated libel cases and politically biased licensing mechanisms to harass media outlets that criticized the government. In October, the opposition television station Kanal 5 lost its broadcast license in the Kyiv area and then had its assets frozen by a Kyiv court, after parliamentarian Volodymyr Sivkovitch brought a civil defamation suit against one of Kanal 5's owners, reformist parliamentarian Petro Poroshenko. The government misused the criminal justice system to punish journalists and stonewalled investigations into the unsolved murder cases of journalists, such as Heorhiy Gongadze, publisher of the online newspaper *Ukrainska Pravda*.

The state also used extensive administrative resources and media control during the 2004 presidential election campaign to promote the pro-government candidate, Viktor Yanukovich. News media received restrictive *temnyky* (themed directives from the authorities instructing editors on news coverage), leading to unequal access in favor of Yanukovich and negative propaganda against opposition candidate Viktor Yushchenko. Meanwhile, independent journalists reporting on sensitive issues such as official corruption continued to face intimidation and physical violence.

Despite the diversity of media ownership in Ukraine and despite significant private ownership, most major media outlets were owned by individuals close to President Kuchma—including his son-in-law, Viktor Pinchuk, and former head of the administration Viktor Medvechuk—resulting in controlled and slanted coverage throughout much of 2004. In February, the new management of Radio Dovira, who had links to Kuchma's political party, terminated Ukrainian-language broadcasts by the international communications service Radio Liberty, in what was criticized as an attempt to suppress alternative political opinions on the mainstream FM networks. Serhiy Sholokh, director of the independent Radio Kontyent, who announced that his station would rebroadcast the Radio Liberty programs, was then threatened and fled the country, while police raided and shut down the Radio Kontyent office in March. Authorities also restricted journalistic production and distribution, one example being the refusal of the public post office in Donetsk to send the independent weekly *Svoboda* to several thousand subscribers in November.

The media environment changed rapidly in November as public protests following the fraudulent November presidential elections

began to grow. Masses of protesters took to the streets, and many journalists rejected pressure to tote the pro-government line, choosing instead to report more independent and objective news. Hundreds of television broadcasters conducted a “journalists’ rebellion,” denouncing intimidation and political censorship during the presidential election, and for the first time in years, independent and opposition views were aired in a balanced manner. In the period of the presidential election (October–December 2004), domestic and international pressure enabled opposition broadcast media—including independent cable Channel 5 and Era—to play a bigger role. Moreover, the print runs of pro-reformist newspapers were increased, enabling them to reach millions of readers. The objectivity shown by Ukrainian media at the end of 2004 and the victory of President Yushchenko, who has vowed to promote press freedom, were cause for cautious optimism at year’s end.

LEGAL ENVIRONMENT: 26

POLITICAL ENVIRONMENT: 24

ECONOMIC ENVIRONMENT: 22

United Arab Emirates

Status: Not Free

TOTAL SCORE: 72

The constitution provides for freedom of the press, but the government restricts this right in practice. The law prohibits criticism of the government, ruling families, and friendly governments, as well as other statements considered a threat to social stability, and violators are subject to imprisonment. However, the laws are rarely enforced because journalists practice self-censorship. The Ministry of Information licenses all publications and must approve the appointment of editors.

While the government no longer subsidizes all private newspapers, most rely on the government-owned Emirates News Agency for a portion of their content. The leading private print media outlets frequently publish government statements without criticism or comment. While the main pan-Arab dailies are available and uncensored, other foreign newspapers, magazines, and periodicals are vetted by censors at the Ministry of Information. The broadcast media are almost entirely state owned and offer only official viewpoints. Satellite dishes are common, and international broadcasts are not explicitly censored. Internet access is widespread, although access is provided via a state-

owned monopoly. Authorities censor pornographic, radical Islamic, and antigovernment sites.

Dubai features a free media zone, created in 2000 to attract regional and international media with low tax rates and relative press freedom. Within the zone, few restrictions are imposed on print and broadcast media meant for foreign audiences.

United Kingdom

Status: Free

LEGAL ENVIRONMENT: 5
 POLITICAL ENVIRONMENT: 7
 ECONOMIC ENVIRONMENT: 6
 TOTAL SCORE: 18

The law provides for freedom of the press, and the government generally respects this right. However, legislation from the 1980s forces journalists to give evidence in cases where the police can prove that it is central to their investigation. The Official Secrets Act was used to arrest, briefly detain, and search the offices of a journalist and his wife after they revealed a transcript of taped conversations between the prime minister's chief of staff and senior officials from Northern Ireland.

The British media are free and largely independent from government interference. The United Kingdom has a strong tradition of public broadcasting, and the U.K.-based British Broadcasting Corporation (BBC) is one of the world's leading public service broadcasters. In early 2004, press freedom organizations expressed concern over continued attacks from authorities on the BBC following the airing of a controversial BBC news report and the death of a civil servant who killed himself after his identity was revealed in the report. The death led to a public inquiry and the eventual resignation of the director-general of the BBC and the chairman of the board of governors. In June, the International Federation of Journalists warned that proposed editorial reforms within the BBC could undermine source confidentiality, as one reform recommends that journalists inform their editors of their sources. In October, a number of Internet servers were seized from Rackspace, a U.S.-owned Web-hosting company operating in the United Kingdom. The servers were used by some 20 Indymedia Web sites. The seizure was at the request of the U.S. Department of Justice, which was apparently prompted by Swiss and Italian authorities that opposed Indymedia content. Indymedia, an alternative media

source, had recently posted photographs of two Geneva police officers charged with identifying rioters who took part in demonstrations against the G8 summit and had also posted messages critical of Italy's involvement in the war in Iraq.

The regional and local newspaper sector is highly concentrated. There are four terrestrial television broadcasters, one of which is state owned; cable is dominated by two companies. The state radio accounts for about half of all listeners.

The 2003 Communications Act eased media ownership restrictions and introduced a new regulatory body, the Office of Communications (OfCom), which will take over the functions of five previously separate regulators. OfCom was criticized for focusing more on media markets and competition than on content and standards. It is currently overseeing a number of future developments in British media, including the switch-over from analog to digital broadcasts, which is set for 2012.

United States of America

Status: Free

LEGAL ENVIRONMENT: 5
 POLITICAL ENVIRONMENT: 7
 ECONOMIC ENVIRONMENT: 5
 TOTAL SCORE: 17

A major controversy emerged in 2004 over efforts by federal prosecutors to compel journalists to reveal sources or to turn over notes or other data. In several instances, judges threatened to fine and imprison reporters who declined to provide material demanded by prosecutors.

The United States has a long tradition of legal protection for press freedom. Press freedom is enshrined in the U.S. constitution and state law and has consistently been reinforced by decisions of the Supreme Court. Among other things, judicial decisions have set standards that make it quite difficult to bring a successful libel case against a journalist in the United States. In addition, the standards for bringing prosecution against a publication or Web site for hate speech is much higher in the United States than in Europe or other societies. The courts usually side with journalists who are seeking information that government officials are reluctant to make public. After September 11, 2001, the legal environment shifted somewhat when the administration of President George W. Bush increased the volume of classified

information. During the past year, however, journalists were able to acquire a number of documents relating to the government's war on terrorism, including key memos that outlined policies for the treatment of prisoners detained in Iraq, Afghanistan, and Guantanamo, Cuba.

In recent years, there has been growing tension between prosecutors and journalists over demands that reporters make available their notes, tape recordings, or confidential conversations as evidence in criminal cases. Although 32 states have laws that grant journalists the right to withhold evidence in some instances, there is no federal law that gives journalists the same rights to privileged communication that, for example, doctors and clerics enjoy under the U.S. system. The Supreme Court has also refused to give reporters the right to withhold information in criminal cases. During the summer of 2004, several journalists were subpoenaed about their roles in revealing the identity of Valerie Plame, an analyst for the Central Intelligence Agency (CIA). Plame's identity as a CIA analyst was allegedly leaked to the press by administration officials after her husband, diplomat Joseph Wilson, wrote an article critical of the Bush administration's policy toward Iraq's weapons program. Under U.S. law, it is illegal to reveal the name of a covert intelligence agent, and the special prosecutor appointed to investigate the case demanded that several reporters, who were at best tangentially involved in the story, testify as to their sources. When the reporters declined to provide the information, a federal judge found them in contempt of court and ordered them to jail. At year's end, the reporters were at liberty pending the appeals process. In a similar case, a federal judge ordered a television reporter from Providence, Rhode Island, to serve a six-month sentence of house arrest for refusing to reveal who gave him a federal surveillance tape.

Press coverage of U.S. politics is robust, ideologically diverse, and often argumentative. Like the American people, the press was deeply divided in its coverage of the 2004 presidential election. A notable controversy emerged over flawed coverage of President Bush's military service by the CBS television network. The network ultimately issued an apology over its assertion that Bush had received preferential treatment during his service in the National Guard. Several members of the CBS news staff were fired, and its longtime anchor, Dan Rather, announced his retirement shortly after the incident.

The Bush administration came under fire when it was revealed that several political commentators had received grants from agencies of the

federal government. In one case, Armstrong Williams, a conservative columnist and television commentator, received over \$200,000 from the Department of Education to promote the administration's educational policies. The administration was also criticized for providing prepackaged television spots that promoted its policies. The production of the television segments made it appear that an independent news reporter was covering a story about a particular program when in fact the "reporter" was hired by the government. A number of television stations throughout the country aired these segments, usually without informing viewers that the material had been provided by the government. Although the use of government-generated television segments originated during previous presidential administrations, the Bush administration is believed to have made more extensive use of the practice.

The government drew protests from international journalists organizations for its policy of refusing entry to or deporting certain foreign journalists. In some cases, the government justified its action on the grounds that the journalists were functioning as intelligence agents. In other cases, the foreign reporters ran afoul of tightened visa guidelines instituted after 9/11.

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 materials. In March 2004, the CBS television network was fined \$550,000 for showing a singer's bare breast during a football championship broadcast. Later in the year, free speech proponents worried about self-censorship when fines of up to US\$1.18 million—the largest single fine to date—were levied against other television and radio broadcasters for airing sexual expletives, excessive violence, and other material deemed indecent. Citing fear of fines, some affiliates of the ABC network declined to broadcast *Saving Private Ryan*, a graphically violent World War II movie, and the Public Broadcasting Service edited a documentary on the Iraq war to remove expletives from interviews with the soldiers. Congress is expected to consider legislation in 2005 to expand the FCC's power to cover private cable and satellite stations and to increase the maximum fines for indecent broadcasts, which some civil libertarians fear may chill free speech.

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. In 2003, the FCC issued a decision that would relax restrictions on the ability of newspapers to own broadcast media in the same geographical market. The decision has never been fully implemented, pending the outcome of court challenges.

Uruguay

Status: Free

LEGAL ENVIRONMENT: 9
 POLITICAL ENVIRONMENT: 9
 ECONOMIC ENVIRONMENT: 11
 TOTAL SCORE: 29

Uruguayan media covered the October 31 presidential election freely, but press freedom continues to be hampered by the country's criminal laws against defamation. Constitutional guarantees regarding free expression and freedom of the press are generally respected, although these are subject to qualifications for incitement of violence and "insulting the nation." Defamation, contempt, and libel continue to be regarded as criminal offenses punishable by up to three years' imprisonment. In 2004, several court rulings were issued that were in fundamental conflict with constitutional rights of free expression and tended to deepen an environment of self-censorship. Fifteen reporters and three media outlets were criminally prosecuted for publishing news and opinion, and four reporters and one media outlet were forced to pay thousands of dollars in damages to public officials and others who felt offended as a result of published information, even though its accuracy was left unchallenged. However, in October Uruguay's Congress gave its preliminary approval to legislation that would, for the first time, give journalists and the public access to government records. Uruguayans have access to a wide range of political views, with more than 100 private daily and weekly newspapers, many associated with political parties; some 20 television channels; and over 110 radio stations. State enterprises such as the telephone and electric companies tend to distribute advertising money to publications that editorially favor the government, causing some self-censorship.

Uzbekistan

Status: Not Free

LEGAL ENVIRONMENT: 26
 POLITICAL ENVIRONMENT: 34
 ECONOMIC ENVIRONMENT: 25
 TOTAL SCORE: 85

Despite constitutional guarantees of free speech and the abolishment of censorship in 2002, numerous official and unofficial constraints severely hampered media freedom in 2004. With censorship officially a thing of the past, information control has passed unofficially to editors and journalists, who engage in self-censorship. A former Uzbek television journalist compiled a list of “forbidden” topics in 2004 for an independent Uzbek organization that tracks media issues; taboo subjects include poverty, labor exploitation during the cotton harvest, and any criticism of President Islam Karimov. Violators face reprisals. Journalist Sergei Yezhkov was dismissed from the newspaper *Pravda Vostoka* in January, officially as part of a staff reduction; however, his critical articles about abuses by law enforcement bodies were the likely cause of his dismissal. Journalist Nadzhid Abduraimov, convicted in 2001 of criticizing authorities, was released in April. Ruslan Sharipov, the independent journalist whose conviction and imprisonment on dubious homosexuality-related charges in 2003 sparked an international outcry, was also released in 2004 and received political asylum in the United States. Yet four other journalists remained in prison on what are believed to be politically motivated charges, according to the Committee to Protect Journalists.

Other journalists, especially those working for foreign media outlets, suffered attacks. Matluba Azamatov, a BBC and Institute for War and Peace Reporting (IWPR) stringer, and Jamshid Karimov, a journalist working for the IWPR, suffered attacks that appeared to be linked to their journalistic activities. With the domestic media largely under official control, Uzbek authorities used registration requirements to clamp down on foreign organizations with a media focus. In January, IWPR was refused registration; in April, the Open Society Institute in Tashkent lost its registration; and in September, Internews-Uzbekistan was suspended for six months.

The government owns the three national dailies and several other publications and does not allow the general distribution of foreign media. Four state-controlled television stations dominate the broadcast market. Official media were slow to report a series of violent attacks in Bukhara and Tashkent in late March–early April, although they provided more timely coverage of three suicide bombings in late July. Official media ignored the European Bank for Reconstruction and Development’s April decision to curtail lending to state-

controlled organizations and imposed a media blackout on a series of demonstrations over restrictions on trade in September. Authorities made some attempts to encourage more lively coverage of parliamentary elections in December, leading to the appearance of several articles critical of officially registered political parties; but international observers noted that all of the parties involved were pro-government, as no opposition parties were allowed to participate in the elections. Internet use is rising rapidly in Uzbekistan, yet there are still few Uzbek-language news sites, and consistent reports indicated that the authorities block materials critical of the government and shut off access to Uzbek opposition sites.

LEGAL ENVIRONMENT: 4

POLITICAL ENVIRONMENT: 9

ECONOMIC ENVIRONMENT: 11

TOTAL SCORE: 24

Vanuatu

Status: Free

The constitution provides for freedom of the press, and this right has generally been respected. Officials do not interfere with media criticism of government and political leaders, although some private actors have threatened the media after negative reports. Police were called to protect the staff of the *Daily Post* from assaults in July after the paper printed a disparaging article about the country's foreign minister. A court injunction stymied reporting during the contempt trial of then prime minister Serge Vohor but was lifted when the case was resolved. There is one government-run television station and two radio stations, but they fail to reach the 80 percent of the population living in rural areas. The weekly government newspaper is supplemented by numerous private daily and weekly papers. February saw the launch of a new independent weekly, *Ni Vanuatu*, the first indigenously owned and full-color publication on the island.

LEGAL ENVIRONMENT: 24

POLITICAL ENVIRONMENT: 30

ECONOMIC ENVIRONMENT: 18

TOTAL SCORE: 72

Venezuela

Status: Not Free

A hostile political atmosphere has pitted the largely pro-opposition private media against the government of President Hugo Chavez and the state-controlled media. One result has been a steady decline in press freedom

over the past several years—a trend that continued in 2004—reflected in the government’s enactment of legislation prohibiting the broadcast of certain material, its intimidation of and denial of access to private media, and the continued harassment of journalists, directed primarily at those employed by private media outlets. The most worrying development occurred on December 7, when the Law of Social Responsibility in Radio and Television was ratified, mandating large fines and possible closure if prohibited content is aired. Content not to be broadcast includes a series of vague prescriptions against “incitements to war,” “disruptions of the public order,” “disrespect toward legitimate institutions and authorities,” or “threats to national security,” which could have the effect of producing self-censorship. The law also restricts content including sex and violence to specific broadcast times and requires source disclosure. An 11-person Directorate of Social Responsibility, 7 of whose members are appointed by the government, is responsible for enforcing the law. The penal code was also amended in December to include a broader category of government officials covered by *desacato* (disrespect) provisions and to increase dramatically the criminal penalties for slander and libel, charges often employed by government officials to intimidate private media journalists. The government allegedly abuses its power to regulate media, with community radio stations reporting politically motivated irregularities in the allotment of broadcast frequencies. Freedom of expression is also restricted by a law requiring journalists to have a journalism degree and formal membership in the National College of Journalists; violations are punishable by a three-to-six-month jail term. This law was upheld by the Supreme Court in July (these requirements are waived for foreign journalists and columnists).

Tensions between private media and the government of Hugo Chavez remain high. International organizations including the Inter American Press Association denounced a hostile climate toward media fostered by the government. Direct assaults against media declined compared with 2003, but journalists still decried authorities’ efforts to prevent free reporting, including threats and attacks by government supporters. Journalists from private media outlets complained that a lack of access impeded their reporting, including being denied entrance to the presidential palace and other official events, rights granted to journalists from state-controlled media. Journalists reported more than 30 complaints of harassment; the majority were committed by government supporters against private media, but some cases involved

attacks by opposition leaders against state-owned media. Several cases involved the harassment of journalists by the National Guard and other officials. In June, government supporters attacked two Caracas media outlets, including a television station (Radio Caracas Television) and a daily newspaper (*El Nacional*). In both cases, attackers threw stones and other objects, set fires, and damaged buildings. Pro-government assailants shot and injured four reporters with rubber bullets and tear gas during protests. Radio reporter and columnist Mauro Marcano Ramos was killed in September, allegedly by drug traffickers as a result of his reporting.

The government controls two national television stations, a national radio network, and a wire service; the president maintains a weekly radio show and exercises his power to preempt programming to ensure extensive broadcasting of governmental announcements in private media.

LEGAL ENVIRONMENT: 28

POLITICAL ENVIRONMENT: 30

ECONOMIC ENVIRONMENT: 24

Vietnam

Status: Not Free

TOTAL SCORE: 82

With its moves to suppress dissent on the Internet, the Vietnamese government intensified its stranglehold on the media in 2004, though the release of several jailed journalists was welcome news. The Vietnamese media remain tightly controlled by the ruling Communist Party (CPV) and the government. Although the constitution guarantees freedom of speech and of the press, both it and the criminal code contain broad national security and antidefamation provisions that are used to restrict the media. 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. The government continues to crack down on online dissent, as Vietnam's *Official Gazette* announced even tighter regulations for Internet cafes.

At least three journalists were freed from prison in 2004. Two elderly dissidents, military historian Pham Que Duong and literature professor Tran Khue, were released in July in response to international pressure, including from the U.S. Congress. The two were set free after 19 months in prison for "taking advantage of democratic rights to infringe upon the interests of the state." One Internet journalist, Le Chi Quang, was released

in June after serving more than 19 months of a 4-year jail term for posting essays critical of the government online. At the same time, the practice of jailing journalists continues. A Ho Chi Minh City court sentenced the dissident Nguyen Dan Que to 30 months in prison, and eight other journalists remain behind bars, four of whom are Internet journalists, according to the Committee to Protect Journalists.

All media outlets are owned by or are under the effective control of the CPV, government organs, or the army, and many journalists practice self-censorship. While journalists cannot cover sensitive political or economic matters or openly question the CPV's single-party rule, they are occasionally allowed to report on crime and official corruption. Still, the exposed officials occasionally fight back. Such was the case of Nguyen Hoang Linh, editor of *Doanh Nghiep*, who exposed corruption in the customs service, only to be arrested for revealing state secrets. As in other Communist systems, the party and the government fund most of the publications in Vietnam. Even though all media content is monitored by state agencies, they compete in the emerging free market for advertising and readers.

LEGAL ENVIRONMENT: 28

POLITICAL ENVIRONMENT: 28

ECONOMIC ENVIRONMENT: 20

Yemen

Status: Not Free

TOTAL SCORE: 76

Freedom of the press deteriorated in Yemen in 2004, with the government closing several newspapers and jailing a prominent journalist. Some official actions to limit press freedom were related to a crackdown following a bloody rebellion in the northern region of Saada. Yemen's constitution provides for freedom of the press, but the overall legal framework regulating the press is weak. Article 103 of the Press and Publications Law outlaws direct personal criticism of the head of state, and the penal code provides for fines and imprisonment for publishing "false information" that "threatens public order or the public interest." The weakness of Yemen's judiciary and the lack of clarity about who has the power to interpret the meaning of vague articles in laws affecting the press create an environment in which journalists do not feel secure in their freedom to criticize the government and freely debate issues, resulting in self-censorship.

Despite a call by President Ali Abdullah Saleh in June to put an end to imprisonment penalties for press offenses, government authorities used the Press and Publications Law numerous times in 2004 to close several newspapers and sentence journalists to prison. In March, journalist Saeed Thabit Saeed was arrested for writing a report about an alleged assassination attempt on the president's son and was later convicted, fined, and banned from working as a journalist for six months. In September, Abdel Karim al-Khaiwani, a prominent editor of the opposition weekly *Al-Shoura*, was sentenced to jail for one year for publishing articles critical of the president's handling of the rebellion in the northern Saada province; *Al-Shoura* was later suspended for six months. While in prison, al-Khaiwani was attacked and severely beaten by another inmate in early November. The Ministry of Information closed a new weekly, *Al-Neda*, for violating Article 37 of the Press and Publications Law, which requires a new newspaper or magazine to publish within six months of registration; *Al-Neda* had missed this deadline by two days. The government also suspended the license of the newspaper *Al-Hurriya* on the grounds that it had changed its logo without permission.

Journalists face threats of violence and death, as well as arbitrary arrest by police and security forces. Unknown gunmen entered the house of Sadeq Nasher, editor of the newspaper *Al-Khaleej*, and issued a death threat for Nasher's investigations into the December 2002 assassination of political opposition leader Jarallah Omar. In April, Ahmed Al-Hubaishy, editor of the weekly *May 22* (a newspaper that has been critical of Islamic militants), was beaten by unknown assailants. Nevertheless, Yemen's independent print media continue to provide varied and robust coverage of official policies and sensitive topics.

The Ministry of Information controls most of the printing presses in the country and provides subsidies to many newspapers. The state enjoys a monopoly on domestic broadcast media, which has a wider impact than the print media because of the high rates of illiteracy in Yemen, and generally prevents reporting critical of the government. Satellite television, with access to regional satellite channels that face far fewer restrictions, is becoming increasingly accessible to the population. Access to the Internet is not widespread, and the government reportedly blocks Web sites it deems offensive.

Zambia

Status: Not Free

LEGAL ENVIRONMENT: 20
 POLITICAL ENVIRONMENT: 25
 ECONOMIC ENVIRONMENT: 20
 TOTAL SCORE: 65

Freedom of speech is constitutionally guaranteed, but the government often restricts this right in practice. The Public Order Act, among other statutes, has at times been used to harass journalists. Other tools of harassment have included criminal libel suits and defamation suits brought by ruling party leaders in response to stories on corruption; several such cases were brought against journalists in 2004. In December, the country's high court issued a ruling applauded by the private media and press freedom groups that validated the autonomy of the Independent Broadcasting Authority. That body was created by the parliament to license and regulate broadcast institutions, but in a bid to retain control over applications for radio and television licenses, President Levy Mwanawasa established a cabinet committee for the same purpose. A bill to expand the right of access to information and liberalize the broadcasting sector was abruptly withdrawn in November 2002 by Vice President Enoch Kavindele, who cited global security concerns after the September 11, 2001, terrorist attacks in the United States.

In 2004, independent media continued to criticize the government. However, the government heightened its crackdown on dissent ahead of national elections scheduled for 2006, including the arrest of the editor in chief of Zambia's only independent newspaper and the closing of a private radio station. Reporters continued to face threats and physical assaults at the hands of police and ruling party supporters, and newspaper vendors who sell critical publications were also attacked during the year. In May, the government attempted to expel a columnist for the independent daily *The Post*, announcing his deportation order on state television. The reporter, a British citizen with permanent residency in Zambia, had written a satirical article that officials characterized as insulting to the president. A court eventually annulled the deportation order as unconstitutional.

The state-owned Zambia National Broadcasting Corporation currently dominates broadcasting, although an independent radio station, Radio Phoenix, presents nongovernmental views. Most private broadcast media avoid political coverage. In May, authorities ordered the private radio station Breeze FM to cease relaying BBC broadcasts.

Coverage at state-owned media outlets is generally supportive of the government, and opposition political parties and nongovernmental organizations complained of inadequate access to mass media resources. As a result of prepublication review at government-controlled newspapers, journalists commonly practice self-censorship. The government does not restrict Internet access.

Zimbabwe

Status: Not Free

LEGAL ENVIRONMENT: 30
 POLITICAL ENVIRONMENT: 34
 ECONOMIC ENVIRONMENT: 25
 TOTAL SCORE: 89

Freedom of expression and of the press continues to be severely limited, owing in large part to a draconian legal framework that inhibits free operation of the media. The enactment in 2002 of the Access to Information and Protection of Privacy Act (AIPPA), which requires all journalists and media companies to register with the government-controlled Media and Information Commission (MIC), gave the information minister sweeping powers to decide who can work as a journalist in Zimbabwe. In September 2003, the Supreme Court ruled that the country's only independent daily, the *Daily News*, was not registered under AIPPA and was thus illegal, prompting an armed takeover of the *Daily News* facilities in which the newspaper was closed down, its equipment confiscated, and up to 20 journalists detained. Despite a subsequent high court ruling allowing the newspaper to resume publication, the MIC refused to grant the *Daily News* a license under AIPPA, and it remained closed at year's end. In February 2004, the Supreme Court rejected a constitutional challenge brought by the Independent Journalists Association of Zimbabwe regarding the legality of certain sections of AIPPA. In November, the parliament passed an amendment to AIPPA that imposed harsher penalties, including up to two years of jail time, on journalists operating without accreditation.

In addition, authorities have broadly interpreted a range of restrictive legislation—including the Official Secrets Act, the Public Order and Security Act (POSA), and criminal defamation laws—in order to harass journalists. Section 15 of POSA and Section 80 of AIPPA criminalize the publication of “inaccurate” information, and both laws were used to arrest

and prosecute journalists throughout 2004. Independent media outlets and their staff are routinely subjected to verbal intimidation, physical attacks, arrest and detention, and financial pressure at the hands of the police, authorities, and supporters of the ruling party. Foreign journalists are regularly denied visas to file stories from Zimbabwe, and local 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.

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 President Robert Mugabe and the ruling ZANU-PF party and attacks on perceived critics of the regime such as the opposition Movement for Democratic Change (MDC) party, other antigovernment groups, and foreign governments. In February, three journalists employed by *The Herald* were dismissed for working with the Voice of America news service, a collaboration that the MIC said endangered “national interests and security.” Several independent weeklies continue to publish, although many journalists practice extensive self-censorship. In June, authorities suspended the semi-independent *Tribune*, owned by a ruling party member, after its coverage became increasingly critical of government policies. The state-controlled Zimbabwe Broadcasting Corporation (ZBC) runs all broadcast media, which are seen as mouthpieces of the regime, and the prohibitive costs of satellite services that provide international news programming place them out of reach for most Zimbabweans. Broadcasting licenses have been denied to privately owned radio stations. Although the government announced in October that the opposition MDC would have access to the state-owned media prior to the March 2005 parliamentary elections, the ZBC has refused to air MDC advertisements and provides inadequate coverage of MDC positions and statements. Access to the Internet is unrestricted, although the law allows the government to monitor e-mail content.

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About Freedom House

Founded in 1941 by Eleanor Roosevelt and others, Freedom House is the oldest non-profit, non-governmental organization in the United States dedicated to promoting and defending democracy and freedom worldwide. Freedom House supports the global expansion of freedom through its advocacy activities, monitoring and in depth research on the state of freedom, and direct support of democratic reformers throughout the world.

Advocating Democracy and Human Rights: For over six decades, Freedom House has played an important role in identifying the key challenges to the global expansion of democracy, human rights and freedom. Freedom House is committed to advocating a vigorous U.S. engagement in international affairs that promotes human rights and freedom around the world.

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