FURTHER DECLINES IN GLOBAL MEDIA INDEPENDENCE

SELECTED DATA FROM FREEDOM HOUSE’S ANNUAL SURVEY OF PRESS FREEDOM
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Survey Methodology

The 2009 survey, which provides analytical reports and numerical ratings for 195 countries and territories, continues a process conducted since 1980 by Freedom House. The findings are widely used by governments, international organizations, academics, and the news media in many countries. Countries are given a total score from 0 (best) to 100 (worst) on the basis of a set of 23 methodology questions divided into three subcategories. Assigning numerical points allows for comparative analysis among the countries surveyed and facilitates an examination of trends over time. The degree to which each country permits the free flow of news and information determines the classification of its media as “Free,” “Partly Free,” or “Not Free.” Countries scoring 0 to 30 are regarded as having “Free” media; 31 to 60, “Partly Free” media; and 61 to 100, “Not Free” media. The criteria for such judgments and the arithmetic scheme for displaying the judgments are described in the following section. The ratings and reports included in Freedom of the Press 2009 cover events that took place between January 1, 2008, and December 31, 2008.

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 economically developed countries restrict content diversity. We seek to recognize press freedom wherever it exists, in poor and rich countries as well as in countries of various ethnic, religious, and cultural backgrounds.

Research and Ratings Review Process

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

The research and ratings process involved several dozen analysts—including members of the core research team headquartered in New York, along with outside consultant—who prepared the draft ratings and country reports. Their conclusions are reached after gathering information from professional contacts in a variety of countries, staff and consultant travel, international visitors, the findings of human rights and press freedom organizations, specialists in geographic and geopolitical areas, the reports of governments and multilateral bodies, and a variety of domestic and international news media. We would particularly like to thank the other members of the International Freedom of Expression Exchange (IFEX) network for providing detailed and timely analyses of press freedom violations in a variety of countries worldwide on which we rely to make our judgments.

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

**Methodology**

Through the years, we have refined and expanded our methodology. Recent changes are intended to simplify the presentation of information without altering the comparability of data for a given country over the 29-year span or the comparative ratings of all countries over that period.

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

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

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

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

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

Legend

Country

Status: Free (0–30)/Partly Free (31–60)/Not Free (61–100)
Legal Environment: 0–30 points
Political Environment: 0–40 points
Economic Environment: 0–30 points
Total Score: 0–100 points
FREEDOM OF THE PRESS 2009

METHODOLOGY QUESTIONS

-- Each country is ranked on a scale of 0 to 100, with 0 being the best and 100 being the worst.

-- A combined score of 0-30=Free, 31-60=Partly Free, 61-100=Not Free.

-- Under each question, a lower number of points is allotted for a more free situation, while a higher number of points is allotted for a less free environment.

-- The sub-questions listed are meant to provide guidance as to what issues are meant to be addressed under each methodology question; it is not intended that the author necessarily answer each one or that each sub-question will apply to every media environment.

A. LEGAL ENVIRONMENT (0-30 POINTS)

1. Do the constitution or other basic laws contain provisions designed to protect freedom of the press and of expression and are they enforced? (0-6 points)
   - Does the constitution contain language that provides for freedom of speech and of the press?
   - Do the Supreme Court, Attorney General, and other representatives of the higher judiciary support these rights?
   - Does the judiciary obstruct the implementation of laws designed to uphold these freedoms?
   - Do other high-ranking state or government representatives uphold protections for media freedom, or do they contribute to a hostile environment for the press?
   - Are crimes that threaten press freedom prosecuted vigorously by authorities?
   - Is there implicit impunity for those who commit crimes against journalists?

2. Do the penal code, security laws, or any other laws restrict reporting and are journalists punished under these laws? (0-6 points)
   - Are there restrictive press laws?
   - Do laws restrict reporting on ethnic or religious issues, national security, or other sensitive topics?
   - Are penalties for ‘irresponsible journalism’ applied widely?
   - Are restrictions of media freedom closely defined, narrowly circumscribed, and proportional to the legitimate aim?
   - Do the authorities restrict or otherwise impede legitimate press coverage in the name of national security interests?
   - Are journalists regularly prosecuted or jailed as a result of what they write?
   - Are writers, commentators, or bloggers subject to imprisonment or other legal sanction as a result of accessing or posting material on the internet?
   - Is there excessive pressure on journalists to reveal sources, resulting in punishments such as jail sentences, fines, or contempt of court charges?
3. Are there penalties for libeling officials or the state and are they enforced? (0-3 points)
   - Are public officials especially protected under insult or defamation laws?
   - Are insult laws routinely used to shield officials’ conduct from public scrutiny?
   - Is truth a defense to libel?
   - Is there a legally mandated ‘right of reply’ that overrides independent editorial control?
   - Is libel made a criminal rather than a civil offense?
   - Are journalists regularly prosecuted and jailed for libel or defamation?
   - Are fines routinely imposed on journalists or media outlets in civil libel cases in a partisan or prejudicial manner, with the intention of bankrupting the media outlet or deterring future criticism?

4. Is the judiciary independent and do courts judge cases concerning the media impartially? (0-3 points)
   - Are members of the judiciary subject to excessive pressure from the executive branch?
   - Are the rights to freedom of expression and information recognized as important among members of the judiciary?
   - When judging cases concerning the media, do authorities act in a lawful and non-arbitrary manner on the basis of objective criteria?
   - Is there improper use of legal action or summonses against journalists or media outlets (e.g. being subjected to false charges, arbitrary tax audits etc.)?

5. Is Freedom of Information legislation in place and are journalists able to make use of it? (0-2 points)
   - Are there laws guaranteeing access to government records and information?
   - Are restrictions to the right of access to information expressly and narrowly defined?
   - Are journalists able to secure public records through clear administrative procedures in a timely manner and at a reasonable cost?
   - Are public officials subject to prosecution if they illegally refuse to disclose state documents?

6. Can individuals or business entities legally establish and operate private media outlets without undue interference? (0-4 points)
   - Are registration requirements to publish a newspaper or periodical unduly onerous or are they approved/rejected on partisan or prejudicial grounds?
   - Is the process of licensing private broadcasters and assigning frequencies open, objective and fair?
   - Is there an independent regulatory body responsible for awarding licenses and distributing frequencies or does the state control the allocations process?
   - Does the state place extensive legal controls over the establishment of internet web sites and ISPs?
   - Do state or publicly-funded media receive preferential legal treatment?
   - Are non-profit community broadcasters given distinct legal status?
   - Is there substantial media cross ownership and is cross-ownership of media encouraged by the absence of legal restrictions?
   - Are laws regulating media ownership impartially implemented?

7. Are media regulatory bodies, such as a broadcasting authority or national press or communications council, able to operate freely and independently? (0-2 points)
Are there explicit legal guarantees protecting the independence and autonomy of any regulatory body from either political or commercial interference?

Does the state or any other interest exercise undue influence over regulatory bodies through appointments or financial pressure?

Is the appointments process to such bodies transparent and representative of different interests, and do representatives from the media have an adequate presence on such bodies?

Are decisions taken by the regulatory body seen to be fair and apolitical?

Are efforts by journalists and media outlets to establish self-regulatory mechanisms permitted and encouraged, and viewed as a preferable alternative to state-imposed regulation?

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

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

**B. POLITICAL ENVIRONMENT (0-40 POINTS)**

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

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

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

- Are the activities of government—courts, legislature, officials, records—open to the press?
- Is there a ‘culture of secrecy’ among public officials that limits their willingness to provide information to media?
- Do media outlets have a sufficient level of access to information and is this right equally enforced for all journalists regardless of their media outlet’s editorial line?
Does the regime influence access to unofficial sources (parties, unions, religious groups, etc.), particularly those that provide opposition viewpoints?

3. **Is there official censorship? (0-4 points)**
   - Is there an official censorship body?
   - Are print publications or broadcast programs subject to pre-or post-publication censorship?
   - Are local print and broadcast outlets forcibly closed or taken off the air as a result of what they publish or broadcast?
   - Are there shutdowns or blocking of internet sites or blogs?
   - Is access to foreign newspapers, TV or radio broadcasts, websites, or blogs censored or otherwise restricted?
   - Are certain contentious issues, such as official corruption, the role of the armed forces or the political opposition, human rights, religion, officially off-limits to the media?
   - Do authorities issue official guidelines or directives on coverage to media outlets?

4. **Do journalists practice self-censorship? (0-4 points)**
   - Is there widespread self-censorship in the state-owned media? In the privately owned media?
   - Are there unspoken ‘rules’ that prevent a journalist from pursuing certain stories?
   - Is there avoidance of subjects that can clearly lead to censorship or harm to the journalist or the institution?
   - Is there censorship or excessive interference of journalists’ stories by editors or managers?
   - Are there restrictions on coverage by ‘gentlemen’s agreement,’ club-like associations between journalists and officials, or traditions in the culture that restrict certain kinds of reporting?

5. **Do people have access to media coverage that is robust and reflects a diversity of viewpoints? (0-4 points)**
   - Does the public have access to a diverse selection of print, broadcast, and electronic sources of information that represent a range of political and social viewpoints?
   - Are people able to access a range of local and international news sources despite efforts to restrict the flow of information?
   - Do media outlets represent diverse interests within society, for example through community radio or other locally-focused news content?
   - Does the press cover political developments and provide scrutiny of government policies or actions by other powerful societal actors?
   - Is there a tradition of vibrant coverage of potentially sensitive issues?
   - Do journalists pursue investigative news stories on issues such as corruption by the government or other powerful societal actors?

6. **Are both local and foreign journalists able to cover the news freely? (0-6 points)**
   - Are journalists harassed while covering the news?
   - Are certain geographical areas of the country off-limits to journalists?
   - Does a war, insurgency, or similar situation in a country inhibit the operation of media?
   - Is there surveillance of foreign journalists working in the country?
   - Are foreign journalists inhibited or barred by the need to secure visas or permits to report or to travel within the country?
   - Are foreign journalists deported for reporting that challenges the regime or other powerful interests?

7. **Are journalists or media outlets subject to extra-legal intimidation or physical violence by state authorities or any other actor? (0-10 points)**
• Are journalists subject to murder, injury, harassment, threats, abduction, expulsion, arbitrary arrest and illegal detention, or torture?
• Do armed militias, organized crime, insurgent groups, political or religious extremists, or other organizations regularly target journalists?
• Have journalists fled the country or gone into hiding to avoid such action?
• Have media companies been targeted for physical attack or for the confiscation or destruction of property?

C. ECONOMIC ENVIRONMENT (0-30 POINTS)

1. To what extent are media owned or controlled by the government and does this influence their diversity of views? (0-6 points)
   • Does the state dominate the country’s information system?
   • Are there independent or opposition print media outlets?
   • Does a state monopoly of TV or radio exist?
   • Are there privately owned news radio stations that broadcast substantial, serious news reports?
   • Do independent news agencies provide news for print and broadcast media?
   • In the case of state-run or funded outlets, are they run with editorial independence and do they provide a range a diverse, non-partisan viewpoints?
   • NOTE: This question is usually scored to provide 0-2 points each for print, radio and TV forms of news media.

2. Is private media ownership transparent, thus allowing consumers to judge the impartiality of the news? (0-3 points)
   • Is it possible to ascertain the ownership structure of private media outlets?
   • Do media owners hold official positions in the government or in political parties, and are these links intentionally concealed from the public?
   • Are privately owned media seen to promote principles of public interest, diversity and plurality?

3. Is private media ownership highly concentrated and does it influence diversity of content? (0-3 points)
   • Are publications or broadcast systems owned or controlled by industrial or commercial enterprises, or other powerful societal actors, whose influence and financial power lead to concentration of ownership of the media and/or narrow control of the content of the media?
   • Is there an excessive concentration of media ownership in the hands of private interests who are linked to state patronage or that of other powerful societal actors?
   • Are there media monopolies, significant vertical integration (control over all aspects of news production and distribution), or substantial cross-ownership?
   • Does the state actively implement laws concerning concentration, monopolies, and cross-ownership?

4. Are there restrictions on the means of journalistic production and distribution? (0-4 points)
   • Is there a monopoly on the means of production, such as newsprint supplies, allocations of paper, or film?
   • Are there private and non-state printing presses?
   • Is there a state monopoly of Internet service providers?
   • Are channels of media distribution (kiosks, transmitters, Internet) able to operate freely?
• Does the government exert pressure on independent media through the control of distribution facilities?
• Is there seizure or destruction of copies of newspapers, film, or production equipment?
• Does geography or poor infrastructure (roads, electricity etc) limit dissemination of print or broadcast news sources throughout the country?

5. Does the state place prohibitively high costs on the establishment and operation of media outlets? (0-4 points)
• Are there excessive fees associated with obtaining a radio frequency, registering a newspaper, or establishing an ISP?
• Are the costs of purchasing paper, newsprint, or broadcasting equipment subject to high additional duties?
• Are media outlets subject to excessive taxation or other levies compared to other industries?
• Are there restrictions on foreign investment or non-investment foreign support/funding in the media?

6. Do the state or other actors try to control the media through allocation of advertising or subsidies? (0-3 points)
• Are subsidies for privately run newspapers or broadcasters allocated fairly?
• Is government advertising allocated fairly and in an apolitical manner?
• Is there use of withdrawal of advertising (i.e. government stops buying ad space in some papers or pressures private firms to boycott media outlets) as a way of influencing editorial decisions?

7. Do journalists receive payment from private or public sources whose design is to influence their journalistic content? (0-3 points)
• Do government officials or other actors pay journalists in order to cover or to avoid certain stories?
• Are journalists often bribed?
• Are pay levels for journalists and other media professionals sufficiently high to discourage bribery?
• Do journalists or media outlets request bribes or other incentives in order to cover or hold certain stories?

8. Does the overall economic situation negatively impact media outlets’ financial sustainability? (0-4 points)
• Are media overly dependent on the state, political parties, big business, or other influential political actors for funding?
• Is the economy so depressed or so dominated by the state that a private entrepreneur would find it difficult to create a financially sustainable publication or broadcast outlet?
• Is it possible for independent publications or broadcast outlets to remain financially viable primarily by generating revenue from advertising or subscriptions?
• Do foreign investors or donors play a large role in helping to sustain media outlets?
• Are private owners subject to intense commercial pressures and competition, thus causing them to tailor or cut news coverage in order for them to compete in the market or remain financially viable?
Press Freedom in 2008:
Restrictive laws and physical attacks fuel further declines

Karin Deutsch Karlekar

Global declines in press freedom continued in 2008, with negative trends outweighing positive movements in every region, particularly in the former Soviet Union and the Middle East and North Africa. This marked the seventh straight year of overall deterioration. Improvements in a small number of countries—including bright spots in parts of South Asia and Africa—were overshadowed by a continued, relentless assault on independent news media by a wide range of actors, in both authoritarian states and countries with very open media environments. The pattern of decline in what has been called the “first freedom” presents worrying implications for democratic progress as a whole, as journalists face an uphill battle in their efforts to hold officials and other powerful figures accountable, and media outlets’ ability to contribute to greater transparency is compromised. Given the current economic climate, which is certain to place a further strain on media sustainability and diversity in rich and poor countries alike, pressures on media freedom are now looming from all angles and are increasingly threatening the considerable gains of the past quarter-century.

Press freedom suffered in a number of Free media environments in 2008, as Israel, Italy, and Hong Kong all slipped into the Partly Free category and numerical declines were seen in Taiwan. Setbacks also occurred in a number of influential countries, many of which had already been on downward trajectories. Mexico and Senegal showed the largest numerical drops, and substantial negative trends were apparent elsewhere in the Americas (Bolivia and Ecuador) and in Asia (Afghanistan and Sri Lanka). Continued declines in Russia marked the steady closing of what had previously been a much freer media space. Press freedom in a number of influential states, including China and Iran remained tightly restricted, despite the hope offered by the internet and other forms of new media. The existence and use of repressive legislation against journalists and media outlets is a key factor behind global declines, as are the persistent threat of physical harassment and attacks against reporters and the related problem of impunity for past cases of abuse.

These disturbing developments constitute the principal findings of Freedom of the Press 2009: A Global Survey of Media Independence, the latest edition of an annual index published by Freedom House since 1980. The Freedom of the Press survey assesses the degree of print, broadcast, and internet freedom in every country in the world, analyzing the events and developments of each calendar year. Ratings are determined through 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, the index assesses the laws and regulations that could influence media content as well as the extent to which the government uses these tools to restrict the media’s ability to function. 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, the survey examines issues such as the structure, transparency, and concentration of media ownership; costs of production and distribution; and the impact of advertising, subsidies, and bribery on content. Ratings reflect not just government actions and policies, but the behavior of the press itself in testing boundaries, even in more restrictive environments. Each country receives a numerical rating from 0 (the most free) to 100 (the least free), which serves as the basis for a press-freedom status designation of Free, Partly Free, or Not Free.

The Global Picture

Of the 195 countries and territories assessed in the latest survey, which covers calendar year 2008, 70 (36 percent) were rated Free, 61 (31 percent) were rated Partly Free, and 64 (33 percent) were rated Not Free. This represented a modest decline from the last survey, which covered the year 2007: 72 Free, 59 Partly Free, and 64 Not Free countries and territories. The findings for the year 2008 also represent a negative shift from the survey results of seven years ago, which represented the last recent high point of press freedom.

In terms of population, the survey found that only 17 percent of the world’s inhabitants live in countries that enjoy a Free press, while 41 percent have a Partly Free press and 42 percent have a Not Free press. These figures are notably affected by two countries—China, with a Not Free status, and India, with a Partly Free status—which together account for more than two billion of the world’s six billion people. The percentage of those enjoying Free media in 2008 declined, while the percentage of people who lived in countries with a Partly Free media environment expanded slightly, as four countries slipped into the Partly Free category.

The overall level of press freedom worldwide, as measured by the global average score, worsened slightly in 2008, contributing to a seven-year downward trend. The averages for the legal, political, and economic categories all worsened as well, with the political category showing the largest decline.

As demonstrated by the score movements, there were few dramatic openings or closures in the world’s media environments—changes that are typically seen in cases of coups, new governments, or serious political conflicts. However, there were significant movements, in some cases a continuation of past trends, in a large number of countries. In terms of countries whose score shifted by three or more points in 2008, declines outnumbered gains by a 2-to-1 margin.

The year featured no positive regional trends, with declines predominating in every part of the world. The largest regionwide declines were seen in the former Soviet Union and the Middle East and North Africa, while smaller negative trends were apparent in the Americas, Asia-Pacific, sub-Saharan Africa, and Western Europe.

Key Trends in 2008

Behind the declines in 2008 lie a number of themes that help to place these global findings in context.

- Threats to media freedom are apparent even in established democracies and very open media environments. In 2008, two countries (Israel and Italy) and one
territory (Hong Kong) that had been ranked in the Free category slipped into the Partly Free range as a result of threats to media independence and diversity. All three had already been placed in the lower ranks of the Free category, but their move into Partly Free illustrates that even democracies sometimes resort to placing restrictions on media freedom. East Asia’s freest media environment, Taiwan, also deteriorated during the year, due to increased official pressure on editorial content and the harassment of reporters trying to cover news events.

- **A number of important emerging democracies have suffered considerable numerical declines over the past five years, demonstrating the fragility of press freedom in nascent democratic environments.** Steady declines have taken place in countries such as Mexico, Argentina, and Peru in the Americas; Thailand, the Philippines, and Sri Lanka in Asia; and Senegal in sub-Saharan Africa. Mexico’s decline of almost 20 points over the past five years is particularly startling, as it has not been accompanied by a radical political change (as in Thailand, where the military took power in a coup) or a worsening civil war (as in Sri Lanka). Instead, rising violence fueled by drug traffickers has led to a dramatic increase in attacks on media workers who try to cover corruption or gang activities, as well as self-censorship and impunity. Although some positive legal reforms have been enacted, Mexico’s broadcast media continue to be dominated by two large companies.

- **Authoritarian governments have also been moving to consolidate media control.** Countries with a more authoritarian bent have also seen substantial declines over the past five years. In both Ethiopia and The Gambia, the space for independent outlets has shrunk, journalists have been forced into exile, and internet-based news sites run by nationals living abroad have been censored. Russia’s media space has been steadily closed, as legal protections are routinely ignored, the judicial system grows more subservient to the executive branch, reporters face severe repercussions for reporting on sensitive issues, most attacks on journalists go unpunished, and media ownership has been firmly brought under the control of the state.

- **The internet and other forms of new media have provided limited openings, but press freedom in poorly performing countries remains subject to government controls.** In influential countries such as Iran and China, media freedom has stagnated amid worsening repression, despite the promising openings suggested by relative freedom on the internet. The findings from Freedom House’s recently released pilot index of internet freedom called attention to the fact that in most countries, the internet is freer than traditional media forms, providing a key space for the relatively unfettered flow of independent information and viewpoints. However, while in the past several years these openings have been a driving force behind positive regional trends in the Middle East and North Africa and a number of authoritarian media environments, this year’s findings show that governments are now using traditional means of repression—including lawsuits, imprisonment, and other forms of harassment—to clamp down on this novel means of disseminating information.
The enabling environment for media freedom remains seriously constrained by an array of laws used to punish critical journalists and news outlets, and most governments appear unwilling to reform or eliminate these restrictive laws. Both governments and private individuals continue to restrict media freedom through the use of laws that forbid “inciting hatred,” commenting on sensitive topics such as religion or ethnicity, or “endangering national security.” Libel and defamation laws are also commonly used to punish the press. At the same time, this year’s survey found that positive legal reforms, such as those enacted in Bangladesh and Uruguay, can lead to significant numerical gains.

Continuing impunity regarding past cases of abuse is fueling violence against journalists, and both factors are significantly hampering media freedom. The level of violence and physical harassment directed at the press by both government and nonstate actors continues to rise in many countries, contributing to a number of score declines. In conflict zones such as Iraq and Somalia, the press is in constant danger. Other countries of concern are Mexico, Russia, the Philippines, Thailand, Sri Lanka, and Pakistan. In a break with the recent past, a number of media workers were murdered in the Balkans in 2008, leading to numerical declines in Bulgaria and Croatia. Apart from the direct impact on individual journalists, these attacks have a chilling effect on the profession as a whole, adding to the existing problem of self-censorship.

Worst of the Worst

The world’s worst-rated countries are Burma, Cuba, Eritrea, Libya, North Korea, and Turkmenistan. In these states, which are scattered around the globe, independent media are either nonexistent or barely able to operate, the press acts as a mouthpiece for the regime, and citizens’ access to unbiased information is severely limited. Despite hope in recent years that the impact of the internet and other forms of new media would lead to openings in the media environment, the survey found that in 2008 most scores in this group of countries remained stagnant, with no significant breakthroughs noted. Rounding out the 10 most repressive media environments are two countries in the former Soviet Union—Belarus and Uzbekistan—and two others in Africa—Equatorial Guinea and Zimbabwe—where media are heavily restricted.

Regional Findings

Américas: In the Americas, 17 countries (48 percent) were rated Free, 16 (46 percent) were rated Partly Free, and 2 (6 percent) were rated Not Free in 2008. These figures are significantly influenced by the open media environments of the Caribbean, which tend to offset the less rosy picture in Central and South America. There was one positive status change during the year, but overall numerical declines outweighed gains. The average regional score worsened marginally compared with 2007, with the legal and political category scores largely holding steady, while the economic category showed a small decline.
The only two countries in the region rated Not Free are Cuba, which has one of the most repressive media environments worldwide, and Venezuela, where the government of President Hugo Chavez continued its efforts to control the press. Media conditions also remained worrying in Colombia and Guatemala, which had high levels of intimidation and self-censorship.

Several positive signs were noted in the Americas. Guyana regained its Free status due to a decrease in attacks on journalists and the government’s decision to lift its boycott on advertising in the main independent newspaper. Haiti’s score improved due to a trend toward less partisan news coverage and increased security for journalists. In South America, Uruguay stood out thanks to several legal improvements, including passage of a new law that would end most criminal prosecutions of journalists, as well as a new freedom of information law.

However, significant numerical slides continued in a number of key countries, including Mexico, Bolivia, and Ecuador, as attacks and official rhetoric against the media escalated. Mexico’s score dropped four points, to 55, due to the government’s reluctance to reform regulations that restrict media diversity and independence; pressure on media outlets from local- and state-level officials who control advertising; increased self-censorship by the media when covering drugs, crime, and corruption; and operational difficulties stemming from the rising violence. Bolivia suffered a three-point decline as a result of the appointment of cabinet officials to Television Boliviana without any oversight or civic participation, as well as a high level of government interference in the media. Ecuador also dropped three points, thanks to enforcement of a legal provision that requires all stations to broadcast government-mandated content free of charge, and a government takeover of two television stations. Smaller declines were noted in Argentina, Guatemala, and Nicaragua.

The United States continues to be one of the better performers in the survey, but improvements in the level of attacks on and harassment of journalists were balanced in 2008 by the effects of poor economic conditions for the news industry, which threatened outlets’ financial sustainability and the diversity of news sources. As a result, the numerical score for the United States worsened by one point, to 18.

Asia-Pacific: The Asia-Pacific region as a whole exhibited a relatively high level of press freedom, with 15 countries and territories (37.5 percent) rated Free, 11 (27.5 percent) rated Partly Free, and 14 (35 percent) rated Not Free. Yet the regionwide figures are deceptive, as they disguise considerable subregional diversity. For example, the Pacific islands, Australasia, and parts of East Asia have some of the best-ranked media environments worldwide, while conditions in South Asia, Southeast Asia, and other parts of East Asia are significantly worse. The balanced country breakdown also obscures the fact that only 6 percent of the region’s population has access to Free media, while 43 percent live in Partly Free media environments and the majority, 51 percent, live in Not Free media environments. The overall level of press freedom in the Asia-Pacific region, in terms of the average regional score, declined marginally from the previous year, with small drops seen in both the legal and political categories.

Asia is home to the two worst-rated countries in the world, Burma and North Korea, as well as other poor performers like China, Laos, and Vietnam, all of which feature extensive state or party control of the press. Conditions in the world’s largest poor
performer, **China**, deteriorated slightly in 2008. There was a promising burst of relative openness in the aftermath of the Sichuan earthquake in May, complemented by regulations allowing freer movement for foreign journalists and assurances of complete media freedom during the Olympic Games. However, the authorities on the whole tightened the reins on both domestic journalists and internet portals, while employing more sophisticated techniques to manipulate online content and blocking access to Tibetan areas. Journalists who did not adhere to party dictates continued to be harassed, fired, or jailed, and the year also featured the first murder of a citizen journalist in the country. In addition, in a setback for China’s nascent investigative journalists, the government imposed a three-month suspension on *Caijing (China Business Post)*, a commercial newspaper known for its relatively daring reporting.

In terms of status changes, **Hong Kong**’s status declined to Partly Free to reflect the growing influence of Beijing over media and free expression in the territory. Of particular concern were the appointment of 10 owners of Hong Kong media outlets to a mainland Chinese political advisory body, increased restrictions on film releases in the period surrounding the Olympics, and reports that critics of Beijing encountered growing difficulty in gaining access to Hong Kong media platforms. Elsewhere in Asia, **Cambodia** slipped into the Not Free category as a result of increased violence against journalists, particularly ahead of the July elections. A veteran reporter for an opposition newspaper was killed during the year, the first murder of a journalist in the country since 2003.

Numerical declines also took place in Afghanistan, Sri Lanka, Fiji, Mongolia, and Taiwan, in most cases due to increased civil strife and the associated pressure on media coverage and outlets. Media freedom suffered in **Afghanistan** as a result of growing editorial influence by the government and by both official and private Iranian sources, as well as the harsh sentence handed down in the Pervez Kambaksh blasphemy case. In **Sri Lanka**, the press freedom score declined in large part because of a deteriorating legal and political environment that included the charging of a journalist under the Prevention of Terrorism Act for the first time in 30 years; mounting restrictions on coverage of the war and the military; an increase in self-censorship; and a reduction in the diversity of views as criticism of the government is increasingly excluded.

Official pressure on media outlets and journalists was a primary cause behind declines in **Fiji**, where authorities deported two foreign-national editors and the *Fiji Times* was held in contempt for publishing an unflattering letter about three judges; **Mongolia**, where the government imposed a media blackout and the July elections brought violence against journalists and media outlets; and **Taiwan**, which saw heightened polarization, allegations of increased government pressure on editorial content, and assaults on journalists by both state and non-state actors during demonstrations surrounding the November visit of a Chinese envoy.

South Asia defied the overall regional trend by showing significant improvement in a number of countries. In the biggest shift of the year, the **Maldives** rose from Not Free to Partly Free and its numerical score improved from 66 to 56 due to a wide-ranging change in the media environment. This included a new constitution protecting freedom of expression, the opening of additional private radio and television stations, the release of a prominent journalist from life imprisonment, and a general loosening of restrictions after the country’s first democratic presidential election in October.
Two other key countries in the region, which had both seen declines in 2007 for media restrictions tied to political unrest and emergency regulations, regained some of their former freedoms. Bangladesh saw a five-point improvement due to improved legal conditions, including the lifting of the state of emergency and the enactment of a freedom of information law. There were also fewer cases of harassment and violence against journalists, who were consequently better able to cover sensitive political events like the December elections. Similarly, in Pakistan, emergency regulations remained technically in place but were barely enforced, leading to a considerable easing of restrictions on media coverage in 2008. Although the new civilian government did not have a perfect record regarding media freedom, outright bans on broadcast channels were less common, as was the heavy-handed use of official advertising boycotts against critical news outlets.

Central and Eastern Europe/Former Soviet Union: For the combined CEE/FSU region, 8 countries (28 percent) remain classified as Free, 10 (36 percent) are Partly Free, and 10 (36 percent) are Not Free. However, a majority of the people in this region (56 percent) live in Not Free media environments, while only 18 percent have access to Free media. In 2008, the regionwide average score showed the biggest drop of any region, with particularly noticeable slippage in the political category.

While the region shares a common history of communist oppression, the trajectory of countries in the former Soviet Union has diverged significantly from that of Central and Eastern Europe in terms of respect for fundamental political rights and civil liberties. The press freedom ratings for these subregions reflect a similar divergence. All of the countries of Central Europe and the three Baltic states, which have managed to overcome a decades-long legacy of Soviet media culture and control, are assessed as Free. In contrast, 10 of the 12 non-Baltic post-Soviet states are ranked as Not Free. Of the 195 countries and territories examined in the survey, 3 of the 10 worst press-freedom abusers—Belarus, Uzbekistan, and Turkmenistan—are found in the former Soviet Union.

In 2008, as in 2007, the region featured no status shifts in either direction, and all of the significant numerical changes were negative. Several countries in the Balkans, such as Bosnia and Herzegovina, Bulgaria, and Croatia, showed negative trends due to increased physical threats and harassment of journalists. Both Bulgaria and Croatia suffered rare murders of media workers, while the general level of intimidation and violence rose in all three countries. Impunity for past crimes against journalists was noted as a growing concern in Bulgaria, while in Bosnia and Herzegovina, Republika Srpska authorities exerted increasing political control over media outlets.

Backsliding in the former Soviet Union continued, with a number of countries, including Armenia, Kyrgyzstan, and Russia, showing numerical declines, thanks in large part to legal pressure and attempts to control broadcast media outlets. As part of a state of emergency declared in March in Armenia, the government censored all media for several weeks and obstructed the work of both local and foreign journalists; in addition, authorities declared a moratorium on new media licenses until 2010. Kyrgyzstan’s score declined due to growing official influence over state broadcaster KTR, as well as decisions to limit media diversity through the removal of Radio Free Europe/Radio Liberty content from KTR and the politicized closure of two independent newspapers.

Most importantly, Russia, which serves as a model and patron for a number of neighboring countries, saw additional deterioration in 2008. Its score dropped from 78 to
owing to the consistent inability of the pliant judiciary to protect journalists; increased self-censorship by journalists in an effort to prevent harassment, closure of media outlets, and even murder; and the frequent targeting of independent outlets by regulators. Reporters suffer from a high level of personal insecurity, and impunity for past murders or physical attacks against journalists is the norm. State control or influence over almost all media outlets remains a serious concern, particularly as it affects the political landscape and Russians’ ability to make informed electoral choices.

**Middle East and North Africa:** The Middle East and North Africa continued to show the lowest regional ratings, with no countries or territories rated Free in 2008, 4 (21 percent) rated Partly Free, and 15 (79 percent) rated Not Free. In contrast to the positive changes in 2007, the average regionwide score fell slightly this year, with negative movement noted especially in the political and economic categories.

Although transnational broadcast media and internet-based forms of information dissemination have had a positive impact, media environments in the region are generally constrained by extremely restrictive laws concerning libel and defamation, the insult of monarchs and public figures, and emergency rule. Of long-standing concern are Libya, Iran, Syria, Tunisia, and Saudi Arabia, where journalists and bloggers faced harsh repercussions for expressing independent views during the year.

In terms of numerical movements, scores for most countries in the region were stagnant in 2008. However, Israel, the only country in the group to be consistently rated Free, moved into the Partly Free range due to the heightened conflict in Gaza, which triggered increased travel restrictions on both Israeli and foreign reporters; official attempts to influence media coverage of the conflict within Israel; and greater self-censorship and biased reporting, particularly during the outbreak of open war in late December.

Negative movement was also seen in the Israeli-Occupied Territories/Palestinian Authority (which includes both the West Bank and the Gaza Strip), which saw a two-point decline due to worsening intimidation by both major political factions that restricts critical and independent coverage and the diversity of viewpoints available. Journalists faced pressure and threats from all sides, including from Israeli forces present in some parts of the territories.

On a positive note, Iraq, which is still one of the most dangerous countries in the world for media workers, saw a numerical improvement as a result of the Kurdistan regional parliament’s passage of a media law giving journalists unprecedented freedoms and eliminating prison terms for defamation cases. In addition, a partial improvement in the security situation enhanced the ability of journalists—especially foreign journalists—to move around the country and cover the news.

**Sub-Saharan Africa:** Overall, 7 countries (15 percent) were rated Free, 18 (37 percent) were rated Partly Free, and 23 (48 percent) remained Not Free in sub-Saharan Africa. As in previous years, the average regionwide level of press freedom declined slightly during 2008, along with the average score in the legal and political categories. Press freedom conditions continue to be dire in Equatorial Guinea, Eritrea, 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. All three countries rank among the bottom 10 performers worldwide.

Unlike in previous years, the region saw no status changes in 2008, while numerical trends in individual countries presented a mixed picture, with some improvements but a greater number of declines. Senegal took a significant step backward due to a dramatic increase in both legal and extralegal action against journalists and media houses, accompanied by overtly hostile rhetoric from the president and other officials. An equally large numerical decline was registered for Madagascar as a result of increased legal pressure on critical media outlets, including the closure of an opposition newspaper and the expulsion of its editor from the country.

Smaller numerical declines were seen in Botswana, Chad, Congo (Brazzaville), Lesotho, Mauritania, South Africa, and Tanzania. Official harassment of the press and increased use of various legal means to restrict media freedom were key factors in many declines. For example, registration requirements for journalists and newspapers were tightened in Botswana and Chad; use of libel and defamation charges against journalists increased in Mauritania and Tanzania; and official intolerance of criticism was reflected in the case of the cartoonist Zapiro in South Africa.

Several countries managed to rebound from declines suffered in 2007. Comoros’ score improved after a change in government brought restored media freedoms and the release of a large number of political prisoners, including journalists. Sierra Leone saw a significant numerical improvement as the opening of new outlets diversified the country’s media ownership and official harassment of the press eased in the aftermath of the 2007 elections. Media diversity also improved in Angola, where the creation of TV Zimbo, the country’s first private television station, ended the state monopoly on television broadcasting. Meanwhile, positive legislation concerning access to information and the creation of an independent media regulator and public broadcaster was either enacted or pending in Liberia during the year.

Western Europe: Western Europe has consistently boasted the highest level of press freedom worldwide; in 2008, 23 countries (92 percent) were rated Free, and 2 (8 percent) were rated Partly Free. Although the level of press freedom largely held steady, the average regional score declined slightly, with noticeable deterioration in the legal category.

The region registered one status downgrade in 2008, as Italy slipped back into the Partly Free range thanks to the increased use of courts and libel laws to limit free speech, heightened physical and extralegal intimidation by both organized crime and far-right groups, and concerns over media ownership and influence. The return of media magnate Silvio Berlusconi to the premiership reawakened fears about the concentration of state-owned and private outlets under a single leader. Countries registering numerical declines included Greece, where foreign journalists were restricted from attempting to cover the situation in the north and a new media law inhibited smaller, minority owned radio stations.
# Freedom of the Press 2009

Table of Global Press Freedom Rankings

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* Israeli-Occupied Territories/Palestinian Authority
# Freedom of the Press 2009

Press Freedom Rankings by Region

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PRESS FREEDOM IN THE WORLD 2009

By Population

2,806,169,000 in Not Free countries (42%)
1,107,999,000 in Free countries (17%)
2,780,167,000 in Partly Free countries (41%)

By Country

64 Not Free countries (33%)
70 Free countries (36%)
61 Partly Free countries (31%)
PRESS FREEDOM IN THE AMERICAS

By Population
- 39,100,000 in Not Free countries (602)
- 2,269,070,000 in Free countries (4116)
- 501,000,000 in Partially Free countries (5598)

By Country
- 2 Not Free countries (669)
- 17 Free countries (4949)

PRESS FREEDOM IN ASIA–PACIFIC

By Population
- 1,611,200,000 in Not Free countries (5110)
- 232,590,000 in Free countries (697)
- 1,515,090,000 in Partially Free countries (4350)

By Country
- 14 Not Free countries (9538)
- 15 Free countries (3489)
- 11 Partially Free countries (2710)
PRESS FREEDOM IN CENTRAL AND EASTERN EUROPE / FORMER SOVIET UNION

PRESS FREEDOM IN THE MIDDLE EAST AND NORTH AFRICA

By Population

By Country

By Population

By Country
Afghanistan

Status: Not Free
Legal Environment: 22
Political Environment: 32
Economic Environment: 20
Total Score: 74

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- Article 34 of the constitution provides for freedom of the press and of expression.
- A revised 2005 Press Law guarantees the right of citizens to obtain information and prohibits censorship. However there are broad restrictions on any content that is “contrary to the principles of Islam or offensive to other religions and sects.”
- A new media law passed in September 2008 contained a number of registration and content restrictions.
- Media outlets are occasionally fined or warned for broadcasting “un-Islamic material,” resulting in self-censorship. There have also been examples of journalists being arrested for such violations.
- Parvez Kambaksh was sentenced to death for blasphemy in January 2008, having distributed an article on Islam that he had downloaded from the internet. An appeals court reduced the sentence to a 20-year prison term in October.
- The government became more heavy handed in its efforts to influence media coverage during 2008. Abdul Khurram, minister of culture and youth, issued a directive to halt programming that was “contrary to Afghan culture and laws.”
- A growing number of journalists were threatened or harassed by government officials, police and security services, and U.S. forces as a result of their reporting, while others have been arrested and detained. One journalist was held by U.S. troops for 11 months and mistreated in detention.
- Journalists are also increasingly targeted by insurgents. Both foreign and local journalists faced physical threats, and at least three foreign and two local media workers were kidnapped during 2008. One journalist was killed in a suicide attack on Kabul’s Serena hotel. Local female journalists are especially at risk of threats.
- Registration requirements remain in place, but authorities have granted more than 400 publication licenses, and over 60 radio channels and 8 television stations are now broadcasting.
International radio broadcasts in Dari or Pashto—such as those from the British Broadcasting Corporation, Voice of America, Radio Free Europe/Radio Liberty, and Radio Free Afghanistan—remain key sources of information for many Afghans.

Access to the internet and satellite television is growing rapidly and remains mostly unrestricted, although it is largely confined to Kabul and other major cities. Only 1.5 percent of the population had access to the internet in 2008.

Albania

Status: Partly Free
Legal Environment: 16
Political Environment: 16
Economic Environment: 18
Total Score: 50

The constitution guarantees freedom of the press, and the government generally respects it in practice.

The media were active and fairly diverse, though there were issues of self-censorship and political or economic pressures placed on journalists.

The government of Prime Minister Sali Berisha continued to put selective pressure—including administrative sanctions and verbal attacks—on opposition-oriented media in 2008.

In December 2008, the Economy Ministry arbitrarily canceled a 20-year lease held by the daily Tema for its offices in a state-owned building, exposing the paper to possible eviction. Tema had investigated alleged corruption by government officials, leading Berisha to accuse it of pursuing a political agenda. A car owned by the paper’s publisher, Mero Baze, was destroyed by a fire on December 31; Baze claimed the blaze was an arson attack.

In September 2008, broadcast regulators imposed a fine of 800,000 lek ($9,700) on television station News 24 for airing an advertisement by a nongovernmental organization (NGO) that derided Berisha’s use of public funds to produce progovernment ads. The station was accused of violating a law banning political ads outside campaign periods, though the ad in question aired immediately after a progovernment one.

Journalists faced intimidation and assaults from people they covered on at least three occasions in 2008. In one incident in March, an editor with the Balkan Investigative Reporting Network, Besar Likmeta, was allegedly assaulted by lawmaker Tom Doshi, whom he was questioning about a fake law degree. In May, a television reporter was threatened and beaten by a judge and the judge’s brother after he attempted to interview them about corruption and organized crime. Also that month, a newspaper editor was forced out of the headquarters of the ruling Democratic Party by party supporters.

In addition to public television and radio broadcasters, there are dozens of private television stations, radio stations, and print publications, including at least 30 daily newspapers. Media penetration is limited outside urban areas.
There are no government restrictions on the internet, which was accessed by 16 percent of the population in 2008. However, some Albanian websites were vandalized or otherwise attacked during the year, apparently by hackers opposed to neighboring Kosovo’s declaration of independence in February.

Algeria

Status: Not Free
Legal Environment: 22
Political Environment: 23
Economic Environment: 17
Total Score: 62

- The constitution guarantees freedom of expression. However, the 1992 state of emergency remained in effect throughout 2008, allowing the government to legally penalize any speech deemed threatening to the state or public order. A 2001 amendment to the Press Law further restricts press freedom by criminalizing writings, cartoons, and speech that insults or offends the president, the parliament, the judiciary, or the armed forces.
- Defamation and other legal charges brought against journalists continue to serve as a hindrance to their ability to freely cover the news. Several sentences for defamation were handed down during the year.
- State agencies regularly engage in both direct and indirect censorship. In March, the French news weekly *Jeune Afrique* was banned by the government, and in October the government censored the French weekly *L’Express*. Self-censorship also remains widespread, largely out of fear of defamation accusations or other forms of government retaliation.
- Foreign journalists faced increasing difficulties in reporting during 2008. In June, both the Agence France-Presse (AFP) bureau chief and the Reuters correspondent in the country had their accreditation withdrawn for reporting on terrorist activities. As of November, the Reuters correspondent was still without credentials and thus unable to report for any foreign media.
- The vibrant print media are often critical of the authorities. There are currently more than 100 private daily and weekly newspapers, 29 of which print over 10,000 copies for each edition. Radio and television are entirely state owned. However, more than 60 percent of households have satellite dishes that provide alternate sources of information.
- In January the government placed six state-owned printing presses under the direct control of the communications ministry, threatening the editorial autonomy of half of Algeria’s privately owned newspapers. The state-owned advertising agency controls the placement of ads by state agencies and companies, which form the largest source of income for most papers.
- About 10.4 percent of the population accessed the internet during 2008. While access is generally unrestricted, the government does monitor e-mail and internet chat rooms, and internet service providers (ISPs) are legally liable for the content they host. Bloggers, like
traditional journalists, face potential defamation suits, and several have been fined for posting “defamatory material.” However, there were no reported cases against bloggers or online journalists during 2008.

Andorra

Status: Free
Legal Environment: 1
Political Environment: 4
Economic Environment: 8
Total Score: 13

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Angola

Status: Not Free
Legal Environment: 18
Political Environment: 22
Economic Environment: 21
Total Score: 61

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- Despite constitutional guarantees, freedom of the press is restricted in Angola.
- Libel of the president or his representatives remains a criminal offense, punishable by high fines and imprisonment. The Law on State Secrecy permits the government to classify information, at times unnecessarily, and prosecute those who publish it.
- Private media are often denied access to official information and events. Foreign journalists are able to operate with fewer government restrictions than their local counterparts.
- There are some instances of official censorship. For example, authorities cancelled live radio call-in shows in the weeks leading up to the September 2008 legislative elections, and the state-run Angola Public Television (TPA) suspended a leading anchorman without pay for four months after he publicly denounced censorship at the station. Three journalists for the state broadcaster Angola National Radio were suspended indefinitely in October after questioning President Jose dos Santos’ ministerial choices.
- While less common than in previous years, arbitrary detention, harassment, and attacks on journalists continue to take place. Out of fear of reprisals, many journalists practice self-censorship, particularly outside of Luanda, the capital.
- The government continues to dominate both print and broadcast media. However, in 2008, the implementation of a 2006 press law ended the state monopoly on television. TV Zimbo,
the country’s first private television station, began a three-month trial period in December 2008 and aimed to become fully operational in 2009.

- In an improvement over previous years, the state broadcaster allowed coverage, albeit heavily biased, of all parties during the campaign for the legislative elections.
- Internet access is generally unrestricted and is available in several provincial capitals, though less than 4 percent of the population was able to make use of this medium owing to cost constraints.

Antigua and Barbuda

Status: Partly Free
Legal Environment: 10
Political Environment: 15
Economic Environment: 13
Total Score: 38

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Argentina

Status: Partly Free
Legal Environment: 13
Political Environment: 21
Economic Environment: 15
Total Score: 49

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Freedom of speech and of the media is guaranteed under the constitution, but press freedom is occasionally restricted in practice. The 1980 broadcasting law, enacted during a period of military rule, is widely considered to be out of tune with international standards. While federal laws that criminalize defamation of public officials have been abolished, officials have been known to use other statutes that more generally prohibit accusing someone of committing a crime or impugning a person’s honor. Such civil laws require compensation for any material or “moral” damage, while criminal laws carry jail time of up to three years. The use of criminal legal action against the press is more prevalent at the state level than at the federal level. In May, the Inter-American Court of Human Rights urged Argentina to reform its defamation laws to meet regional standards and ordered the country to pay US$30,000 in damages to journalist Eduardo Kimel, who had faced a criminal defamation conviction since 1999 for criticizing Judge Guillermo Rivarola’s investigation of the 1976 slaying of five priests. No defamation reform legislation had been passed by year’s end.
President Cristina Fernandez de Kirchner accused the media of distorting reality during her four-month battle against a farmers’ strike over government tax policy, which began in March 2008. She launched verbal attacks against media outlets including the Clarin Group, the daily newspaper *La Nacion*, the magazine *Noticias*, and the Spanish media group Prisa. State-owned television showed images of an anti-Clarin rally organized by the government. The Argentine Journalists Forum (FOPEA) and the Association of Argentine Journalism Entities (ADEPA) criticized Kirchner for her strong reaction to an April editorial illustration published in the *Clarin* newspaper, showing her with a bandage over her mouth. Kirchner had suggested that the cartoon was a “message from the mafia.” Journalists complained that it was almost impossible to get any high-ranking government official to speak openly and on the record about anything of significance during 2008, while the president contended that local newspapers said only negative things about the government. On a positive note, Kirchner gave the first news conference of her presidency in August, breaking a tradition of avoiding the media that had been established by her husband and predecessor, Nestor Kirchner. The president’s newly announced communication strategy included taking questions from reporters at public events and agreeing to a limited number of interviews.

Although the government has promised to replace the current broadcasting law, negotiations in Congress did not advance. As a result, numerous FM radio stations continued to broadcast with temporary licenses pending conclusion of a licensing normalization process. In a radical move, the Federal Broadcasting Committee (COMFER), Argentina’s broadcast media regulator, decided to strip Buenos Aires–based Radio Continental of its FM frequency in August, leaving it with an AM frequency only. The move was interpreted as a punishment for the station’s editorial position, which supported Argentina’s farmers in their tax dispute with the president.

The number of assaults on reporters decreased during the year, but physical attacks, threats, and harassment continued to take place. In February, the car of radio news host Carlos Carvallo was set on fire while parked in the garage of his home. Carvallo has often spoken on the air about illicit financial dealings that allegedly involved the mayor of a neighboring town. On November 14, Fabricio Glibota, a reporter with Radio Universidad and Norte newspaper in Chaco province, was stabbed while covering a clash between municipal employees and street vendors in the provincial capital. Several other journalists were assaulted or threatened during the year, and Radio Uno, located in northwestern Argentina, was forced off the air by an arson attack.

The country’s print media are all privately owned, and the numerous privately owned radio and television stations are able to broadcast mostly without restrictions. While national publications have been hampered by the discretionary use of official advertising budgets, provincial publications have been even more vulnerable owing to weak local private sectors and politically cautious owners. The distribution of government advertising was frequently used as a tool to limit freedom of speech in 2008, a practice termed “soft censorship” that had been institutionalized by former president Nestor Kirchner. In the first half of 2008, the Kirchner administration spent US$52 million on official ads that benefited friendly media outlets—almost 10 percent more than the amount spent in the first half of 2007—according to the nonpartisan group Association for Civil Rights. The problem persists even though the Supreme Court ruled in 2007 that “the government may not manipulate advertising by giving it to or taking it away from media outlets on the basis of discriminatory criteria.” Other nonpartisan groups such as the Citizen Power Foundation criticized the excessive government advertising given to media.
entrepreneur Rudy Ulloa Igor, formerly Nestor Kirchner’s personal chauffeur. Igor’s media group comprises a radio station, two television stations, one newspaper, and two production companies. It consistently carried favorable coverage of President Kirchner in 2008.

An estimated 49 percent of Argentina’s population had regular access to the internet in 2008. Nonetheless, multiple restraining orders from local judges limited internet users’ access to search results from Yahoo! Argentina and Google Argentina. The rulings established that internet search companies must censor search results on their Argentinean sites for information about dozens of plaintiffs, including public figures such as soccer player Diego Maradona and Judge Maria Servini de Cubria. The U.S.-based search companies Google and Yahoo! have un成功的ally appealed the restraining orders.

Armenia

| Status: Not Free |
| Legal Environment: 21 |
| Political Environment: 27 |
| Economic Environment: 20 |
| Total Score: 68 |
| Total Score, Status | 64,NF | 64,NF | 64,NF | 64,NF | 66,NF |

The media environment deteriorated significantly in early 2008, with harassment increasing before and after the February presidential election. Throughout the year, incidents of violence, legal intimidation, and financial pressure continued to restrict the free flow of information, particularly among broadcast media. The constitution and legal statutes protect freedom of the press, but in practice these rights are often threatened. Libel remains a criminal offense, and despite legislation that provides access to public information, such access is frequently denied to the media.

The independent news agency A1+, which has engaged in a legal battle with the government since its television station was shut down in 2002, remained without a license at the end of the year despite a June ruling in its favor by the European Court of Human Rights. The decision stated that the government had violated Article 10 of the European Convention on Human Rights by denying A1+ a broadcasting license, and ordered the authorities pay 30,000 euros to the station’s parent company. The government has delayed paying the fine. In September, in a seemingly retaliatory response to the court’s ruling, the government amended the Law on Radio and Television to impose a moratorium on the issuance of new television licenses until 2010.

Throughout the year, the broadcast media were highly politicized, with most outlets offering progovernment coverage. There was little oversight to ensure objectivity, as the National Council on Television and Radio (NCTR) is dominated by the ruling party. The Constitutional Court ruled that the Central Election Commission failed to control preelection media bias and that the NCTR did not effectively comply with the law, but it did not issue any sanctions.
Following the February 18 election, tens of thousands of protesters demonstrated against the allegedly flawed results, leading to violent clashes with police. On March 1, the government imposed a state of emergency and cracked down on the media, closing all opposition outlets and websites. Journalists were barred from their offices, and authorities prohibited access to printing presses. Three private radio stations—Radio Yerevan, Radio Hay, and Ardzagank Radio—were banned from broadcasting. ArmNews, a private television station that carried foreign news broadcasts, was suspended. On March 13, journalists were allowed to resume work only if they did not report “destabilizing” information about domestic politics. This broad decree enabled the government to maintain its crackdown until the state of emergency was fully lifted on March 21. Although internet sites were restored and newspapers allowed to print, police and security officials continued to harass journalists. While the government was quick to use the law to punish journalists, most attacks against the press went unpunished. In August 2008, Hrach Melkumian, acting head of Radio Free Europe/Radio Liberty’s Yerevan bureau, was brutally assaulted by an unknown assailant. Several other journalists reported being violently attacked, linking the incidents to recent investigative work.

Television is the country’s dominant medium, and there are dozens of stations, including several with nearly national coverage. The state-owned Public Television H1 is the only outlet with full national coverage. The majority of broadcast media and newspapers are privately owned, but most are held by politicians or businessmen with close government ties, ensuring a degree of self-censorship. Few private newspapers are able to support themselves financially or effectively distribute their editions outside major cities. The government used the tax service to control the media during 2008. Unannounced tax inspections were carried out on four independent and opposition media organizations after the lifting of the state of emergency.

While there are no formal restrictions on internet access, some opposition sites were blocked during the state of emergency, and there were allegations that the government monitored e-mails. Regular internet usage is limited to an estimated 6 percent of the population.

Australia

Status: Free
Legal Environment: 6
Political Environment: 9
Economic Environment: 7
Total Score: 22

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Austria

Status: Free
Legal Environment: 8
Political Environment: 8
Economic Environment: 5
Azerbaijan

Status: Not Free
Legal Environment: 25
Political Environment: 31
Economic Environment: 22
Total Score: 78

Despite constitutional and legal protection for freedom of speech and of the press, media freedom in Azerbaijan continued to deteriorate in 2008. Continuing the pattern of the last few years, the government exhibited no tolerance for criticism and used libel suits, unfair trials, physical attacks, and financial pressure to clamp down on opposition media. The government wields significant control over the National Television and Radio Council (NTRC), the country’s broadcasting regulator and license issuer, as all nine members of the council are appointed by the president. In June 2008, the government passed new amendments to the election law ahead of the October presidential election. The legislation shortened the campaign period, ensured that the ruling party dominated the election commission, and reduced the value of free airtime for opposition candidates by moving it from the main state channel to the public service broadcaster, which has significantly lower viewership. A second setback occurred in October when the NTRC announced that international broadcasters would no longer be able to use national frequencies beginning in 2009. This decision, which affects services like Voice of America, the British Broadcasting Corporation, and Radio Free Europe/Radio Liberty, was confirmed by the parliament in December.

Journalists continue to face a hostile legal environment. By the end of 2008, five journalists were imprisoned on charges ranging from libel to tax evasion and drug trafficking. In January, a Baku court had upheld the 2007 conviction of Eynulla Fatullayev, the editor of the independent Russian-language weekly Realny Azerbaijan and the daily Gundalik Azarbaycan; he was serving a sentence of eight and a half years in prison for defamation, incitement of ethnic hatred, terrorism, and tax evasion. In March, Ganimat Zahid, editor of the opposition-oriented weekly Azadliq, was sentenced to four years in prison on charges of hooliganism. In June, Novruzali Mammadov, the editor of Talyshi Sado, was convicted of treason and sentenced to 10 years in prison. His trial was conducted behind closed doors. Two editors of the daily Ideal were convicted of defamation in the fall in connection with stories on an alleged prostitution ring. The political and media environment deteriorated in the run-up to the October election, as the government sought to ensure an easy victory for incumbent president Ilham Aliyev. The government ensured that the opposition would have no access to funding or media, so most of the major opposition parties chose to boycott the vote. This made for a calm election period in
comparison with the protests and arrests of previous years. Nevertheless, there were several reports of violence against journalists, and the attacks occurred with impunity.

Despite the intimidation they face, a number of opposition and independent media outlets continue to function. However, with distribution channels run by progovernment companies and most newspapers having to use government-owned printing presses, opposition print media are not readily available across the country. Most broadcast media, even privately owned outlets, maintained a progovernment bias. They remained vulnerable to licensing pressure from the government. Opposition and independent media suffered financially, as a growing number of companies pulled advertising to avoid conflicts with the government. The opposition newspaper *Gun Seher* was forced to close in August owing to financial difficulties. The government does not typically restrict internet access, but it has repeatedly blocked some websites featuring opposition views. Approximately 18 percent of the population had access to the internet during 2008.

**Bahamas**

**Status:** Free  
**Legal Environment:** 3  
**Political Environment:** 10  
**Economic Environment:** 7  
**Total Score:** 20

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**Bahrain**

**Status:** Not Free  
**Legal Environment:** 24  
**Political Environment:** 27  
**Economic Environment:** 20  
**Total Score:** 71

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- Despite constitutional protections guaranteeing freedom of expression and of the press, the government continued to restrict the rights of the media.
- Bahrain’s Press Law contains 17 categories of offenses and prescribes up to five years’ imprisonment for publishing material that criticizes Islam or the king, inciting actions that undermine state security, or advocating a change in government. There is no law guaranteeing freedom of information.
• Government censorship is widespread. The Ministry of Information (MOINFO) may legally censor and prevent the distribution of local and foreign publications, close newspapers through court proceedings, ban books and films, block websites, and prosecute individuals. In January, the ministry banned a novel by Bahraini author Abdulla Khalifa because the book purportedly defamed the second Islamic caliph, Omar Ibn al-Khattab.

• Self-censorship is also common, owing largely to the fear of legal battles over slander or false reporting.

• Print media in Bahrain are all privately owned. There are six daily newspapers—four in Arabic and two in English—some of which are critical of the government. While there are no state-owned papers, MOINFO exercises considerable control over the privately owned publications.

• The government has a monopoly on all broadcast media. Radio and television broadcasts are received generally without interference, and approximately 99 percent of households have access to satellite stations.

• Some 35 percent of Bahrain’s population had regular access to the internet in 2008, and unlike in previous years, e-mail use was reportedly not monitored. However, there is concern over the government’s growing restrictions and interference with the internet. All websites are required to register with MOINFO, and religious and political content is heavily censored. Website administrators face the same libel laws that apply to print journalists, and they are held jointly responsible for all content posted on their websites or chat rooms. On June 28, the government detained six Shiite opposition political society members for publishing material on the internet that allegedly incited “hatred against the government” and sectarianism. Authorities released them after 20 hours. On July 2, the case was suspended in exchange for their promise to post no more inflammatory content. After their release, the detainees showed signs of having been subjected to beatings and ill-treatment.

Bangladesh

Status: Not Free
Legal Environment: 20
Political Environment: 27
Economic Environment: 16
Total Score: 63

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Bangladesh remained under emergency rule for much of 2008, governed by a military-backed caretaker administration until national elections were held on December 29. Media restrictions imposed after the military takeover in January 2007 were rescinded only at the end of 2008. Although the constitution provides for freedom of expression subject to “reasonable restrictions,” the press is constrained by national security legislation as well as sedition and criminal libel laws. Journalists can be charged with contempt of court and defamation or arrested under the 1974 Special Powers Act—which allows detentions of up to 90 days without trial—in reprisal for stories that are critical of government officials or policies. The Emergency Powers Rules,
announced in January 2007, restricted coverage of sensitive topics, allowed censorship of print and broadcast outlets, criminalized “provocative” criticism of the government, and imposed penalties, including up to five years in prison and hefty fines, for violations. These rules were unevenly enforced in 2008 and lifted altogether on December 17.

Some of the journalists who had been arrested in early 2007 remained in custody in 2008, including Mohammad Atiqullah Khan Masud, editor of the national daily Janakantha. Others, such as Salah Uddin Shoib Choudhury, who was first arrested in 2003, still face sedition, treason, and blasphemy charges. However, cartoonist Arifur Rahman, who was jailed in September 2007 for allegedly insulting Islam through a cartoon depicting a cat named Mohammad, was released in March 2008 after a judge ruled that his continued detention was illegal. In a positive legal development, the government in October approved a Right to Information Ordinance that was welcomed by local and international advocacy groups. The ordinance, intended to improve transparency, would apply to all information held by public bodies, simplify the fees required to access information, override existing secrecy legislation, and grant greater independence to the Information Commission that was tasked with overseeing and promoting the law, according to the press freedom group Article 19.

Despite occasional cases of censorship, the print media were generally allowed more leeway than broadcasters and new media, particularly private television channels that provide 24-hour news coverage. However, military intelligence officials did reportedly monitor media content, and in 2008 they started giving regular guidance to both print and broadcast media about which stories should be covered or avoided. With the pre-election lifting of the State of Emergency and the repeal of restrictions on freedom of expression in mid-December, “print and broadcast media covered the elections extensively and for the most part equitably,” according to the European Union Election Observation Mission (EU-EOM). The EU, furthermore, concluded that the media “enjoyed a reasonable degree of freedom of expression with no reported instances of intimidation or violence against journalists.” Coverage by the state-owned media was judged “neutral in tone.”

Although journalists have traditionally faced pressure from a range of actors, including organized crime groups, political parties and their supporters, and leftist and Islamist militant groups, no journalists have been killed in the past two years and the overall level of violence has declined. The main threat to journalists’ physical safety in 2008 came from official sources: the police, security forces, and military intelligence. Police brutality toward reporters or photographers attempting to document political protests or other sensitive events remained a concern. On dozens of occasions, journalists were detained, threatened, or otherwise harassed by the authorities. Particularly severe cases of arbitrary arrest, prolonged detention, and custodial torture include those of Tasneem Khalil in 2007 and Noor Ahmed in 2008. Journalists also reported an increase in threatening telephone calls and other forms of intimidation from intelligence agencies seeking to influence coverage. The fear of repercussions caused many journalists to practice increasing self-censorship when covering sensitive topics. Impunity for those who perpetrate crimes against journalists is the norm, and investigations of such crimes generally proceed slowly, if at all.

With hundreds of daily and weekly publications, the privately owned print media continue to present an array of views, although political coverage at a number of newspapers is highly partisan, and outlets presenting views that were critical of the government faced sustained pressure. Private broadcasting has expanded in recent years, with ten satellite television stations and three radio stations now operating. The state owns or influences several broadcast media
outlets, and private outlets are required to air selected government-produced news segments. Political considerations influence the distribution of government advertising revenue and subsidized newsprint, on which many publications depend. According to the Committee to Protect Journalists, the arrest of several media owners and executives as part of a larger anticorruption drive that began in 2007 served to weaken several outlets financially, as it deprived them of their main backers.

Access to the internet, although generally unrestricted, is limited to less than 1 percent of the population. Some journalists’ e-mail is reportedly monitored by police, and those brought in for questioning have been asked to supply personal internet passwords to intelligence officers.

**Barbados**

*Status: Free*

*Legal Environment: 3*

*Political Environment: 10*

*Economic Environment: 6*

*Total Score: 19*

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**Belarus**

*Status: Not Free*

*Legal Environment: 28*

*Political Environment: 35*

*Economic Environment: 28*

*Total Score: 91*

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Belarus’s limited level of press freedom deteriorated further in 2008, as President Alyaksandr Lukashenka’s government suppressed the few remaining independent outlets and approved a draconian media law due to take effect in 2009. Despite constitutional provisions for freedom of the press, criticism of the president and government is considered a criminal offense, and libel convictions can result in prison sentences or high fines. Judges and police officers regularly used politicized court rulings and obscure regulations to harass independent newspapers during the year. In August, Lukashenka signed the new media law, which made it easier to deny required accreditation to media outlets and would force all media to reregister with the authorities. The law will also allow the government to shutter outlets for coverage that does not “correspond to reality” or “threatens the interests of the state,” and it restricts how much international assistance the media can receive.
The government subjected the independent media to systematic political intimidation, while the state media consistently glorified Lukashenka and vilified the opposition. Local reporters working for foreign services with programming aimed at Belarus—like Radio Free Europe/Radio Liberty, Deutsche Welle, and the Warsaw-based Radio Polonia—and those working for local Polish-language publications faced arbitrary arrest and aggressive harassment from the security services. A number of reporters were detained in retaliation for unauthorized demonstrations. In January, a freelance photographer for the independent weekly Nasha Niva, Arseny Pakhomov, was detained and beaten by the police for covering a rally against new restrictions on small businesses. He was then sentenced to two weeks in prison on charges of organizing and participating in an unsanctioned rally. After the police violently dispersed a peaceful Freedom Day demonstration in late March, the Belarusian KGB conducted coordinated raids on the homes of 30 journalists linked with three Belarusian independent broadcasters based in neighboring countries—Belsat, Radio Racyja, and European Radio for Belarus—seizing their computers, audio and video equipment, and printed materials. In August, a journalist working for the independent business newspaper Belorusy i Rynok, Olga Biryukova, requested political asylum in Britain after receiving threats related to her work on the British Broadcasting Corporation’s coverage of September parliamentary elections. There was no progress in 2008 on cases involving two journalists who had reported extensively on government corruption and human rights abuses. The first case is that of Veronika Cherkasova, a journalist with the Minsk-based opposition weekly Solidarnost, who was murdered in 2004, and the second case involves Dmitry Zavadsky, a cameraman for Russia’s ORT television station who disappeared in 2000 and is presumed dead.

The state maintains a virtual monopoly on domestic broadcast media; only state outlets broadcast nationwide, and the content of smaller stations is tightly restricted. At a February meeting with journalism students, Lukashenka declared that “the media hold a weapon of a most destructive power and they must be controlled by the state.” During the September parliamentary elections, opposition candidates were denied media coverage. Several radio news programs broadcast from neighboring countries remained available, but television broadcasts from Euronews and Russian state channels were sometimes blocked when they reported embarrassing news about Belarus. The government continued using bureaucratic obstruction, economic pressures, and threats to weaken the country’s surviving independent media. In May, authorities in the western city of Grodno expelled the independent newspaper Gazeta Slominskaya from its office space in a state building, forcing the journalists to work from home. Most independent and opposition newspapers have been banned from the state-dominated printing and distribution system and denied access to government advertising and subsidies. For years, opposition newspapers relied on printing houses in neighboring Russia, but some of those contracts were terminated in 2006. Independent papers responded by selling directly from the newsroom and using volunteers to deliver copies, but regional authorities have harassed and arrested some of the private distributors. In July, police arrested vendor Barys Khamayda for selling independent newspapers. She was later attacked by an unidentified assailant and charged with using obscene language against her attacker, who was detained for three days.

The government restricted and monitored internet use in 2008. However, because the internet is used by some 29 percent of the population, blogging is growing rapidly among the younger, urban, and well-educated segments of society, with some 20,000 blogs on the popular blogging site LiveJournal alone. The media law approved in August will require both domestic and international websites to register with the authorities starting in February 2009 or face
blocking, and many print publications that had previously moved online are switching to non-
Belarusian domain names based in neighboring countries. The state-owned telecommunications
company Beltelekom already controls all internet access and blocks some critical websites, while
the security services reportedly monitor internet communications. Twice in 2008, Beltelekom
blocked access to independent news websites such as Radio Free Europe/Radio Liberty and
Charter 97 to prevent reportage on unsanctioned rallies. Since 2007, internet cafe owners have
been required to keep records of their customers’ identities and the websites they visited,
facilitating inspection by the security services.

Belgium

Status: Free
Legal Environment: 3
Political Environment: 4
Economic Environment: 5
Total Score: 12

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Belize

Status: Free
Legal Environment: 8
Political Environment: 8
Economic Environment: 5
Total Score: 21

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Benin

Status: Partly Free
Legal Environment: 11
Political Environment: 10
Economic Environment: 10
Total Score: 31

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Bhutan

Status: Not Free
Legal Environment: 19
Political Environment: 23
Economic Environment: 19
Total Score: 61

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Total Score, Status | 68,NF | 66,NF | 65,NF | 62,NF | 61,NF

Bolivia

Status: Partly Free
Legal Environment: 11
Political Environment: 19
Economic Environment: 12
Total Score: 42

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Total Score, Status | 37,PF | 35,PF | 33,PF | 37,PF | 39,PF

Despite attempts at reform, political tensions and President Evo Morales’s extreme antimedia rhetoric continued to create a hostile environment for Bolivian media. While the constitution provides for freedom of speech and of the press, the current penal code allows journalists to be jailed for one month to two years if found guilty of slandering, insulting, or defaming public officials. A proposed new constitution that was set for approval by referendum in January 2009 would expand some economic, social, and cultural rights but contains an ambiguous clause requiring “veracity and responsibility” in journalism. Public Defender Waldo Albarracin had asked a congressional committee to modify the clause, and press organizations have warned that it could lead to unlawful prosecutions of journalists.

Bolivia’s journalists continued to face the challenge of reporting on their country’s volatile politics. President Morales repeatedly criticized opposition media outlets during 2008, contributing to a permissive atmosphere for attacks against the press. He has stated that the press has “no dignity” and that he “did not need the media to report” on his administration. Top state officials routinely denounced opposition news outlets as “corrupt liars” in the employ of the country’s traditional elite, or as agents of hostile foreign governments. The president argued that 90 percent of Bolivia’s private media were opposed to change and against the primarily indigenous majority.

Members of the independent media complained of discriminatory access, news-gathering barriers, and favoritism toward state-run news agencies. The National Press Association (ANP) counted at least 245 cases of aggression against reporters and media workers. One journalist died during 2008, marking the first such death under the Morales administration. In March, Carlos
Quispe Quispe, a broadcaster at Radio Municipal in Pucarani, was beaten to death by government supporters after they stormed the city’s municipal building. Between August 15 and 19, nearly a dozen journalists were attacked at various locations across Santa Cruz. In October, authorities arrested television anchorman Jorge Melgar for allegedly inciting riots against Morales in the town of Riberalta. The broadcaster claimed that he was simply covering a news event. In the city of Cochabamba, mobs injured eight correspondents from state and private news networks. When not physically assaulted, journalists were harassed or verbally abused. The ANP called 2008 “the worst year for press and freedom of expression” since the return of democracy in 1982.

Bolivia has eight national and numerous local newspapers, most of which are privately owned. Ownership is reportedly highly concentrated. The television industry is privately owned except for one government-run network. Broadcast outlets express a variety of political views but have been criticized for their overt partisanship. Stations in the eastern department of Santa Cruz are among the most hostile toward the president. In addition to the state-owned television station, the government operates a news agency, a weekly newspaper, and a network of community radio stations. Civil society groups have expressed concern over the significant expansion of state channels and the conversion of all public media into a “proselytizing force” for the president. In July, Morales created a directorate to govern Television Boliviana, a key component of the Bolivian National Television Enterprise (ENTB). Minister of the Presidency Juan Ramon Quintana will chair this new executive body, made up entirely of cabinet officials. Critics attacked the channel’s lack of independence from the central government, though ENTB has never been autonomous since its inception in 1977. The government has been criticized for allegedly withholding advertising from opposition-oriented media. Approximately 10.4 percent of Bolivians have internet access, and there were no reports of government-imposed restrictions or surveillance of electronic communications.

**Bosnia and Herzegovina**

**Status: Partly Free**

**Legal Environment:** 9

**Political Environment:** 22

**Economic Environment:** 16

**Total Score:** 47

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- Freedom of the press in Bosnia and Herzegovina (BiH) is guaranteed by the constitution as well as the human rights annex to the Dayton Peace Accords. Freedom of information is protected by law, but institutions are often slow to respond to journalists’ requests.
- An independent Communications Regulatory Agency (CRA) licenses and monitors broadcast media. The Press Council, a self-regulatory body for print outlets, responds to alleged violations of the Press Code. The state-level public broadcaster, BHRT, and the CRA faced political and financial pressure during the year, threatening their independence and effectiveness. The central government blocked the independently selected general director of
the CRA from taking office, and the issue remained unresolved at year’s end. Meanwhile, Republika Srpska (RS) officials repeatedly attacked BHRT, urging residents not to pay the fees that supported it.

- The RS government led by Premier Milorad Dodik continued to increase pressure on independent media outlets, express hostility toward state-level and Federation public broadcasters, and use compliant RS-based outlets to attack its perceived political enemies.
- A dwindling number of independent media outlets in the RS reportedly faced surveillance, legal harassment, visits by tax officials, and other forms of pressure.
- The number of threats and physical attacks against journalists increased substantially in 2008. In one incident, a member of parliament assaulted three journalists while attempting to bar them from covering an April press conference by his Party for Bosnia and Herzegovina (SBiH). Three radio outlets and the magazine Dani received death threats linked to their coverage of a so-called Queer Festival on gay rights and related themes in September. In December, two hand grenades were thrown at the offices of television station NTV Hayat in Sarajevo, though no injuries were reported.
- Three major private television stations operate in the country, along with more than 40 small television and 140 minor radio stations. Print publications include half a dozen dailies and more than 40 weeklies and monthlies.
- Internet access is unrestricted, and although the number of users in BiH has increased dramatically in recent years, penetration remains at about 30 percent of the population.

**Botswana**

**Status:** Partly Free  
**Legal Environment:** 9  
**Political Environment:** 17  
**Economic Environment:** 11  
**Total Score:** 37

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**Brazil**

**Status:** Partly Free  
**Legal Environment:** 15  
**Political Environment:** 16  
**Economic Environment:** 11  
**Total Score:** 42

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Brazil’s media environment experienced both setbacks and improvements in 2008. In February, the Supreme Court suspended 22 articles of the Press Law for six months due to their incompatibility with the constitution. The articles allowed prison sentences for defamation and insult. A final decision was pending at year’s end. In November, the Chamber of Deputies organized a public hearing to discuss ways to improve transparency and participation in licensing processes with different civil society actors. Historically, the public has not been given a voice in such hearings. The outdated 1962 Telecommunications Code is still in place and fails to respect key constitutional and international legal provisions for freedom of expression. Federal legislator Maria do Carmo Lara proposed that the constitution be amended to prevent politicians and state employees from owning or being partners in radio and television stations. The proposal was poorly received by many politicians. Currently there are 86 other proposals circulating in the National Congress. According to the Inter American Press Association (IAPA), most of them affect the independence of media outlets by restricting advertising. In other legal matters, the Supreme Court discussed overturning a 1969 law that requires Brazilian journalists to hold a degree in journalism and register with the Ministry of Labor in order to practice professionally, but did not rule on the matter by year’s end.

Legal rulings favoring censorship to protect the reputation of political candidates were common in 2008. The Committee to Protect Journalists (CPJ) registered 23 cases in which electoral courts barred or limited political reporting. The courts sometimes even ordered the seizure of publications. This was the case with the weekly Agosto of Ribeirao Bonito, Sao Paulo, after it published a series of interviews with mayoral candidates, as well as with the weekly Impacto of Florianopolis, Santa Catarina, which was accused of using profanities in its coverage of the local mayor and his political allies. According to IAPA, that was the third attempt to censor Impacto by a local judge, who also ruled that the paper’s website should be taken down. In Rio de Janeiro, a judge ordered the closure of the Entronios Jornal for 72 hours after it denied the mayor the right of reply. The judge instructed military police to occupy the newspaper’s office and to remove all of its employees. The actions appeared to contradict the constitution, which specifically prohibits censorship and advises libel victims to seek damages in court and demand the right to reply. On a positive note, the Electoral Court of Sao Paulo ruled in favor of the newspaper Folha de S. Paulo and the newsweekly magazine Veja, rescinding the heavy fines imposed on them for interviews of a mayoral candidate. The publications had been accused of advancing “electoral propaganda.”

The suspension of parts of the press law in February favored Lucio Flavio Pinto, the editor of the semimonthly Jornal Pessoal in the state of Para. He faces several pending defamation complaints for his reporting on drug trafficking, environmental devastation, and political and corporate corruption in the Amazon region. A CPJ investigation found that businesspeople, politicians, and public officials have filed multiple lawsuits against news organizations and journalists throughout the country, seeking large sums for moral and material harm. The practice escalated in 2008, when more than 100 individual members of the Universal Church of the Kingdom of God filed civil defamation suits in different cities against Folha de S. Paulo and its reporter Elvira Lobato. Lobato’s articles claimed that the church used a company located in a tax haven to funnel donations into an array of church-owned businesses. The courts dismissed more than half of the lawsuits.

Members of the media, particularly those who reported on organized crime and corruption, continued to face violent attacks in 2008. In May, armed men kidnapped and tortured two journalists from the daily O Dia in Rio de Janeiro. The attack was in response to paper’s
release of a special report detailing how criminal groups control local politics and charge residents of poor neighborhoods for protection. The journalists were released after seven hours of torture. Later, they identified at least one of the kidnappers as a member of the local police. In June, two individuals on a motorcycle opened fire on the offices of Diario do Amazonas, a daily newspaper published in Manaus, after it ran stories on corruption involving the mayor of the nearby city of Coari. Impunity for past murders is a concern, as several killings of journalists remain unsolved. Fear of legal and physical reprisals causes some journalists to practice self-censorship.

Brazil boasts dynamic and diverse media that present an array of opinions on social and political issues as well as criticism of the government and its policies. The country is home to hundreds of newspapers and television stations in addition to thousands of radio stations. Nevertheless, vigorous investigative journalism is practiced more often in the main cities than in the interior, where legal and physical threats feed a climate of intimidation. Ownership is highly concentrated, particularly within the broadcast sector. The Globo Organizations conglomerate enjoys a dominant position, controlling Brazil’s principal television and cable networks as well as several radio stations and print outlets. Another company, Editora Abril, holds more than two-thirds of the magazine market. One in every five legislators on the powerful Committee on Science, Technology, Communication, and Information (CCTCI) has business connections to radio and television stations. At the national level, 271 Brazilian politicians are either directors or partners in 324 media companies, most of them radio and television stations, according to the independent media monitoring group Media Owners (Donos da Midia).

As a country with huge economic disparities, Brazil has made tremendous gains in expanding internet access. More than 34 percent of Brazilians accessed the internet in 2008. While internet use has been mostly unrestricted in the past, new actions raised concerns for freedom of expression. In July, the Senate adopted a bill on cyber crime that is expected to be submitted to the Chamber of Deputies. It was considered a potential threat by Reporters Without Borders, as it would reinforce surveillance of the internet and provide penalties of up to three years in prison. The Senate explained in a vaguely worded press release that the law would not be applied to those who use the internet “correctly.”

Brunei

Status: Not Free
Legal Environment: 28
Political Environment: 25
Economic Environment: 22
Total Score: 75

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Bulgaria

Status: Partly Free
The constitution provides for freedom of speech and of the press, and the government generally respects these rights in practice.

The country’s reporters continue to face pressure and intimidation aimed at protecting economic, political, and criminal interests. The perpetrators often operate with impunity, leading to some self-censorship among journalists. Georgi Stoev, an author who had written several books on organized crime in Bulgaria, was shot to death by two men in April. He had recently told reporters that he was willing to testify against a major crime boss, but that prosecutors had shown little interest.

The popular state-owned Bulgarian National Television and Bulgarian National Radio are often critical of the government.

Large foreign media firms play a major role in the private print and television markets.

Many traditional media outlets have established a presence on the internet, which is unrestricted by the government and used by about 32 percent of the population.

The website Opasnite.net was closed on September 4 for publishing classified information regarding corruption among senior police and security officials. State security agents arrested the website administrator of Frognews the following day and questioned him about the investigative news outlet’s suspected links to Opasnite.net. On September 24, Frognews editor Ognian Stefanov was attacked by a group of masked men with hammers, leaving him with serious injuries. Stefanov and Frognews, which focused on investigations of security officials, had reported receiving threatening telephone calls.

**Burkina Faso**

**Status: Partly Free**
Legal Environment: 13
Political Environment: 15
Economic Environment: 13
Total Score: 41

- Although freedom of speech is protected by the constitution, in practice journalists occasionally face harassment by the authorities for coverage that is deemed too critical, and many practice self-censorship.
- Libel laws are unfavorable to the press and place the burden of proof on the defendant.
Although state-operated media function with a noticeable progovernment bias, the media are generally free of overt censorship.

International PEN, a worldwide association of writers, reported in June 2008 that the case against Thierry Nabyoure, a journalist charged with defamation by the chief of staff of the National Gendarmerie in 2007, had been closed. Nabyoure had faced a prison sentence if tried and convicted.

Authorities acquitted the private weekly newspaper *L’Indépendant* of libel in January. The paper had accused a government minister of corruption.

According to the U.S. State Department, authorities in 2008 did not investigate death threats received in 2007 by Karim Sama, a singer known to be critical of the government. However, he did not receive any further death threats during 2008.

In December, there was a demonstration in Ouagadougou to mark the 10-year anniversary of the murder of journalist Norbert Zongo. Following the demonstration, four of the organizers were called in for questioning by the authorities. There was no progress on the Zongo case by year’s end.

Radio is the most popular news medium, owing to the country’s literacy rate of only 24 percent and the high cost of newspapers and television sets. There are several private radio stations in addition to the state-run Radio Burkina, and a small number of private television stations broadcast alongside the state-run Television Nationale du Burkina.

Several private daily and weekly papers circulate in addition to *Sidwaya*, the official daily paper.

Infrastructural deficiencies and poverty limited access to the internet to just 0.6 percent of the population.

**Burma (Myanmar)**

**Status:** Not Free

**Legal Environment:** 30  
**Political Environment:** 38  
**Economic Environment:** 28  
**Total Score:** 96

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- The new constitution ostensibly provides for freedom of speech and the press, but the Burmese media environment remained among the most tightly restricted in the world during 2008.
- Private periodicals are subject to prepublication censorship under the 1962 Printers and Publishers Registration Act, which requires that all content be approved by the authorities. As a result, coverage is limited to a small range of permissible topics, publications are sometimes required to carry government-produced articles, and most publications are forced to appear as weeklies or monthlies. Under censorship rules announced in 2005, media are...
ostensibly allowed to offer “constructive” criticism of government projects and report on natural disasters and poverty, provided the coverage does not affect the national interest.

- Those who publicly express or disseminate views or images that are critical of the regime are subject to harsh punishments, including lengthy prison sentences, as well as assault and intimidation.
- At the beginning of the year an estimated eight prominent journalists and writers remained in prison for expressing political views. Among the many journalists arrested in 2008 were Thet Zin and U Sein Win Maung, the editor and office manager of Myanmar Nation magazine, respectively, sentenced to seven years’ imprisonment for violating the Printers and Publishers Act; and Saw Myint Than, a former correspondent of the magazine Flower News Journal, arrested and charged with violating the Electronics Law and criticizing government authorities. Saw Myint Than was released in October after nearly two months in detention.
- Both local and foreign journalists’ ability to cover the news is restricted. Small numbers of foreign reporters are allowed to enter Burma on special visas; they are generally subject to intense scrutiny while in the country and in past years have occasionally been deported.
- The government owns all broadcast media and daily newspapers and exercises tight control over a growing number of privately owned weekly and monthly publications.
- Authorities restrict the importation of foreign news periodicals.
- Although some people have access to international shortwave radio or satellite television, those caught accessing foreign broadcasts can be arrested. Nevertheless, as the only source of uncensored information, foreign radio programs produced by the Voice of America, Radio Free Asia, and Democratic Voice of Burma are very popular.
- The internet operates in a limited fashion in cities and is accessible to less than 1 percent of the population. Access is expensive, tightly regulated, and censored, with the government controlling all of the several dozen domestic internet service providers. At the end of the year, Nay Phone Latt—a blogger, internet cafe owner, and former opposition party member—was sentenced to over 20 years in prison on several charges, including causing public alarm, possessing illegal videos, and engaging in prohibited electronic transactions.

**Burundi**

**Status: Not Free**

- **Legal Environment: 21**
- **Political Environment: 30**
- **Economic Environment: 24**
- **Total Score: 75**

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- The constitution provides for freedom of expression, but this right is rarely respected in practice.
- Current media legislation is often vague about the offenses for which a journalist may be charged. For example, the 1997 Press Law forbids the dissemination of “information inciting
civil disobedience or serving as propaganda for enemies of the Burundian nation during a
time of war.” The November 2003 Media Law provides for harsh fines and prison terms of
up to five years for the dissemination of information that insults the president or is
defamatory toward other individuals. Legislation proposed in 2006 would more accurately
define the responsibilities and limitations of journalists, but no progress on this legislation
has been made.

- One journalist was imprisoned in 2008. Jean Claude Kavumbagu, the editor of the online Net
Press, was arrested and jailed on charges of defamation after reporting about the president’s
extravagant spending during an August visit to China. Kavumbagu was being held in pretrial
detention at the end of the year.
- Journalists who criticize the government are regularly harassed and intimidated. In February,
the offices of the private radio station Radio Publique Africaine (RPA) were raided by a
government-affiliated militia, which apparently intended to curb the station’s reporting on
government corruption. Also during the year, the National Communications Council
interrogated RPA’s director and forced the station to apologize for a report criticizing
government officials. Separately, a human rights activist was detained and interrogated for
giving journalists information that was critical of the government.
- Cecile Ndikumana, a sales representative for the state-owned Radio-Television Nationale du
Burundi, was murdered on her way home in May. It is unclear whether the attack was related
to her work.
- The government dominates Burundi’s media industry. It owns Le Renouveau, the only daily
newspaper, as well as the major broadcast media outlets, National Radio and Television of
Burundi.
- There are eight private newspapers that are able to publish on a weekly basis, but they are
hampered by financial and infrastructural constraints. Two private television and nine private
radio stations operate in the country. The growth of private media has been held back by high
licensing fees.
- There are no apparent government restrictions on internet access, although the National
Communications Council bars websites from “posting documents or other statements by
political organizations that disseminate hate or violence.” Owing to economic and
infrastructural limitations, less than 1 percent of the population accessed the internet in 2008.

Cambodia

Status: Not Free
Legal Environment: 19
Political Environment: 23
Economic Environment: 19
Total Score: 61

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Status change explanation: Cambodia’s status declined from Partly Free to Not Free as a result of increased violence against journalists, including the fatal shooting of a veteran reporter for an opposition newspaper, the first murder of a journalist in the country since 2003.

- The constitution guarantees the right to free expression and a free press, but the government has used the 1995 press law to censor stories that are deemed to undermine political stability.
- Article 13 of the press law states that the press shall not publish or reproduce false information that humiliates or is in contempt of national institutions.
- Though defamation was decriminalized in 2006, the offense of “spreading disinformation” continues to carry a prison sentence of up to three years. Such criminal charges were leveled against at least one editor of an opposition paper in 2008, Dam Sith, who was also a candidate for the opposition Sam Rainsy Party in the July legislative elections. The charges appeared to be pending at year’s end. The broader trend of civil defamation suits filed by government officials against journalists continued during the year, though the number of cases was slightly lower than in 2007.
- The severity of physical attacks against the press increased in 2008, with the first murder of a journalist since 2003 taking place during the year. Less than two weeks ahead of the National Assembly elections in July, veteran opposition journalist Khim Sambo and his 21-year-old son were killed in a drive-by shooting in the capital, Phnom Penh. The murder remained unsolved at year’s end, with reports surfacing that the national police chief may have been involved in planning the attack. Other extralegal attacks during the year included an April incident in which a journalist was beaten unconscious by police and detained without charge for 17 days after seeking to cover a land dispute.
- The government dominates both radio and television, the main media sources for the two-thirds of the population that are functionally illiterate. This was particularly evident in the run-up to parliamentary elections. According to Human Rights Watch, broadcast coverage almost exclusively favored the ruling Cambodian People’s Party (CPP), and the National Election Commission issued warnings to 13 television and radio outlets for biased coverage. This, along with other irregularities, is believed to have contributed to the CPP’s victory, in which it took 90 out of 123 National Assembly seats.
- Independent broadcast outlets’ operations are constrained by the government’s refusal to allocate radio and television frequencies to stations that are aligned with the opposition. In the period surrounding the elections, two radio stations were shut down: a private radio station in Kratie province was closed indefinitely in May, and an opposition-aligned FM station was shut on the night before the elections and remained closed for 11 days.
- Coverage in the printed media is vigorous, though politically polarized, and journalists regularly expose official corruption and scrutinize the government. There is also a fair amount of access to broadcasts by Radio Free Asia and the local human rights–oriented Voice of Democracy radio service.
- The economy is not strong enough to generate sufficient advertising revenues to support truly neutral or independent media.
- Access to the internet is generally unrestricted, although owing to infrastructural and economic constraints, less than 1 percent of the population was able to access the internet in 2008.
Cameroon

Status: Not Free  
Legal Environment: 20  
Political Environment: 24  
Economic Environment: 21  
Total Score: 65

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- The 1996 constitution provides for freedoms of the press and of speech, but the government continued to restrict these rights in practice during 2008.
- There are no legal provisions guaranteeing equal access to information, and libel and defamation remain criminal offenses.
- Journalists covering high-profile corruption cases were harassed, arrested, and in some cases jailed during the year. Between September and December, four newspaper editors were jailed in connection with critical coverage of government officials, making Cameroon the second-ranked jailer of journalists in Africa, according to the Committee to Protect Journalists.
- Journalists are occasionally harassed, intimidated, and physically assaulted, in some instances by security forces. Authorities cracked down on private broadcast media in February, as riots broke out in response to the government’s decision to amend the constitution to allow President Paul Biya, who has been in power since 1982, to run for reelection in 2011. Security forces stormed and shut down two private radio stations and a private television station, while the communications minister warned journalists to moderate their coverage. The state broadcaster banned a critical song, titled “50 Years in Power,” and suspended a radio presenter for airing it. The three silenced broadcasters were allowed to reopen in July, but some of their equipment remained seized by authorities.
- There are about 25 regularly published newspapers, including private and state-owned papers.
- Radio is the most important medium for most of the population. The state-owned CRTV operates both radio and television outlets. The first private radio and television licenses were granted in 2007, though approximately 70 privately owned radio stations reportedly operate outside the law because of high licensing fees.
- Foreign broadcasters are permitted to operate within Cameroon and are widely accessible to Cameroonians who can afford the requisite equipment.
- Access to the internet is not restricted by the government, though slow connections and high fees at internet cafes helped to limit access to just 2 percent of the population in 2008.

Canada

Status: Free  
Legal Environment: 5  
Political Environment: 8
Economic Environment: 6  
Total Score: 19

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Cape Verde

Status: Free
Legal Environment: 6  
Political Environment: 10  
Economic Environment: 12  
Total Score: 28

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Central African Republic

Status: Not Free
Legal Environment: 19  
Political Environment: 23  
Economic Environment: 19  
Total Score: 61

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- The 2005 constitution provides for freedom of the press, though authorities have continued to use intimidation and legal harassment to limit reporting, particularly on sensitive topics such as official corruption and antigovernment insurgencies.
- A new press law, which decriminalized many press offenses such as libel and slander, was approved by President Francois Bozize in early 2005; criminal penalties remain for some defamation charges, for incitement to ethnic or religious hatred, and for the publication or broadcast of false information that could “disturb the peace.”
- Among other cases of harassment and detention in 2008, the government arrested Faustin Bambou, editor of Les Collines du Bas-Oubangui, in January for an article accusing two government ministers of embezzling around US$14 million from the French company AREVA. He was convicted of defamation and given a six-month prison term, but was released in March following a pardon from the president.
- Michel Alkhaly Ngady, editor of the private weekly Les Temps Nouveaux, still faced a charge of “disobedience to public authorities” that was pending at year’s end. Ngady had
been charged in 2007 with obstruction of justice for having criticized the High Council for Communications’ suspension of Le Centrafrigu’Un and served a two-month prison sentence.

- According to the U.S. State Department’s 2008 human rights report, there were no reports during the year that rebels or other nonstate armed groups prevented journalists from reporting outside of the capital, Bangui.
- There were reportedly several cases of harassment and physical and verbal intimidation of journalists during the year, encouraging an environment of self-censorship, especially in the state-run media.
- Over 30 newspapers were published in 2008, though only a handful appeared regularly. Financial problems plagued many newspapers.
- While the state remains dominant in the broadcast sector, the government approved a license for a private television station during 2008. Several private and independent radio stations compete with the state-owned Radio Centrafrique, and two license applications for community radio stations were pending at the end of the year.
- Internet access is open and unrestricted, and there are no reports that the government monitors e-mail. However, less than 1 percent of the population was able to access this medium in 2008.

Chad

Status: Not Free
Legal Environment: 24
Political Environment: 31
Economic Environment: 21
Total Score: 76

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- Chad’s constitution allows for freedom of expression, but authorities have routinely used threats and legal provisions to censor critical reporting.
- In response to a February 2008 coup attempt, the government imposed a new press law, Decree No. 5, which increased the maximum penalty for false news and defamation to three years in prison, and the maximum penalty for insulting the president to five years. It also requires permission from both the prosecutor’s office and the High Council of Communication (HCC), Chad’s media regulatory body, to establish a newspaper; previously it was only necessary to register with the Ministry of Commerce. Separately, the HCC banned reporting on the activities of rebels and any other information that could harm national unity.
- The International Federation of Journalists reported that the repressive media environment caused at least 10 journalists to go into hiding or flee the country. On March 20, the government revoked the accreditation of a French correspondent with Radio France Internationale and Agence France-Presse, further limiting the flow of information out of the country.
• Journalists faced harassment and arrest during the year for expressing criticism of the government. Among other cases, security forces in February attempted to arrest the editors of the independent newspapers *Le Temps* and *Le Moustick*, although they had both already fled the country. Security forces closed the radio station FM Liberte and arrested manager Djekourninga Kaotar Lazare for disseminating false information following the station’s broadcast of criticism of a government fee for obtaining identity documents. He was held for two days and then released, and the station was allowed to broadcast again on May 27.

• Private newspapers circulate freely in the capital, but they have little impact on the largely rural and illiterate population. The only television station is state owned. Radio is the primary means of mass communication, and station licenses are granted by the HCC, which is considered to be greatly influenced by the government. There are over a dozen private and community-run stations on the air.

• There are no reports that the government restricts internet access, but the internet infrastructure remains government owned, and less than 1 percent of the population had access to this resource in 2008.

Chile

Status: Free
Legal Environment: 9
Political Environment: 12
Economic Environment: 8
Total Score: 29

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China

Status: Not Free
Legal Environment: 28
Political Environment: 35
Economic Environment: 22
Total Score: 85

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Although courageous journalists, activists, and average internet users continued to push the limits of permissible speech in 2008, China’s media environment remained one of the world’s most restricted for both domestic and foreign journalists, including during the Olympic Games hosted in Beijing in August. The year was marked by the arrest of additional journalists and online activists, a blackout on reporting of large-scale protests in Tibetan areas, and the Chinese Communist Party’s employment of more sophisticated methods to control domestic media...
Two high-profile incidents—the discovery that shoddy school construction contributed to the death toll from a May earthquake, and the initial cover-up of information on the tainting of baby formula with the chemical melamine—reinforced concerns about the potentially fatal consequences of restrictions that prevented media from exposing malfeasance by officials and powerful economic actors.

Article 35 of the Chinese constitution guarantees freedom of speech, assembly, association, and publication. However, such provisions are subordinated to the national interest as defined by party-appointed courts, and the constitution cannot be invoked in courts as a legal basis for asserting individual rights. The judiciary is not independent, and judges generally follow party directives, particularly in politically sensitive cases. Vague provisions in the criminal code and state-secrets legislation are routinely used to imprison journalists and other citizens for the peaceful expression of views that are deemed objectionable, especially when it entails criticism of the Chinese Communist Party (CCP). According to the Dui Hua Foundation, Chinese law prescribes up to three years in prison for criminal defamation, one of the heaviest such penalties in the world. In recent years, local officials have resorted to criminal defamation charges to detain and in some instances imprison critics; many of these cases have been launched in response to corruption allegations that are posted on the internet. In October 2008, online activist Wu Baoquan was sentenced to one year in prison for defamation after he posted allegations that local officials in China’s Inner Mongolia region had forced people off their land and then reaped the profits from its sale to developers. His appeal of the prison sentence was pending at year’s end. Local officials have also been known to file civil defamation suits against media outlets in retaliation for unfavorable coverage or the exposure of corrupt acts.

The CCP maintains direct control over news media coverage through its Central Propaganda Department (CPD). This control is reinforced by an elaborate system of regulations and laws that are worded vaguely and interpreted according to the wishes of the party. Routinely taboo topics include criticism of party leaders, violations of minority rights in Tibet and Xinjiang, Taiwanese independence, and the Falun Gong spiritual group. Throughout 2008, the CPD issued ad hoc instructions that further restricted coverage of topics related to current affairs, including protests during the Olympics, allegations that shoddy construction materials contributed to the collapse of school buildings in the May earthquake in Sichuan province, and alleged malfeasance by powerful economic actors. In July and August, the authorities suppressed initial reports that infant formula from Chinese dairies might be contaminated with the chemical melamine, fearing that such a revelation would undermine the positive image the government was seeking to present during the Olympics. By the time the story broke in September, an estimated 300,000 babies were discovered to have fallen ill, and six had died. Restrictions on coverage continued after the scandal’s exposure, with the CPD ordering journalists to publish only information obtained from official sources and to avoid reporting on a lawsuit filed in Yunnan province against a government agency charged with ensuring food safety.

During 2008, the authorities also employed more sophisticated means to “guide” news coverage. This included proactively setting the agenda by allowing key state-run outlets to cover events in a timely but selective manner, then requiring that other media and internet portals restrict their reporting to the established narrative. The aim was to preempt less favorable coverage by bloggers, foreign journalists, and more aggressive commercial news outlets. In a typical example of this strategy, just hours after a large taxi-driver strike began in Chongqing in November, the state-run Xinhua news agency issued a detailed dispatch on the topic—one it would not usually cover—that acknowledged the drivers’ economic grievances but downplayed
systemic corruption among local party officials that helped to motivate the strike. The Xinhua report eventually circulated in over 100 newspapers, allowing the party’s account to dominate all public discussions of the incident.

In general, journalists who attempted to investigate or report on controversial issues, criticized the CCP, or presented a perspective that conflicted with state propaganda directives continued to suffer harassment, job loss, abuse, and detention. In May, Chang Ping was dismissed from his position as deputy editor of the *Southern Metropolis Weekly* for writing an editorial that called on the party to grant greater press freedom to those seeking to report on the March riots in Tibet. Similarly, Liu Shui, a journalist and freelance writer, was removed from his post at a financial magazine in Shenzhen and detained for 10 hours for highlighting the prevalence of torture at a local detention center in a 2006 article. Shenzhen officials later ordered Liu to leave the city, claiming that no opportunities for work were available. In November 2008, the authorities announced that only those with government-issued accreditation cards would be considered legitimate journalists, though the extent to which the measures had been implemented remained unclear at year’s end. The announcement raised concerns that the authorities might use such rules to punish more independent-minded reporters for unfavorable coverage.

According to international media freedom watchdogs, at least 29 journalists and 48 cyberdissidents were in prison in China at year’s end, more than in any other country in the world. During 2008, at least 11 individuals, primarily freelance journalists and internet activists, were sentenced to up to seven years in “reeducation through labor” camps or prison for disseminating news or expressing views deemed undesirable by the government. Authorities detained at least 27 others over the course of the year—23 of them between March and August, in the run-up to the Olympics. Some were released within weeks, while others were placed under house arrest or charged with state security crimes. Internet writers working to expose corruption or contributing to overseas dissident news websites were especially subject to prosecution. In May, Qi Chonghuai, a veteran reporter who had worked for print and online publications in recent years, was convicted on fraud charges and sentenced to four years in prison in Shandong province after several of his online articles exposed acts of violence or potential corruption by local officials. Huang Qi, whose website featured investigations into shoddy building materials used in Sichuan schools, was arrested in June and subsequently charged with “illegal possession of state secrets.” After being held in detention for much of 2007, reporter Sun Lin of the banned news site *Boxun* was sentenced in June to four years in prison after a trial from which both his lawyers and his family had been excluded. Another wave of detentions and harassment followed in December, as over 300 intellectuals, journalists, online activists, and other concerned citizens published a manifesto dubbed Charter 08, which called for multiparty democracy, a free press, and an independent judiciary.

On at least five separate occasions during the year, journalists from state-run print and broadcast media were detained on charges of bribery and faced potential imprisonment. Since the detentions came shortly after the journalists investigated or exposed corruption among provincial or city officials, many observers saw the charges as politically motivated. Such suspicions were strengthened by irregularities surrounding the legal procedures in the cases. In one instance in April 2008, journalist Fu Hua of the *China Business News* was charged with accepting bribes in relation to a story that exposed safety problems in the construction of an airport in Changchun, in northeastern China. After he was released on bail, a hospital examination found that Fu had sustained a fractured rib and other injuries while in custody; his trial was pending at year’s end. On a positive note, at least four journalists, writers, and activists were released during 2008,
including Ching Cheong, a Hong Kong reporter imprisoned in 2005 for what many observers believed were trumped-up charges of espionage, and Yu Huafeng, editor of the *Southern Metropolis Daily*, who had served four years of a 12-year sentence.

Occasional violence against journalists remained a concern in 2008, a year that featured the first known murder of a citizen journalist. Wei Wenhua was beaten to death in January by dozens of municipal security officers as he attempted to film them clashing with protesters in Hubei. Several of the officers were reportedly detained and later charged over the incident. In June, reporters from six media organizations attempting to report on illegal mining in Shanxi province were assaulted by thugs; one journalist was hospitalized. Those expressing critical views of the CCP also faced coordinated campaigns in the official press that sought to discredit them in the eyes of the Chinese public. This tactic was used against the press freedom watchdog Reporters Without Borders, after members of the organization protested Chinese rights abuses during the Olympic torch relay; Chang Ping, the deputy editor at the *Southern Metropolis Weekly*, after he wrote an article questioning the official account of the March riots in Tibet; and foreign media, for their coverage of the events in Tibet. Shortly after such campaigns, the intended targets often reported acts of intimidation, including at least 10 death threats against foreign journalists and their families between March and April, and cyberattacks on the Reporters Without Borders website.

Despite such restrictions, some journalists and media outlets continued to push the limits of permissible coverage. Along with the country’s growing community of bloggers, online commentators, and human rights defenders, journalists played a role in uncovering official corruption, mobilizing citizens for humanitarian efforts, and exposing some rights abuses. In the immediate aftermath of the Sichuan earthquake in May, several journalists defied initial propaganda department directives to avoid the area, eventually prompting the authorities to allow one of the most open media environments seen in the country in recent years. Within two weeks, however, the CPD and other governmental agencies restored tight restrictions on coverage. Investigative journalism as a whole came under increasing pressure, as local officials took more coordinated measures to prevent newspapers under their jurisdiction from exposing malfeasance by officials in other regions or by powerful business interests.

Owing to technological advancements as well as the efforts of domestic and overseas activists, the suppression of information has become more difficult in recent years. For Chinese with foreign language ability, foreign news reports that are accessible online present an alternative to the perspectives available in the official media. Despite the party-state’s multilayered apparatus for controlling and censoring online content, the sheer volume of internet traffic and the speed with which information can spread has created some space for exposés of local government malfeasance and open political discussions, so long as they do not employ taboo keywords. A growing number of Chinese use proxy servers to circumvent internet restrictions and receive illegal satellite transmissions. Informal religious and political texts also continued to circulate during the year via the internet or in print. These included sensitive biographies of former leaders, texts satirizing corrupt officials, and dissident publications challenging one-party rule, such as Charter 08 and the *Nine Commentaries*, a collection of editorials initially published in 2004 by the Falun Gong–affiliated *Epoch Times* that analyzes the history of the CCP and encourages an end to its rule.

However, the government has taken steps to limit access to more diverse sources of information, such as jamming the shortwave radio broadcasts of Voice of America (VOA), Radio Free Asia, Sound of Hope, and the British Broadcasting Corporation (BBC). Following
the March protests in Tibet, the government intensified a campaign to confiscate satellite dishes and limit access to VOA’s direct-to-dish Tibet TV service as part of a larger effort to cut off telecommunications to the region (see below). In June, the French company Eutelsat stopped broadcasts into China by the overseas satellite station New Tang Dynasty TV, known for its coverage of human rights abuses and political commentary criticizing the CCP. The company apparently acted under pressure from the Chinese authorities. Security forces throughout the country also continued a drive to “strike down illegal publications.” According to reports on official websites, millions of copies of printed materials were confiscated during the year, including tens of thousands of underground religious and political publications. In the Ningxia Hui Autonomous Region, provincial officials reported seizing a total of 302,260 publications, of which 1,811 were political, 4,706 were religious, and 7,177 were newspaper periodicals. The crackdown appeared to be especially intense in the Xinjiang Uighur Autonomous Region, where authorities regularly target religious and political materials as part of more extensive controls over the practice of Islam and expressions of dissent. Some of those found to be distributing such information faced arrest or imprisonment.

Foreign journalists’ ability to work also remained severely restricted. On January 1, 2007, a series of new regulations removed travel restrictions on foreign media and allowed journalists to interview organizations and individuals without prior government consent. The authorities permanently extended the regulations in October 2008, though they no longer applied to correspondents from Hong Kong, Macau, or Taiwan. Travel to Tibet and other politically sensitive regions continued to require prior approval and close supervision by authorities. As correspondents sought to take advantage of the looser travel rules, incidents of harassment and intimidation of sources reportedly increased compared with previous years. In all, the Foreign Correspondents’ Club of China (FCCC) confirmed 178 cases of reporting interference in 2008, compared with 160 confirmed incidents in 2007, which was already a significant increase from previous years. Though foreign journalists were at a higher risk for harassment in the restive areas of Tibet and Xinjiang, reporters continued to encounter interference in other parts of the country. In late November, a Belgian television crew reporting on AIDS in Henan was beaten and robbed of their videotapes and money by thugs working for provincial officials. Foreign journalists attempting to report on shoddy construction in Sichuan schools or rural residents seeking redress for local corruption were subject to beatings, harassment, and arbitrary detention. Chinese sources who agreed to be interviewed by foreign journalists were more vulnerable to intimidation than the journalists themselves; one was reportedly severely beaten, while others lost their jobs or faced criminal prosecution.

The authorities did not uphold previous official pledges to enable a fully free media environment and unfettered internet access during the Olympics. A Radio Free Asia broadcaster and a reporter for the Hong Kong–based *Apple Daily* were denied entry into China during the period surrounding the games, while regulations requiring an employer’s letter to obtain a journalist’s visa restricted access for freelancers. Although a number of previously censored sites were unblocked at the Olympic media center following an international outcry, sites related to Tibet or the Falun Gong remained blocked throughout the games. In June, the authorities introduced new rules that essentially gave government agencies the ability to decide which Chinese citizens would be allowed to work for foreign media outlets. Press freedom watchdogs feared that such regulations increased potential surveillance over correspondents’ activities and hence the danger to their Chinese assistants and sources. During the Olympics themselves,
foreign reporters continued to encounter harassment, including 10 incidents involving physical
violence.

In the wake of the widespread protests in Tibetan areas that began in March, the Chinese
authorities imposed a media blackout on the region, banning foreign reporting, severing
telecommunications networks, and increasing penalties for Tibetans who attempted to contact the
outside world. Over 25 foreign journalists were expelled from the region. At least seven Tibetan
journalists were reportedly among the thousands of people arrested, and four remained missing
or in incommunicado detention at year’s end. In October and November, a court in Lhasa
sentenced seven Tibetans who had sent information to exile groups to between eight years and
life in prison. State-run media were also mobilized in a propaganda campaign to demonize
Tibetans.

Media outlets are abundant in China but remain owned by the state, as media reforms
have allowed the commercialization of outlets without the privatization of ownership. Most cities
have their own newspaper published by the local government or party branch, as well as more
commercialized subsidiaries whose reporting is often tabloid-style and can be more daring.
According to the BBC, provincial and municipal stations of the state-run Chinese Central
Television offer a total of over 2,000 channels. Though all Chinese media are state owned, the
majority no longer receive state subsidies and now rely on income from advertisements, which
some argue has shifted the media’s loyalty from the party to the consumer. However, this has
also opened the door for economic incentives to reinforce political pressure and self-censorship,
as publications fear the financial costs of being shut down by the authorities as well as the loss of
advertising revenue should they run afoul of powerful societal actors.

The prevailing salary arrangements generally pay journalists only after their reports are
published or broadcast. When a journalist writes a report that is considered too controversial,
payment is withheld, and in some cases the journalist must pay for the cost of news gathering out
of his own pocket. A small number of elite media outlets combat such deterrents to aggressive
reporting by paying journalists even for reports that are subjected to censorship. This has resulted
in a few outlets championing popular causes and printing embarrassing exposures of official
malfeasance, though media personnel who engage in such journalism can be fired or arrested.
Official penalties can also severely compromise a newspaper’s ability to compete in the market,
crippling outlets that overstep the boundaries of acceptable coverage. In September, authorities
suspended the China Business Post for three months after it published a piece detailing attempts
by officials at the Hunan branch of the Agricultural Bank of China to illegally purge US$700
million in bad assets. To justify its decision, the Chinese government cited a rarely enforced
policy that forbids media outlets from reporting on governments outside the region where they
are registered. As a result, the newspaper, which has a weekly circulation of 400,000, was forced
to lay off at least 70 employees. Corruption among Chinese journalists continued in 2008, with
payments from public relations firms to journalists for attending press conferences remaining a
fairly common phenomenon. There were also increasing reports of corporations using bribery or
other economic ties to pressure officials to censor news stories they considered harmful to their
interests.

In 2008, China became home to the world’s largest population of internet users, with an
estimated 298 million people online, or just over 22 percent of the country’s population. Though
the government has long employed an extensive surveillance and filtering system to prevent
Chinese users from accessing material that is considered obscene, harmful to national unity, or
politically subversive, efforts to censor and control internet content have increased in recent
years. A March 2007 ban by the Ministry of Culture and the Ministry of Information Industries on the opening of new internet cafes remained in effect in 2008 (113,000 were in existence at the time of the ban). During the year, sporadic shutdowns targeted foreign-based video-sharing and social-networking sites like YouTube and Facebook. Though a number of overseas websites were unblocked in some parts of the country during the Olympics, others remained inaccessible. By December, the Chinese government had rolled back the modest gains made during the Olympics, blocking the BBC, Voice of America, and other foreign news sites as well as the websites of several Hong Kong newspapers. In addition to blocking content, the authorities have taken steps in recent years to actively guide online discussion. Since 2005, the CCP has recruited and trained an army of web commentators, known as the “Fifty Cent Party,” to post progovernment remarks. Some estimates place their number at over 200,000.

The government took several other steps to restrict internet access during 2008. Acting on its 2007 declaration that all video-sharing websites must be state owned (except for several large examples that had already become influential), the State Administration for Film, Radio, and Television shut down many such sites and demanded that the three major ones—Tudou.com, 56.com, and Youku.com—be closed for several days to conduct a “self-inspection” and ensure that adequate content controls were in place. In October 2008, the authorities instituted a new system of surveillance for internet cafes, requiring that customers have their picture taken and their identification documents scanned by an electronic registration device before they could use a computer. At year’s end, the new surveillance measures had been implemented in at least 1,500 internet cafes in Beijing. Foreign internet companies have largely cooperated with the Chinese government on censorship enforcement. The Chinese-language search engines of the U.S. firms Yahoo!, Microsoft, and Google filter search results and restrict access to information about sensitive topics. The government has also been known to monitor personal communications that are used to spread news and information, including e-mails and mobile telephone text-messaging. In September, a group of Canadian researchers unearthed an extensive surveillance system used to monitor communication via Tom-Skype, an online telephone and instant-messaging service. The system filtered parts of messages identified as including politically sensitive keywords, recorded online chats, and logged the personal information of offending users. At least 166,000 censored messages and the personal information of 44,000 users were archived over a two-month period.

**Colombia**

**Status: Partly Free**  
**Legal Environment:** 13  
**Political Environment:** 30  
**Economic Environment:** 16  
**Total Score:** 59

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Despite a reduction in the rate of kidnappings, the media in Colombia remained under siege in 2008. Press freedom is guaranteed by the 1991 constitution, but journalists are often subject to
legal harassment. This can include subpoenas to testify in court and violate professional secrecy, and criminal libel and civil liability lawsuits. At least a dozen columnists have been charged, among them Maria Jimena Duzan of the daily El Tiempo and Alfredo Molano of El Espectador. New laws that will partially decriminalize libel have been proposed in Congress. A new criminal procedure code took effect on January 1, 2008, raising hopes that it would curb impunity and judicial inefficiency with respect to crimes against journalists. Some progress was made regarding the investigation and prosecution of such cases. A legislator was arrested for the 1998 murder of journalist Nelson Carvajal Carvajal in southern Colombia, and the trial of a former mayor of Barrancabermeja for the 2003 murder of journalist Jose Emeterio Rivas proceeded. On August 21, the Supreme Court ordered the army to hand over legally requested information on military operations. It reversed a lower court’s ruling on the grounds that vague national security exceptions are insufficient to deny the constitutionally protected right to access public information. Despite such encouraging rulings, members of Congress proposed the creation of a Council of Information, which media observers warned could serve as a censorship tribunal.

Colombia remains one of the world’s most dangerous countries for journalists. Reporters continue to encounter difficulties associated with the country’s complex armed conflict, which involves left-wing guerrilla organizations, drug traffickers, right-wing paramilitary groups, and government security forces. Corrupt government officials also engage in harassment and violence against media workers. Hostile rhetoric by high-ranking government officials (including President Alvaro Uribe) regarding coverage of the war serves to further stigmatize journalists and put them at risk of violence. Nevertheless, no journalists were killed for political reasons in 2008. According to the Foundation for Freedom of the Press (FLIP), threats to journalists and violations of press freedom diminished by 15 and 20 percent, respectively, during the year. In one incident, Rosberg Perilla, a reporter for Enlace TV, was assaulted in December by town council member Nelson Riaño Galvis over coverage that the latter found critical. In another incident, journalist Pedro Antonio Cardenas was attacked by two men in Bogota and told to stop circulating his magazine, in which he recently published an article alleging business ties between the mayor of Honda and a paramilitary group. Also during 2008, local media professionals reportedly practiced self-censorship to avoid threats or legal action from the government and nonstate actors. The Journalist Protection Program of the Ministry of the Interior and Justice (MIJ) claimed to have offered assistance to at least 146 media workers facing such threats. Protection for journalists is mandated by the constitution. The MIJ also backs an alert network providing journalists with communication equipment, temporary relocation fees, body guards, bullet-proof vests, and an emergency hotline for their protection.

Most of the country’s media outlets are controlled by groups of private investors. Independent and privately owned print and broadcast media are generally free to express a variety of opinions and cover sensitive issues without restrictions. The government operates one educational and two commercial television stations, along with a national radio network. Despite some advances, the hundreds of community radio stations operating in Colombia sometimes come under pressure from both the government and armed groups. There is a widespread perception that journalists accept bribes in exchange for biased coverage. A proposed statute, seeking “the democratization of the media” through trading in the stock market, was introduced this year. The government used the selective distribution of state advertising as a means to influence the press. Government advertising is an important source of revenue, since local media depend heavily on advertising by provincial and municipal agencies to stay in business. Low salaries add to this financial dependence, which creates a powerful incentive for collusion among
media owners, journalists, and officials, affecting editorial views and news coverage. There were few reported cases of government monitoring or censoring of the internet, which was accessed by close to 39 percent of the population in 2008. However, indigenous communities in western Colombia complained that their online media pages were blocked following confrontations with the military.

Comoros

Status: Partly Free
Legal Environment: 14
Political Environment: 21
Economic Environment: 15
Total: 50

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Congo, Democratic Republic of (Kinshasa)

Status: Not Free
Legal Environment: 25
Political Environment: 32
Economic Environment: 24
Total Score: 81

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- Two internal conflicts, in the eastern provinces of North and South Kivu and in the western province of Bas-Congo, contributed in 2008 to a deteriorating human rights situation, continued restrictions on media freedom, and government intimidation and violence aimed at journalists.
- The law provides for freedom of speech, of the press, and of information, but these rights are restricted in practice by President Joseph Kabila’s government and various nonstate actors, including a rebel movement led by the Rwandan-backed commander Laurent Nkunda. Officials used an array of prohibitive licensing regulations, criminal libel laws, and “preventive detention” powers to restrict free speech and suppress political criticism.
- On September 10, the minister of communications and media shut down five television stations in Kinshasa, alleging that they had failed to submit proper documents. Critics claim, however, that the move was designed to silence opposition voices, as three of the stations were owned by opposition politicians. By September 16, all but one of the stations were permitted to broadcast again.
At year’s end, journalist Popol Ntula Vita of *La Cite Africaine* newspaper remained in hiding; he had been charged with defamation in 2007.

Security forces and agents of the National Intelligence Agency (ANR) harassed and arrested journalists throughout the year. Among other cases, police in January arrested a reporter with the magazine *Les Grands Enjeux*, Maurice Kayombo, for writing critically about the mining ministry; he was detained for 34 days. In November, ANR agents arrested for questioning five journalists with the private station Raga TV after it broadcast an appearance by an opposition politician; the journalists were held for one day.

Authorities raided several media outlets during the year. In July, ANR agents raided the private television station Tele Kindu Maniema and arrested one of its journalists, Mila Dipenge, following the station’s critical coverage of local politicians. In September, police raided Global TV and arrested its manager, Daudet Lukombo, after it aired an interview with an opposition politician; the manager was initially charged with “incitement to rebellion,” but was acquitted in October.

On November 21, a journalist with Radio Okapi, Didace Namujimbo, was shot and killed by unidentified gunmen.

Impunity for crimes against the media is generally the norm, although on May 21 a military court in South Kivu province sentenced three civilians to death for the June 2007 killing of Serge Maheshe, the editor of Radio Okapi.

In April, authorities arrested a Belgian journalist for entering a mining area in Bas-Congo without the proper authorization.

The country boasts hundreds of private newspapers, radio channels, and television stations. The majority of the population relies on radio broadcasts for news.

The state operates two radio stations as well as a television station and an official press agency.

There are no reports that the government restricts internet usage or monitors e-mail, although access was limited to less than half of 1 percent of the population, mainly those in urban centers.

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**Congo, Republic of (Brazzaville)**

Status: Partly Free  
Legal Environment: 17  
Political Environment: 19  
Economic Environment: 17  
Total Score: 53

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**Costa Rica**

Status: Free
Legal Environment: 6  
Political Environment: 7  
Economic Environment: 6  
Total Score: 19

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Cote d’Ivoire

Status: Not Free  
Legal Environment: 21  
Political Environment: 27  
Economic Environment: 19  
Total Score: 67

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- Although the constitution provides for freedom of the press, since the onset of civil conflict in 2002, the government has restricted media freedom in the name of patriotism and national unity. Even after the 2007 Ouagadougou Political Agreement (OPA) between the government and the rebel New Forces (FN), national reconciliation is incomplete, elections scheduled for November 2008 had to be postponed, and the government continues to harass, intimidate, and jail journalists reporting on sensitive topics.
- In August, a new law criminalized racism, xenophobia, and tribalism in the media and elsewhere, punishable by up to 20 years in prison. While the measure would help to protect victims of hate crimes, the imprecision with which it was written raised the possibility that it could jeopardize freedom of expression.
- Journalists face the persistent threat of defamation suits for writing critically about the government. In January, a human rights activist who had written an article about judicial corruption was accused of libeling the prosecutor’s office and sentenced to one year in prison.
- During the year, the government continued its acrimonious relationship with France. It banned the FM broadcast of Radio France Internationale (RFI), allegedly because the network failed to appoint a permanent correspondent for Côte d’Ivoire. While the government has also accused RFI of “unethical” coverage, it lifted the ban in May after a permanent correspondent was appointed.
- In addition, a French freelance photojournalist has been in prison since December 2007 on charges of threatening state security, and the wife and associates of President Laurent Gbagbo refuse to cooperate with the French investigation into the 2004 disappearance of Canadian-French journalist Guy-Andre Kieffer while working in Abidjan.
- There were reports of continuing harassment and violence against journalists, especially those working for opposition newspapers. The government’s use of both legal and extralegal means to intimidate and punish critics fostered widespread self-censorship.
The government maintains control over the state-run media with a heavy hand, running two major radio stations—one of which is the only national station—as well as the country’s largest daily newspaper by circulation.

No private terrestrial television stations are able to operate in Cote d’Ivoire, but more than 100 low-power, noncommercial community radio stations are able to operate freely. Content is restricted by broadcast regulations prohibiting political commentary.

The internet is not restricted by the government, but due to poverty and infrastructural limitations, less than 2 percent of the population was able to access the medium in 2008.

**Croatia**

**Status:** Partly Free  
**Legal Environment:** 9  
**Political Environment:** 15  
**Economic Environment:** 14  
**Total Score:** 38

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- Freedom of the press is enshrined in the constitution and generally protected in practice. However, there is some government influence over the media, and there were reports of increasing pressure from commercial interests.
- Amendments to the criminal code in 2006 eliminated imprisonment as a punishment for libel, leaving fines as the only sanction. Government officials occasionally use libel laws against the media. Croatian journalists have also faced contempt-of-court charges at the UN International Criminal Tribunal for the former Yugoslavia (ICTY).
- Journalists are subject to occasional harassment by the authorities, physical threats, and violence, particularly when their reporting touches on Croatia’s role in the 1991–95 Balkan conflict. Two journalists were assaulted separately in May, and organized crime reporter Dusan Miljus of the daily *Jutarnji List* was severely beaten in June by a pair of assailants armed with metal bats. Miljus continued to receive death threats after the attack.
- A car bombing on October 23 killed Ivo Pukanic, owner of the weekly *Nacional*, and Niko Franjic, the company’s marketing director. The paper had regularly reported on organized crime, corruption, and human rights abuses, and Pukanic himself was believed to have links to criminal networks. Five men were charged in the case on October 31, but the main suspect, a Bosnian Serb who had led paramilitary forces during the Balkan wars of the 1990s, remained at large. *Globus* magazine’s Hrvoje Appelt found a bomb-like device under his car in November, and Drago Hedl, the editor of the acclaimed satirical weekly *Feral Tribune*, received multiple death threats during the year.
- Journalists reportedly practice self-censorship to protect the economic interests of owners and major advertisers.
• State-owned media dominate the broadcast market and remain vulnerable to potential political interference. There are also two privately owned national television stations, more than a dozen smaller television stations, and approximately 150 radio outlets. Many Croats have access to various European channels via satellite.
• The state does not restrict the foreign press or internet access, and some 44 percent of the population used the internet in 2008.

Cuba

Status: Not Free
Legal Environment: 30
Political Environment: 36
Economic Environment: 28
Total Score: 94

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Despite significant government restrictions and the continued imprisonment of 22 journalists, the authorities relaxed restrictions on the purchase of communications technology in 2008, and the growing number of blogs in Cuba provided some new space for free expression. Cuba has the most restrictive laws on free speech and press freedom in the Americas. The constitution prohibits private ownership of media and allows speech and journalism only if they “conform to the aims of a socialist society.” Cuba’s legal and institutional structures are firmly under the control of the executive. Laws criminalizing “enemy propaganda” and the dissemination of “unauthorized news” are used to restrict freedom of speech under the guise of protecting state security. Insult laws carry penalties of three months to one year in prison, with sentences of up to three years if the president or members of the Council of State or National Assembly are the objects of criticism. The 1997 Law of National Dignity, which provides for prison sentences of 3 to 10 years for “anyone who, in a direct or indirect form, collaborates with the enemy’s media,” is aimed at independent news agencies that send their material abroad.

The level of government harassment of and threats against journalists remained the same during the year. For example, in April, Camaguey-based independent journalist Ernesto Corria Cabrera was detained by police after traveling to Havana, interrogated by a state security agent, and then sent back to Camaguey. He was told he had violated a decree that requires Cuban citizens who reside outside Havana to request a special permit to remain in the capital for more than 24 hours. This decree is often used to stop independent journalists and dissidents from meeting with others in Havana. Separately, Alejandro Gonzalez Raga, one of the journalists imprisoned during the “Black Spring” crackdown on dissidents and journalists in March 2003, was released on health grounds on February 15. He had been serving a 14-year prison sentence. In July, Juan Carlos Herrera Acosta, one of 19 journalists arrested in the 2003 crackdown who remain behind bars, began a hunger strike to draw attention to prison conditions and his declining health. He escalated his protest by sewing together his lips, which then became infected, prompting fears for his life. The authorities disregarded appeals by international media rights organizations for his release on health grounds, and he remained in prison at year’s end.
The government owns all media except for a number of underground newsletters. It operates three national newspapers, four national television stations, six national radio stations, and one international radio station, in addition to numerous local print and broadcast outlets. All content is determined by the government, and there is no editorial independence. Cubans do not have the right to possess or distribute foreign publications, although some international papers are sold in tourist hotels. However, as part of a policy of greater economic openness promoted by President Raul Castro, who officially took over as head of state from his brother, Fidel Castro, in February, the authorities introduced measures to ease the private purchase of some consumer goods, including mobile telephones, computers, televisions, and tape recorders.

It is estimated that 2.1 percent of the Cuban population has regular access to the global internet and 11.5 percent can access the Cuban intranet. While accessing the internet remains both logistically difficult and prohibitively expensive for most Cubans, some small improvements have been made. Starting at the end of March, Cubans were allowed to go into hotels with global internet connections, which were previously open only to foreigners. Cuban officials strictly regulate and monitor internet use, with the threat of five years in prison for connecting to the internet illegally and 20 years for writing “counterrevolutionary” articles for foreign websites. However, there are a growing number of blogs, which allow Cubans to express their opinions more freely. Blog hosting sites were reportedly disrupted for about two weeks in March, whether access was attempted from public facilities like cybercafes and hotels or from the country’s few private connections, used for professional reasons or in secret. ETECSA, Cuba’s sole internet access provider, did not provide any explanation for the problems. In early May, travel authorities confiscated, without explanation, the passport of blogger Yoani Sanchez. She had created the blog Generacion Y in April 2007, and it had since gained considerable popularity, with more than one million visitors in February 2008. According to the U.S. State Department, in early December state security agents warned Sanchez against holding a planned conference of Cuban bloggers. Other individuals planning to attend the event were also summoned for questioning and pressured to cancel; as a result, the meeting of 20 bloggers was reportedly held online to avoid the risk of arrest.

**Cyprus**

*Status: Free*

*Legal Environment: 5*

*Political Environment: 9*

*Economic Environment: 8*

*Total Score: 22*

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**Czech Republic**

*Status: Free*

*Legal Environment: 4*
Political Environment: 7
Economic Environment: 7
Total Score: 18

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Denmark

Status: Free
Legal Environment: 2
Political Environment: 4
Economic Environment: 5
Total Score: 11

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Djibouti

Status: Not Free
Legal Environment: 24
Political Environment: 26
Economic Environment: 23
Total Score: 73

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Dominica

Status: Free
Legal Environment: 5
Political Environment: 11
Economic Environment: 6
Total Score: 22

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Dominican Republic
Status: Partly Free  
Legal Environment: 8  
Political Environment: 19  
Economic Environment: 13  
Total Score: 40

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East Timor

Status: Partly Free  
Legal Environment: 12  
Political Environment: 12  
Economic Environment: 13  
Total Score: 37

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- Despite the imposition of a state of emergency from February through May following a rebel assassination attempt on President Jose Ramos Horta, the media environment improved slightly in 2008 as the government weighed new and generally positive media legislation and vowed to decriminalize defamation.

- A new penal code under consideration by the parliament in 2008 would decriminalize defamation, but the old Indonesian code remained in effect at year’s end. Five draft media laws that were also under consideration would establish a regulatory framework for the country’s media. The London-based nongovernmental organization (NGO) Article 19 pointed to a number of positive features in these proposed laws, including a provision under which defamation cases would be referred to the Media Council for mediation. However, the council would have the authority to fine journalists and news organizations for vaguely defined violations. Cases that could not be resolved by the Media Council would be sent to the courts. The council would also have the power to license journalists and expel them from the profession. According to Article 19, the proposed rules for obtaining a license “bear very little relationship to professionalism,” and could be interpreted as restricting access to the profession.

- Jose Belo, editor of the weekly paper *Tempo Semanal*, was notified in December that he was being prosecuted for defamation under articles 310, 311, and 312 of the penal code. The paper had published the results of an investigation alleging that Justice Minister Lucia Lobato had improperly awarded government contracts to friends and business contacts. If convicted, Belo would face fines and six years in jail.
In January, referring to inflammatory interviews with rebel leader Alfredo Reinado, Prime Minister Kay Rala Xanana Gusmao threatened to arrest journalists who published “erroneous” information.

Agostinho Ta Pasea, a senior layout editor for the *Timor Post*, was beaten by military police in February as he took a computer file of the paper’s weekend edition to the printer in Dili. The newspaper lodged a complaint, and the government issued a formal apology for the use of “unjustified force.”

The presence of internationally funded media assistance NGOs has been a mixed blessing for journalists in East Timor. While these organizations have pumped more money into the system, decreasing the importance of state subsidies and arguably increasing journalistic independence, there is evidence that they have contributed to what some Timorese journalists have called a “project mentality,” in which news organizations grow dependent on grants from nonstate actors.

At least five private daily and weekly newspapers operate on a regular schedule, and several more appear sporadically. After the country gained independence in 2002, broadcast media were dominated by public radio and television outlets, but community radio stations—many with international funding—are playing an increasingly important role in the media landscape.

Internet access was limited to just 0.1 percent of the population in 2008 due to infrastructural limitations and poverty. Nonetheless, the government does not censor websites or restrict users’ access to diverse content.

**Ecuador**

**Status: Partly Free**
**Legal Environment: 15**
**Political Environment: 18**
**Economic Environment: 11**
**Total Score: 44**

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The media environment in Ecuador showed some deterioration in 2008, as the government moved to regulate and restrict the broadcast media.

On September 28, 2008, Ecuadorians approved a new constitution, securing fundamental guarantees such as the rights to “communication and information” and “access to public information.” The constitution also addresses “social communication,” meaning the rights of citizens to receive information from the media, the government’s control over television and radio frequencies, and regulation of media ownership. The dissemination of content that incites violence or discrimination, racism, drug addiction, sexism, and religious or political intolerance is prohibited. Journalists’ right to professional secrecy and confidentiality of sources is protected.
The new constitution provides for freedom of speech and of the press, though President Rafael Correa frequently belittles journalists and media executives and accuses them of corruption. The government sometimes engages in advertising campaigns to refute news reports.

On June 17, the courts dismissed a May 2007 lawsuit in which Correa accused the president of the board of directors for *La Hora* newspaper of violating the country’s insult laws.

Monopolies of radio frequencies are illegal. On November 20, the government created a Commission for Auditing Radio and Television Concessions that will review 5,000 licenses to determine whether there is “direct or indirect” monopolization.

In January, the state regulatory agency for television and radio, the National Radio and Television Council (CONARTEL), ordered two radio stations to “correct” reports that were critical of the president. In August, CONARTEL seized cable companies and two television stations (TC Television and Gamavision) in bankruptcy proceedings, cancelling some programs. Other broadcast stations have lost appeals challenging their closure.

In 2008, the Correa administration enforced a provision of the Radio and Television Broadcasting Law that requires all stations to broadcast one hour of educational and health information daily at no charge to the government, as well as mandating coverage, free of charge, of all presidential and cabinet reports and speeches.

No journalists were killed in 2008, and none have been murdered since Correa took office. On occasion, media reports that are deemed to have insulted the president lead to the interrogation of journalists by the authorities.

Most broadcast and print media outlets are privately owned. The government owns and operates one radio station, the newspaper *El Telegrafo*, and the new Canal Ecuador TV, which premiered in 2007 and is funded by a US$5 million grant from the Venezuelan government.

Media outlets express a broad range of editorial viewpoints, many of which are critical of the government. However, they often reflect the political perspectives of their sponsors, a situation that has fueled Correa’s frequent accusations of media bias. As part of his proposed reforms, Correa has called for the redrawing of ownership rules to encourage “healthy competition.”

There were no government restrictions on internet access or evidence of monitoring by the authorities, though connectivity is concentrated in larger cities. Just over 12 percent of Ecuadorians use the internet.

**Egypt**

**Status: Partly Free**  
**Legal Environment:** 21  
**Political Environment:** 21  
**Economic Environment:** 18  
**Total Score:** 60

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Press freedom in Egypt did not improve in 2008. The Emergency Law, the Press Law, and provisions of the penal code circumscribe the media, despite constitutional guarantees of press freedom. Even after amendments to the Press Law in 2006, dissemination of “false news,” criticism of the president and foreign leaders, and publication of material that constitutes “an attack against the dignity and honor of individuals” or an “outrage of the reputation of families” remain criminal offenses that are prosecuted opportunistically by the authorities. Penalties include fines ranging from EGP 5,000 to EGP 20,000 (US$900 to US$3,600) for press infractions and up to five years in prison for criticizing the president or a foreign head of state. Journalists have few professional protections and remain vulnerable to prosecution under these laws. Egyptian reporters continued to test the boundaries of acceptable coverage but were confronted by arrests, lawsuits, and state-sponsored assaults.

In May, the parliament agreed to extend the Emergency Law enacted after the assassination of President Anwar Sadat in 1981. It gives the president the authority to suspend basic freedoms, enables security forces to detain people for prolonged periods without trial, and permits the censorship and closure of newspapers in the name of national security. In June, the government introduced a new broadcasting bill that would assign penalties ranging from one month to three years in prison for “attacking social peace, national unity, public order and society’s values.” The bill also provides for the creation of a national broadcasting regulatory agency headed by Information Ministry officials and members of the state security services. The agency would be empowered to withdraw news outlets’ licenses arbitrarily.

In February, the Arab League’s council of information ministers adopted a pan-Arab regulatory framework for satellite television stations introduced by Egyptian information minister Anas al-Fiqi. The framework targets independent stations that have been airing criticism of Arab governments by forbidding content that would have a “negative influence on social peace and national unity and public order and decency.” The document calls on Arab League member states to take “necessary legislative measures to deal with violations,” steps which can include confiscation of broadcast equipment and the withdrawal of licenses.

In keeping with this new framework, the government targeted a number of Egyptian broadcast outlets in 2008. In April, police raided the offices of the Cairo News Company (CNC), which provides technical support to broadcasters, and confiscated its transmission equipment. The raid came after the Qatar-based satellite station Al-Jazeera broadcast CNC footage of social unrest in the Egyptian city of Mahalla al-Kobra, including scenes of protesters tearing down posters of President Hosni Mubarak. On October 26, the Court of Misdemeanors fined Nader Gohar, CNC’s owner and director, EGP 50,000 for possession of satellite broadcast equipment and another EGP 100,000 for operating an “unauthorized telecommunication network.” The court also ordered the confiscation of all CNC equipment found during a search of the company’s headquarters. Also in April, the government-owned satellite transmission company, Nilesat, stopped carrying Al-Hiwar television. The station featured talk shows such as People’s Rights, which focused on human rights activists who had been harassed or persecuted by Arab governments, and Egyptian Papers, which hosted prominent critics of the Egyptian government. In a similar case, police raided the Cairo office of Iran’s state-owned Al-Alam television station in July and confiscated broadcast equipment. The raid coincided with the release of an Iranian film depicting the assassination of former president Sadat in a positive light. On August 28, the government ordered the Cairo Video Sat production company to cancel the recording of two
programs about youth and politics for Al-Hurra, an Arabic-language television station funded by the U.S. government.

A series of high-profile legal cases against independent and opposition journalists over the course of the year served to threaten and penalize the media for taking journalistic and editorial risks. The Supreme Press Council revoked the licenses of at least 14 news publications, and in February a Cairo appellate court upheld the conviction of an Al-Jazeera journalist, Howayda Taha Matwali, for harming Egypt’s reputation through her work on a documentary about torture. The court struck down her six-month prison sentence, but left intact a fine of EGP 20,000. In March, a Cairo court sentenced Ibrahim Issa, editor of Al-Dustur newspaper, to six months in jail on charges of “publishing false information and rumors” about Mubarak’s health. However, he was pardoned by the president in October. Also that month, a criminal court in Giza ordered El-Fegr editor Adel Hammouda and writer Mohammed al-Baz to pay fines of EGP 80,000 each for defaming cleric Sheikh Mohammed Sayed Tantawi, after their newspaper published a satirical article claiming that Tantawi was planning to visit the Vatican. In November, a Cairo court banned media coverage of the murder trial of Hisham Talaat Moustafa, an Egyptian billionaire accused of ordering the murder of his reputed mistress, Lebanese pop singer Suzanne Tamim. Some news outlets defied the ban, and their reporters were briefly detained as a result.

In addition to legal and regulatory harassment, the Arabic Network for Human Rights Information reported an increase in physical assaults and abductions of journalists in 2008. In one high-profile case, Rahmaniya police arrested Kamal Murad, a journalist for El-Fegr newspaper, for reportedly taking photographs of police beating farmers in Ezbat Mohram to coerce them into signing leases with a local businessman. The officers allegedly beat Murad and seized his notes and mobile-telephone memory card.

Although there are more than 500 newspapers, magazines, journals, and other periodicals in Egypt, this apparent diversity disguises the government’s role as a media owner and sponsor. A majority of print outlets are still in the hands of the state, including Egypt’s three largest newspapers, Al-Ahram, Al-Akhbar, and Al-Gomhorya, whose editors are appointed by the president. On June 8, the Higher Press Council gave licenses to five privately owned newspapers. However, strict regulations still limit the freedom of the independent media to operate. All terrestrial television broadcasters—two national and six regional—are owned and operated by the government. There are, however, several privately owned satellite and pan-Arab stations that attract wide viewership. While the state radio monopoly ended in 2003, the handful of private radio stations operating in the country concentrate on music and entertainment programming.

Thanks in large part to government efforts to aggressively promote internet use, the number of Egyptians with access to this medium has more than quadrupled over the past several years. The internet was accessed by 12.9 percent of the population in 2008. Despite this encouragement, the government continued to block Islamist and secular opposition websites, and arrests of bloggers who criticized the government were not uncommon. In August, the government imposed a new measure requiring internet cafes to retain the personal information of customers, including their names, e-mail addresses, and telephone numbers. Reflecting the rising influence of online reporting and commentary, more internet journalists suffered government harassment. Esraa Abdel Fattah, a young blogger who with her friends created the Facebook group “6 April: A Nationwide Strike,” calling for peaceful strikes across the country to protest rising food prices, was arrested along with fellow bloggers on the day of the planned strike. On
July 21, Mohamed Refaat, editor of the blog *Matabbat*, was arrested and charged with “joining a banned group” (the Muslim Brotherhood) and “inciting to strike on the occasion of 23 July.” He was released in September. Christian blogger Hani Nazeer was arrested under the Emergency Law on October 3 after he criticized the novel *Azazil*, a book perceived by many in Egypt’s Christian minority as an attack on their faith.

**El Salvador**

**Status: Partly Free**

Legal Environment: 10  
Political Environment: 18  
Economic Environment: 14  
Total Score: 42

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**Equatorial Guinea**

**Status: Not Free**

Legal Environment: 27  
Political Environment: 36  
Economic Environment: 27  
Total Score: 90

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- The 30-year-old regime of President Teodoro Obiang Nguema Mbasogo continued to control Equatorial Guinea’s media with a heavy hand in 2008.
- Freedoms of expression and of the press are legally guaranteed, but these rights are ignored in practice.
- As in past years, the government used its extensive powers under the Law on the Press, Publishing, and Audiovisual Media to severely restrict press freedom, making the country one of the world’s most censored media environments. Critical reporting about the president or security forces is not tolerated.
- Almost all local coverage is orchestrated or tightly controlled by the government, and there are no laws guaranteeing freedom of information.
- Local journalists were subject to systematic surveillance and frequently practiced self-censorship during the year.
- International reporters who managed to obtain accreditation were constantly monitored, threatened, and harassed by government officials upon arrival. The government refused to
issue visas to several Spanish journalists from major media organizations to cover the May 2008 elections.

- The most influential medium is radio, but all domestic radio and television stations are owned directly by the government or by the president’s family.
- Applications to open private radio stations have been pending for several years but remain unapproved. A 2007 application by the Roman Catholic Church to operate a radio station was still pending at the end of 2008.
- Uncensored satellite broadcasts were increasingly available to those who could afford the service.
- The government does not restrict internet access, although the authorities are believed to monitor citizens’ e-mail and internet use. Owing to high poverty levels, less than 2 percent of the population was able to access the internet in 2008. The U.S. Department of State reported that more and more people were abandoning the heavily censored traditional media and turning to the internet—especially at internet cafes in the major cities—to get opposition views.

**Eritrea**

**Status:** Not Free  
**Legal Environment:** 30  
**Political Environment:** 40  
**Economic Environment:** 24  
**Total Score:** 94

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- Conditions for journalists and the overall media environment continued to be among the worst in the world in 2008, following the 2001 government closure of all all privately owned print media.
- The constitution, which guarantees freedom of speech and of the press, has been ratified but never implemented.
- Meanwhile, the 1996 Press Proclamation Law mandates that all media outlets must be owned by the government and requires all newspapers and journalists to be licensed. It also stipulates that publications must be submitted for government approval prior to release and prohibits reprinting articles from banned publications.
- The country remained one of the worst jailers of journalists in the world, with 13 journalists in prison as of December 1, 2008, according to the Committee to Protect Journalists (CPJ). Torture and unsanitary conditions are the norm in prisons where journalists are being held.
- New waves of prison transfers were reported in December 2008. Among a group of 27 political prisoners moved to the Dhalak archipelago in the Red Sea were Mattewos Habteab, the editor and cofounder of *Megaleh*, and Temesgen Gebreyesus, a sports journalist and member of the executive board of *Keste Debena*. Dawit Isaac, a Swedish-Eritrean journalist arrested in September 2001, was among the 113 political prisoners transferred to Embatkala
jail in Ghinda. At year’s end he was in extremely poor health, and international bodies including the European Parliament have expressed concern about his condition.

- Foreign journalists are not able to freely enter the country and are generally not welcome unless they agree to report favorably about the regime. A Swedish reporter, originally arrested in 2004, remained in jail at year’s end.
- The three newspapers, one television station, and one radio station that operate in the country remain under state control.
- The government requires all internet service providers to use government-controlled internet infrastructure and owns a large percentage of them. Authorities are believed to monitor e-mail communication, although internet use is extremely limited, with just over 2 percent of the population able to access this medium in 2008.

Estonia

Status: Free
Legal Environment: 4
Political Environment: 5
Economic Environment: 6
Total Score: 15

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Ethiopia

Status: Not Free
Legal Environment: 25
Political Environment: 33
Economic Environment: 18
Total Score: 76

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Conditions for press freedom improved slightly in 2008, following the government’s November 2005 crackdown on opposition political parties and the civil society groups and media outlets that were perceived to support them. A controversial draft law to regulate civil society was introduced during the year, and while it did not directly affect the press, it had a chilling effect on all nongovernmental actors and increased concerns about government persecution. Separately, the government reversed an earlier decision and granted licenses to two of the publishers arrested in 2005. While many Ethiopian journalists have gone into exile, arguably the most important figures remain in the country, providing some hope for a reinvigorated press. Currently,
however, the critical perspectives held by many newspapers before the 2005 crackdown have yet to resurface.

The constitution guarantees freedom of the press, but this right is often restricted in practice. The Freedom of the Mass Media and Access to Information Proclamation was passed into law in December 2008 after years of consultation and debate. The legislation is not exceptionally restrictive, but it has been criticized by the private media and press freedom groups for imposing constraints on the practice of journalism and harsh sanctions for violations. The most controversial provisions were included in the penal code that took effect in May 2005. Of greater concern are the selective approach the government takes in implementing laws and the lack of an independent judiciary. Journalists have few guarantees that they will receive a fair trial, and charges are often issued arbitrarily in response to personal disputes. Court cases can continue for years, and many journalists have multiple charges pending against them. Laws provide for freedom of information, although access to public information is largely restricted in practice, and the government has traditionally limited coverage of official events to state-owned media outlets, albeit with slight openings that began in 2006. In late October 2008, the prime minister abruptly announced a major cabinet reshuffle, including the closure of the Ministry of Information. The precise effects of this move were still unclear at the end of the year.

The broad political crackdown that began in November 2005, in which several dozen journalists and politicians were arrested on charges ranging from treason to subverting the constitution, continued to have negative implications for the media during 2008. Of the 15 journalists released during 2007, seven subsequently sought asylum abroad, and others such as Sisay Agena, Eskinder Nega and Serkalem Fasil have found it difficult to obtain licenses to resume their work. In August 2008, Amare Aregawi, editor of the English- and Amharic-language weekly Reporter, was imprisoned for an article on a labor dispute at a government-run brewery in Gonder. He also received anonymous threats after running a series of articles alleging that associates of billionaire businessman Sheikh Mohammed Hussein al-Amoudi had mismanaged his investments. On October 31, Aregawi was severely beaten outside his son’s school. There were several incidents of harassment and arrests related to media coverage of the politically charged hit-and-run trial of pop singer Teddy Afro, a government critic whose songs were seen as opposition anthems during the 2005 postelection period. The government continued to crack down on political reporting, especially involving the Ginbot 7 opposition movement. Several journalists remained imprisoned at year’s end, and reporters continued to be arrested on charges dating back several years. Two Eritrean journalists from Eri-TV who were reportedly arrested by Ethiopian forces in the Somali capital of Mogadishu in 2006 continue to be held at an undisclosed location in Ethiopia. Foreign journalists and those working for international news organizations have generally operated with fewer restrictions than their local counterparts; however, they regularly practice self-censorship and face harassment and threats from authorities.

The state controls all broadcast media and operates the only television station. In 2007, a new broadcasting authority was created, and the first licenses were finally awarded to two private FM stations in the capital, Addis Ababa. In June 2008, the first private, foreign-language FM station, Afro FM, was granted a license; it will broadcast in English, French, and Arabic. Dozens of print outlets publish regularly and offer diverse views, although following the November 2005 crackdown only a limited number of newspapers—none of which challenge the federalist constitution or ethnic makeup of the government—were allowed to continue publishing without interruption. Since 2005, the most important new entrant in the print market
has been the private paper *Addis Neger*. This paper now enjoys the highest circulation. Publishers Dawit Kebede and Wosonseged Gebrekidan were authorized to start two newsweeklies, the *Awramba Times* and *Harambe*, in 2008. However, both papers faced regular government intimidation, and the government brought up old charges against Dawit. In 2005, authorities had largely targeted the Amharic-language private press, banning or shutting down more than a dozen opposition-inclined papers that together accounted for more than 80 percent of Amharic circulation. Most newspapers struggle to remain financially viable and to meet the minimum bank balance that is required to renew their annual publishing licenses.

In past years, access to foreign broadcasts has occasionally been restricted. This pattern continued into 2008 with the jamming of Deutsche Welle and Voice of America (VOA) signals, though the government denies blocking the stations. The U.S. State Department reported that the sustained jamming of VOA’s Amharic and Afan Oromo services largely ended in March. Diplomatic ties with Qatar were broken over the Qatar-based satellite station Al-Jazeera’s coverage of the insurgency by the Ogaden Liberation Front in southern Ethiopia.

Owing to an extremely poor telecommunications infrastructure, internet access is limited primarily to the major urban areas; less than 0.5 percent of the population could make use of this medium in 2008, but its popularity is growing with the proliferation of internet cafes. As more citizens, faced with an increasingly restricted traditional media environment, turned to the internet for information, the government responded accordingly. There are reports that the government monitored e-mail, and starting in 2006, blocked access to opposition websites and blogs, including news websites run by Ethiopians living abroad. Since 2004 the government has been using a unique e-government platform. Known as WoredaNet, meaning a network of local districts, it connects different nodes of the government, from the central to the local level, and has been used extensively by political cadres to instruct local administrators through videoconferencing. The Ethiopian Telecommunications Corporation remained the only internet service provider during 2008.

**Fiji**

Status: Partly Free  
Legal Environment: 14  
Political Environment: 18  
Economic Environment: 8  
Total Score: 40

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**Finland**

Status: Free  
Legal Environment: 3  
Political Environment: 3  
Economic Environment: 4
France

Status: Free
Legal Environment: 6
Political Environment: 9
Economic Environment: 7
Total Score: 22

- The constitution and governing institutions support an open press environment, although certain laws limit aspects of press freedom in practice.
- There are strict antidefamation laws in place, with fines for those found guilty; the law also punishes efforts to justify war crimes and crimes against humanity, as well as incitement to discrimination and violence.
- In March 2008, President Nicolas Sarkozy withdrew his complaint against the newspaper *Nouvel Observateur* after it apologized to his wife over a story it ran on their marriage.
- In February, a plan suppressing commercial sources of revenue for public broadcasting was announced. The proposal was criticized for its failure to address the expected loss of up to 850 million euros in commercial revenue by the country’s public broadcasters.
- In December, the National Assembly passed a bill that banned prime-time advertising from state-funded television networks. The bill also gave Sarkozy the power to name the head of public broadcasting. A final vote was pending at year’s end.
- The government drafted a bill, passed in December, that would reinforce protection of source confidentiality, including a clause restricting searches of journalists’ homes. The measure was set to be incorporated into Article 2 of the law on press freedom. Bloggers would not be covered under this law.
- Protection of journalists’ sources remained the top press freedom issue in France in 2008. Journalist Bruno Thomas of the car publication *Auto Plus* was held for 48 hours, then charged on July 17, after carmaker Renault accused the magazine of publishing photos of future car models. Thomas’s refusal to reveal his sources apparently led to his detention.
- Police and judicial officials raided the local daily newspapers *Centre-Press* and *La Nouvelle Republique du Centre Ouest* in the town of Poitiers on September 30 for allegedly violating the confidentiality of a judicial investigation.
- Journalist Vittorio de Filippis was detained in November 2008 and subjected to two body searches before being taken to a judge. He was told he was under investigation in connection with a libel case against the daily *Liberation*, for which de Filippis was the managing editor in 2006.
Most of France’s more than 100 newspapers are privately owned. The government controls many of the firms that supply advertising revenue to media groups. There were no government restrictions on the internet, which is used by approximately 64.6 percent of the population. However, a 2006 antiterrorism law does allow security agencies to monitor the internet for suspected terrorists.

Gabon

**Status: Not Free**  
**Legal Environment: 24**  
**Political Environment: 23**  
**Economic Environment: 22**  
**Total Score: 69**

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- The government began tightening its control over the country’s media through the main regulatory body, the National Communications Council (CNC), in 2007, and it continued this process in 2008 with the jailing and beating of journalists and the closure of several publications. Reporting on the health or wealth of President Omar Bongo, in power since 1968, drew particularly harsh treatment.
- The constitution guarantees freedom of expression and of the press, but authorities used legal harassment, threats, and financial pressure to curb critical reporting. There is also frequent censorship.
- Libel can be treated as either a civil or a criminal offense, and the government is permitted to criminalize civil suits and initiate criminal cases in response to the alleged libel of government officials.
- Among other media closures during the year, the private semimonthly *Tendance Gabon* was suspended for three months for reporting critically on the president. The bimonthly *Edzombolo* was closed, also for three months, for defaming “prominent state personalities.” And the private newspaper *Croissance Saine Environnement* was banned from March to August for criticizing a government official. Two publications banned in 2007, *L’Espoir* and *Gri-Gri International*, reopened in June and remained closed at year’s end, respectively.
- Journalists also suffered physical violence. In November a reporter for *Gabonpage*, an internet news site, was attacked by the police, and in December a reporter for the weekly *Le Nganga* was assaulted by the Republican Guard.
- Gabon has several private radio stations and four private television stations. The government owns two radio stations and two television stations that are able to broadcast nationwide.
- The government-affiliated *L’Union* is the only daily in the country, and fewer than a dozen private weeklies and monthlies print sporadically due to financial constraints and government-ordered closures.
- Foreign publications and radio broadcasts are widely available.
There are no reports that the government restricts internet access or monitors e-mail, although less than 6 percent of the population had access to the internet in 2008.

The Gambia

Status: Not Free
Legal Environment: 25
Political Environment: 34
Economic Environment: 20
Total Score: 79

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- The Gambia’s poor record on press freedom remained unchanged in 2008. The press continued to operate under enormous strains due to legal and extralegal intimidation of journalists and media outlets, as well as complete impunity for past abuses.
- The constitution guarantees freedom of expression, but the government does not respect it in practice. The constitutional protections are undermined by other legislation, primarily the Newspaper Amendment Act and a criminal code amendment, both passed in 2004. The latter established the publication of false information as an offense carrying stiff penalties, and mandated harsh punishments for sedition and libel.
- The 2004 murder of journalist Deyda Hydara remained unsolved in 2008. Hydara was managing editor and cofounder of the Point, a privately owned weekly, and a correspondent for both Reporters Sans Frontieres and Agence France-Presse.
- In June, the Community Court of Justice of the Economic Community of West African States (ECOWAS) in Nigeria ordered the Gambian government to release “Chief” Ebrima Manneh, a journalist for the Daily Observer newspaper who had been arrested in 2006 and held incommunicado ever since. The government denied any knowledge of his whereabouts.
- In July, the editor of Today newspaper, Abdul Hamid Adiamoh, was arrested on charges of publishing with seditious intent for a report on children who skipped school in order to sell salvaged scrap metal. His case was still open at the end of the year.
- In December, a British missionary couple received a one-year prison sentence for “seditious” e-mails sent to the United States and Britain.
- The U.S. State Department reported that several journalists were in hiding during the year out of fear of government retaliation. A number of others remained in exile.
- The government owns a daily newspaper, a national radio station, and the only national television station. Political news coverage at these outlets generally toes the official line. The Gambia has seven private newspapers and nine private radio stations. Many of these outlets are subject to official pressure for publishing criticism of the government and public officials, while most businesses avoid advertising with them for fear of government reprisals. A premium television network operates as a satellite station.
- About 5.8 percent of the population was able to access the internet in 2008. Since its launch in 2006, Freedom Newspaper, an online news site that is often critical of the government, has
periodically been blocked by the authorities. Users reported that they were unable to access the site for a short period in March.

Georgia

Status: Partly Free
Legal Environment: 14
Political Environment: 29
Economic Environment: 17
Total Score: 60

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The constitution and the Law on Freedom of Speech and Expression guarantee press freedom, but these rights are often restricted. In 2008, the government increased its control over the media and showed a reduced willingness to adhere to the progressive legislation it had adopted in recent years. Despite a rule that allowed the parliamentary opposition to nominate a member to the Georgian National Communications Commission (GNCC), the panel remained subject to government influence. Maestro, a local television channel covering Tbilisi and nearby cities, was denied its application to produce political programs. Maestro won a subsequent court ruling on the matter, but it was still not producing any news programs at year’s end. Under strong pressure from the opposition and the public, the government launched a reform of the Georgian Public Broadcaster (GPB), which includes two television and radio stations. The reform would make it more independent, using a model similar to that of the British Broadcasting Corporation. The GPB is currently still governed by a board appointed by the parliament, although four of the nine members are named by opposition parties. The GPB receives 7 percent of its financing from the state budget.

There was an improvement in press freedom prior to the May parliamentary elections, following strong criticism of government conduct toward the media in late 2007. After the May elections, however, the government sought to strengthen its position again. During the conflict between Georgian, Russian, and Russian-allied South Ossetian forces in early August, three journalists were killed and at least 10 were wounded. All sides obstructed media operations during the brief conflict. The Georgian government ensured that broadcast media did not report unfavorably on government actions and limited access to public information, while Russian and separatist troops prevented journalists from entering certain territories. In general, media in both South Ossetia and Georgia’s other separatist region, Abkhazia, are tightly controlled by the local authorities.

Outside of the war period, other instances of media restriction and harassment occurred. At the end of June, news coverage was cut back to eliminate all talk shows and analytical programs. NGOs assert that this was due to government pressure. In September, Kavkasia TV’s transmission was twice interrupted, supposedly due to “technical issues,” but the station director believes the interruptions were designed to prevent it from airing scheduled criticism of the government’s actions during the August war. The director also claims that in June financial police pressured companies to cease advertising with Kavkasia. Journalists Maka Tsiklauri and
Irakli Goguadze of the online video magazine Presa.ge claimed to have been victims of government pressure in four separate incidents in which they were physically assaulted or had their equipment seized. In mid-July the newspaper Batumelebi received a death threats by e-mail, and after it went public with the story and informed the prosecutor’s and ombudsman’s offices, the paper received a second threatening message.

For a small country, Georgia has a large number of broadcast and print outlets, and most print media continued to express diverse views throughout the year. There are 200 independent newspapers and several independent or privately owned television and radio stations in addition to those run by GPB. Four Tbilisi-based television stations have nationwide coverage. Television is by far the leading source of news, with some 85 percent of the population able to access the most popular channel. The print media continue to suffer financially, and the combination of the war and the global financial crisis affected revenue for all media, resulting in reduced diversity and a decrease in news programming.

International media groups such as Reporters Sans Frontieres and the Committee to Protect Journalists have sounded the alarm about the government’s heavy-handed efforts to silence criticism, particularly with respect to television. Ever since the independent and pro-opposition Imedi TV was forced off the air in late 2007 during a period of social unrest, the government has actively sought to ensure that broadcast media with large audiences are owned by government allies. As a result, stations such as Rustavi 2, Mze, and Imedi TV—which resumed broadcasting in September under a new owner—have maintained a strong progovernment line. Imedi had been owned by business magnate Badri Patarkatsishvili, but he passed away in February 2008, and his widow subsequently lost a legal battle over the station with Patarkatsishvili’s former business partner. Imedi is now effectively government controlled. Rustavi 2’s owner and founder alleged in November that the government seized the station from him in 2004 after President Mikheil Saakashvili came to power. Media ownership remains opaque; it is unclear who is behind GeoMediaGroup, which now controls Rustavi 2. Journalists often work without contracts, leading them to practice self-censorship over fears of losing their jobs. There were no reports of government interference with or monitoring of internet use in 2008. Approximately 8 percent of the population had internet access.

Germany

Status: Free
Legal Environment: 6
Political Environment: 6
Economic Environment: 4
Total Score: 16

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- The constitution guarantees freedom of expression and of the press, though there are exceptions for hate speech, Holocaust denial, and Nazi propaganda.
- A new data-retention law requiring firms to store information such as e-mails and telephone conversations for up to six months went into effect on January 1, 2008.
• In December, an antiterrorism law that would have required journalists to reveal their research material and sources was defeated in the parliament. However, a different version of the law was expected to take effect in 2009.

• Privacy was a major issue in Germany in 2008, with several large companies admitting to spying on employees and journalists. Deutsche Telekom acknowledged that it had monitored the telephone calls of journalists, board members, and shareholders. The company argued that it was attempting to locate the source of a leak. The German airline Lufthansa also admitted that it had spied on a journalist in an attempt to identify leaks coming from the company’s board.

• The print media are dominated by numerous regional papers, and only a handful of national papers are published.

• Each of the 16 regional governments is in charge of its own public radio and television broadcasting system, and there are also a number of private stations throughout the country.

• The internet is open and largely unrestricted, but there is a legal ban on access to child pornography and Nazi propaganda, and individuals under court-ordered surveillance are monitored. The internet was accessed by 67 percent of the population in 2008.

Ghana

Status: Free
Legal Environment: 8
Political Environment: 9
Economic Environment: 9
Total Score: 26

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• Ghana’s reputation as a country with unfettered freedom of expression was reinforced in 2008. There were no reports of serious violations of press freedom as the country held legislative and presidential elections in December.

• During the year, there was no repeat of the worrying signs in 2007 involving the activities of nonstate actors, the overzealousness of presidential security guards, and clumsiness in managing press access to public events.

• Freedom of the press is guaranteed by law, and the government generally respects it in practice.

• While Ghana’s criminal libel laws were repealed in 2001, former public officials and private citizens there have brought a spate of civil libel cases with crippling fines against media outlets in the past few years. This reportedly has encouraged self-censorship.

• Despite repeated promises to do so, the government of outgoing president John Kufuor failed to pass a freedom of information bill; however, on the eve of the December 2008 elections, the four major parties promised to pass the bill into law after the voting.

• In response to the outcry following incidents of police harassment of journalists in 2006, Ghana’s police inspector general announced that the police would work to ensure that the
rights of journalists were more fully respected. The only case of police harassment during the year took place in August, when the offices of the oppositionist Radio Gold FM were raided and three staff members were roughed up. The raid followed the station’s interview of a ruling party activist who claimed vote-rigging in local elections, but police said they were investigating a robbery at the station.

- More than 135 newspapers, including 2 state-owned dailies, publish in Ghana. Approximately 110 FM radio stations operate nationwide, 11 of which are state run, and there are 27 television stations in operation. Radio remains the most popular medium.
- Journalists regularly complain about the bias they experience when applying for a license to open a media outlet, particularly in the broadcast sector. Some applied as long ago as 2000 and have yet to receive a response.
- Poor pay and unprofessional conduct, including the fabrication of highly sensationalist news stories, remain problems.
- Use of the internet is growing and unrestricted, but the access rate remains low at 3.8 percent of the population.

Greece

Status: Free
Legal Environment: 9
Political Environment: 14
Economic Environment: 6
Total Score: 29

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Grenada

Status: Free
Legal Environment: 8
Political Environment: 11
Economic Environment: 5
Total Score: 24

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Guatemala

Status: Partly Free
Legal Environment: 16
Guatemalan journalists continued to work under difficult and dangerous conditions in 2008. Frequent and more violent attacks against the press, combined with the state of impunity for crimes of this nature, have produced a chilling effect on the industry, often leading journalists to practice self-censorship.

- Article 35 of the constitution ensures freedom of expression, which is generally respected by the government.
- In September legislators unanimously approved the Freedom of Information Act, a law that allows citizens to request and receive information about public institutions.
- Media groups reported numerous cases of extralegal intimidation and violence aimed at journalists, often related to drugs, corruption, and organized crime. In May, Jorge Merida Perez, a journalist for the national daily *Prensa Libre*, was murdered after reporting on drug trafficking and government corruption. In July, another *Prensa Libre* reporter, Danilo Lopez, received a death threat from a former governor related to his writing on corruption in the governor’s office.
- In August, Jose Ruben Zamora, president of the Guatemala City daily *El Periodico*, was abducted and beaten unconscious. Zamora is a well-known investigative reporter who has for many years covered organized crime and corruption cases.
- There are four major daily papers. The government forcibly closed four community radio stations, and nine stations that were closed in 2006 remained so. Electronic media ownership is concentrated in the hands of Angel Gonzalez of Mexico, a politically connected entrepreneur who favors conservative perspectives and controls four of Guatemala’s six private television stations. In 2008, Congress passed the Law of Televised Frequencies, which prohibits the two national open-access frequencies that are not owned by Gonzalez from selling advertising to cover their expenses.
- There are no reports of government limitations on internet usage, and the internet was accessed by about 10 percent of the population in 2008.

**Guinea**

**Status: Not Free**

**Legal Environment: 22**

**Political Environment: 27**

**Economic Environment: 17**

**Total Score: 66**
• A military junta led by Captain Moussa Dadis Camara took power in a bloodless coup in December 2008 after Lansana Conte, Guinea’s president for 24 years, died of a long illness. The junta, known as the National Council for Democracy and Development (CNDD), abolished all government institutions and the constitution; however, by year’s end, Guinea’s new government had not attempted to enact additional media restrictions.

• The U.S. State Department noted an improvement in the media environment during 2008; although there were some cases of harassment of journalists and closures of media outlets, the government refrained from large-scale harassment of the press, unlike in 2007. Nevertheless, the effects of the coup on media freedom were still uncertain at year’s end.

• The constitution guarantees freedom of the press, but this right is not respected in practice and has been widely abused, partly through restrictive legislation that designates defamation and slander as criminal offenses and permits the authorities to censor publications.

• In January, two private weeklies, La Verite and L’Observateur, received three-month suspensions by the National Communications Council (CNC), reportedly for criticizing important government officials.

• In November, the CNC suspended the license of a community radio station, Familia FM, for disturbing the peace and breaching the rules governing such stations. The CNC reversed its decision shortly after the closure, and Familia was allowed to resume broadcasting. The Media Foundation for West Africa (MFWA) expressed concern about “the tendency of the CNC to order suspensions.”

• Radio is the most important news medium in the country. In addition to a state-owned radio station, 10 private stations operate mostly in urban areas, and 12 rural and community stations broadcast in the rest of the country. The state-owned Radio Television Guinea (RTG) continues to be the only television broadcaster.

• Thirteen private weekly newspapers publish regularly in Conakry, while numerous others publish only sporadically. The country’s only daily, the Horoya, is state run. Several new radio stations and many new newspapers began publishing in 2008. While many journalists continued to self-censor, a wider variety of opinions and viewpoints were represented than in previous years. However, widespread corruption and a lack of transparency in media ownership continued to plague the private press.

• International media operate freely in the country.

• The government does not directly restrict access to the internet, but use of the medium remains very low, largely because of illiteracy, limited access points, and the high cost of access. The proportion of the population estimated to have access to the internet in 2008 was only 0.5 percent.

Guinea-Bissau

Status: Partly Free
Legal Environment: 15
Political Environment: 22
Economic Environment: 15
Total Score: 52
Guinea-Bissau faced significant setbacks in 2007 in its efforts to protect media freedoms and build on previous gains in reestablishing civil and political order, but there were improvements on a number of fronts in 2008.

Legislation passed in 2005 provides for freedom of speech and the press. The government, however, has not consistently respected these legal guarantees.

Unlike in the previous year, there were no reports of death threats against journalists attempting to cover the presence of international drug cartels in Guinea-Bissau. However, the lack of explicit intimidation may reflect pervasive self-censorship rather than an improvement in media freedom. There were no reported arrests of journalists or closures of radio stations.

Harassment of media workers continued throughout 2008. The directors of two private newspapers, Atizar Mendes Pereira of *Ultima Hora* and Fafali Koudawo of *Kansare*, were briefly detained and interrogated over articles that were critical of the army’s chief of staff. The 2007 case against Reuters journalist Alberto Dabo—who was charged with defamation, abuse of freedom of the press, violating state secrets, and slander—was pending at year’s end.

The country’s only television station is state run. Three private radio stations compete with the state-run radio broadcaster and the Portuguese-owned public broadcaster.

Three privately run newspapers operate alongside the state-owned weekly.

The national printing press is the sole printing plant in the country.

No government interference with or attempts to censor the internet were reported in 2008, and 2.5 percent of the population had access to the medium.

Guyana

**Status:** Free  
**Legal Environment:** 7  
**Political Environment:** 13  
**Economic Environment:** 10  
**Total Score:** 30

- The constitution provides for freedom of speech and of the press, and media are generally allowed to operate without interference.
- Legislation to facilitate the distribution of private radio licenses has yet to be introduced.
- As of year’s end, there was no freedom of information law, though President Bharrat Jagdeo has promised that a bill would be introduced in early 2009.
- On April 11, the government suspended the license of the independent television station Channel 6 for four months after it aired a vague threat against the president by a caller during
a talk show. The host immediately condemned the caller’s remarks, but the government argued that the station was inciting violence.

- The government has refused to respond to multiple television license applications for Region 10, and has continued to refuse the approval of similar long-standing requests for private radio frequency authorizations. As a result, government-owned radio stations are the only media capable of reaching the whole country.
- There were no murders of or attacks on journalists in 2008.
- In July, the government withdrew accreditation to cover the president’s office from Gordon Moseley, a television journalist for Capital News in Georgetown. He was accused of making “disparaging and disrespectful” statements about the president.
- Guyana has six national newspapers and a number of other periodicals.
- The government maintains a long-established radio monopoly, operating the country’s only two stations. There are also three television stations—one state owned and two privately owned.
- In January, the Stabroek News ended its campaign against the government’s September 2007 decision to no longer advertise in the paper. The government then ended its boycott in March.
- Use of the internet is not restricted by the government, and approximately 24.6 percent of the population had access in 2008.

Haiti

Status: Partly Free
Legal Environment: 15
Political Environment: 20
Economic Environment: 18
Total Score: 53

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- The constitution explicitly upholds the right of journalists to freely practice their profession and forbids censorship except in the case of war. In practice, widespread poverty, a corrupt judiciary, violence, intimidation, and a tradition of excessively biased media coverage mean that journalists have had to operate in extremely difficult conditions. However, the situation has slowly and steadily improved over the past few years.
- In December, a Port-au-Prince court sentenced journalist and press freedom advocate Joseph Guyler Delva to one month in prison for defaming a former senator by stating that he had failed to testify about the unsolved 2000 slaying of Haitian journalist Jean-Leopold Dominique. Guyler Delva has appealed the court’s decision.
- During 2008, news coverage became less partisan and more informative, reflecting the authorities’ efforts to provide the media with more details and fuller explanations of government actions and policies.
No journalists were killed or forced to flee the country, and there was a further improvement in the security situation, making it easier for local and foreign journalists to cover the news. However, the Independent Commission to Support the Investigations of Assassinations of Journalists failed to make any further progress on past cases during the year.

In July, radio journalist Joachim Marcel, who had been investigating electoral corruption, was assaulted by the Cap Haitien deputy mayor and his bodyguards. The attackers also damaged equipment at the local office of Signal FM.

Radio is by far the most popular news medium, with more than 30 stations broadcasting. There are four weeklies and two newspapers that publish several times a week, all privately owned. Television Nationale d’Haiti is government owned, and there are several private television stations.

There are no government restrictions on internet access, but usage remained low at just over 11 percent of the population in 2008.

### Honduras

**Status: Partly Free**

Legal Environment: 15  
Political Environment: 23  
Economic Environment: 14  
Total Score: 52

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- Freedoms of speech and of the press are constitutionally protected. However, the government often does not respect these rights in practice.
- Despite the fact that in 2005 Honduras abolished the penal code’s *desacato* (disrespect) provision, which was aimed at protecting the honor of public officials, other restrictive press laws are still used to subpoena and punish journalists who report on sensitive issues such as official corruption, drug trafficking, and human rights abuses.
- On November 17, President Manuel Zelaya announced plans for regulatory legislation designed to counter a “culture of death” that he said was propagated by the media.
- There is some self-censorship among journalists.
- The government influenced media coverage of its activities by granting selective access to officials.
- About three dozen journalists, largely in rural areas, were subjected to threats and intimidation in 2008.
- On January 1, two unidentified men shot and killed Jose Fernando Gonzales, the owner of Radio Mega. Police had identified but not arrested the killers by year’s end.
- Honduras has nine daily papers.
- Most of the media sector is owned by a small group of business magnates who also have political interests.
There are six private television stations and five nationally broadcasting radio stations—one state owned and four independent.

Corruption among journalists and government manipulation of state advertising purchases are common.

The government did not restrict access to the internet, and it was used by close to 6 percent of the population in 2008.

Hong Kong

Status: Partly Free
Legal Environment: 12
Political Environment: 11
Economic Environment: 10
Total Score: 33

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**Status change explanation:** Hong Kong’s status declined from Free to Partly Free in 2008, as Beijing’s influence over Hong Kong media, which has been growing in recent years, became more formalized and publicly evident. Of particular concern were the appointment of 10 Hong Kong media owners to a mainland Chinese political advisory body and reports that critics of Beijing had more difficulty gaining access to Hong Kong media platforms.

Although freedom of expression is protected by law and Hong Kong media remain lively in their criticism of the territory’s government, the space for reporting that is deemed undesirable by the central government in Beijing has narrowed in recent years. Under Article 27 of the Basic Law, Hong Kong residents enjoy freedoms of speech, press, and publication, and these rights are generally upheld by the territory’s independent courts. However, they risk being undermined by the power of the Chinese National People’s Congress to make final interpretations of Hong Kong’s Basic Law, Chinese surveillance in the territory, and the economic interests of media owners in the Chinese market.

Press freedom advocates continue to express concerns over the selective application of the Broadcasting Ordinance and the constitutionality of existing procedures for granting licenses to new media outlets, particularly in relation to the prodemocracy pirate radio station Citizens’ Radio. The station’s license application was rejected in 2006, and the authorities have since obstructed its broadcasts. In January 2008, a magistrate found that the licensing system was unconstitutional because decisions to grant or refuse licenses are taken by the executive branch rather than an independent body. Parts of the ruling were subsequently overturned by a higher court, but the constitutionality question remained unresolved at year’s end. The authorities raided Citizens’ Radio and confiscated equipment in December, and several activists faced criminal charges at year’s end for attempting to broadcast earlier in the year. If convicted, they could reportedly face fines of up to US$12,800 and prison terms of up to five years. Adding to concerns about the selective application of media regulations, the authorities took a milder approach to outlets that were perceived as more sympathetic to the government. In January,
legislator Albert Cheng encountered no regulatory interference after announcing the launch of a new AM radio station that would include programming under the theme “harmonious society,” a common term in Chinese Communist Party (CCP) rhetoric that was often used to justify the suppression of political dissent.

There were no outright attacks on the press in 2008. However, signs of Beijing’s growing influence on the media environment emerged during the year, particularly in the period surrounding the passage of the Olympic torch relay through the territory and during the games themselves in August. For example, there was a nearly total freeze on the release of new Chinese-language films during the summer. According to the chief executive of one motion picture company, this was related to the fact that “the authorities up north did suggest it would be better not to schedule releases during the Games.”

Increasing media self-censorship poses a serious threat to free expression in the territory. The most common types of self-censorship in 2008 were reportedly the downplaying of information that would be detrimental to media owners or their interests, and constraints on investigations of issues deemed sensitive by the CCP, such as negative news about the central government, the repression of ethnic and religious minorities, the work of some human rights defenders in China, and efforts to seek redress for victims of Beijing’s 1989 crackdown on prodemocracy demonstrators. In a case that drew widespread attention in April, the editorial board of the journal of the Hong Kong Law Society made a last-minute decision not to publish an article by a prominent human rights lawyer that outlined the basis for Tibetans’ right to self-determination under international law. The article, which had previously been approved by the board, would have run in the journal’s May edition, coinciding with the Hong Kong leg of the Olympic torch relay. The incident was part of a broader trend that has been documented in recent years. The Hong Kong University Public Opinion Program reported that 45.8 percent of journalists polled in 2008 believed that press freedom had deteriorated since 1997, mainly due to self-censorship. In the context of the Olympics, observers raised concerns that a general atmosphere of growing nationalism could further marginalize dissenting voices.

International media organizations operate freely in Hong Kong, and foreign correspondents do not need government-issued identification. However, they face restrictions on traveling freely from the territory into China, contributing to a trend of international media outlets moving their bureaus to Beijing or Shanghai. Similarly, in July, a journalist for Hong Kong’s Apple Daily, known for its critical stance toward the central and Hong Kong governments, was prevented by the mainland authorities from entering the country.

Self-censorship is reinforced by the close relationship between an increasing number of Hong Kong media owners and the government in Beijing. These ties grew more formal in early 2008, when 10 owners—nearly half of the media owners in the territory, according to the Hong Kong Journalists’ Association—were named to the Chinese People’s Political Consultative Conference (CPPCC), a political advisory body that has little real influence over government policy but is often used by the CCP to co-opt powerful members of society. Among those named to the body were owners or major shareholders of some of the most prominent media groups in Hong Kong, including the Sing Tao Group, Oriental Press Group, and ATV. Several media owners are also current or former members of the National People’s Congress, China’s rubber-stamp parliament.

Despite the increasing self-censorship, Hong Kong’s media remain outspoken, there is a high degree of professionalism among journalists, and political debate is vigorous in the diverse and partisan press. Hong Kong has dozens of daily newspapers in both Chinese and English, and
residents have access to satellite television and international radio broadcasts from services like the British Broadcasting Corporation (BBC). In recent years, however, publications known for their critical stance vis-a-vis the central government, such as the *Apple Daily* and the *Epoch Times*, have reported difficulties in attracting advertisers because of fears among private business owners that advertising in these publications would damage their economic interests on the mainland. *Apple Daily* founder Jimmy Lai estimated in 2007 that as a result of a coordinated advertising boycott by property developers, his paper lost HK$200 million (US$25 million) in revenue annually. The future of the government-owned Radio Television Hong Kong (RTHK), which has functioned as an editorially independent outlet, remained unclear in 2008. A 2007 review panel had recommended that a new public broadcaster be established but did not comment on the fate of RTHK; this was widely interpreted as a threat to media freedom and the continued existence of RTHK. In January 2008, the government announced that a promised consultation exercise on the broadcaster’s future had been put on hold indefinitely. There are no restrictions on internet access. Some 70 percent of the population uses the medium, giving Hong Kong the highest internet usage rate in Asia.

**Hungary**

**Status:** Free  
**Legal Environment:** 5  
**Political Environment:** 9  
**Economic Environment:** 7  
**Total Score:** 21

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**Iceland**

**Status:** Free  
**Legal Environment:** 1  
**Political Environment:** 4  
**Economic Environment:** 4  
**Total Score:** 9

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**India**

**Status:** Partly Free  
**Legal Environment:** 10
India’s vibrant media scene is by far the freest in South Asia, although journalists, particularly those in rural areas and certain conflict-racked states, face a number of challenges, including an increase in legal actions and violence during 2008. The constitution provides for freedom of speech and expression, and while there are some legal limitations, these rights are generally upheld. The 1923 Official Secrets Act gives authorities the right to censor security-related articles or prosecute members of the press, but no such cases were reported during the year. On occasion, state and national authorities also use other security laws, contempt of court charges, and criminal defamation statutes to curb the media and other critical voices. For example, B. V. Seetaram, chief editor of Chitra Publications, was arrested on defamation charges in Karnataka in January, while the Ahmedabad police commissioner brought charges of sedition and criminal conspiracy against the local editor and a reporter from the Times of India in June. Hate-speech laws have also been used against the press. Three journalists from the Andhra Jyoti, a Hyderabad daily, were arrested in June under a law prohibiting insults to lower castes; there was allegedly little evidence of insult in the article in question, and the three were released on bail.

The Press Council of India, an independent body composed of journalists, publishers, and politicians, serves as a self-regulatory mechanism for the print media through its investigations of complaints of misconduct or irresponsible reporting. No similar body exists for the broadcast media, which have become known for undercover sting operations conducted as part of investigative reports. A broadcasting services regulation bill, which was introduced in 2006 and reintroduced in 2007, could give the government greater power over the media, restrict media cross-ownership, and introduce greater content regulation for news channels—all proposals that have been opposed by broadcasters and journalists’ groups. There was no further action on the proposed broadcasting bill in 2008. Media coverage of the November Mumbai terrorist attacks, especially television coverage, drew criticism on many fronts. Commentary and interviews were viewed by many as jingoistic and inflammatory. Some felt that the live television coverage actually hindered the work of the security forces. Most damning were reports that the terrorists’ handlers monitored the live coverage and relayed the latest developments to them by telephone. In the wake of the Mumbai attacks, the Information and Broadcasting Ministry began exploring possible amendments to the Programme Code and the Cable Television Act with the aim of increasing government regulation of television coverage during times of crisis. Proposals for the vetting and preapproval of television feeds by authorized officials raised censorship fears among some local media watchdogs.

Physical intimidation of journalists by a variety of actors worsened in 2008. At least 4 journalists were killed during the year as a result of their work, and a number of others were attacked, threatened, abducted, or detained by police, right-wing groups, insurgents, local officials, or criminals. Vikas Ranjan, a correspondent for the Hindustan daily who frequently covered crime and corruption issues, was killed by unknown assailants in Bihar in November. Media offices were also targeted during the year. In January, a television station in Gujarat was ransacked by Hindu fundamentalists after it short-listed an artist known for controversial
paintings of Hindu deities for a national service award. Dalit rights activists set fire to the offices of Andhra Jyoti in May, while supporters of Sri Lanka’s Tamil Tiger rebel group destroyed hundreds of copies of the Hindu newspaper in October, both allegedly because of negative coverage.

Members of the press are particularly vulnerable in rural areas and insurgency-racked states such as Chhattisgarh, Jammu and Kashmir, Assam, and Manipur. In Assam, two journalists were killed during the year: Mohammed Muslimuddin, a reporter for the daily Asomiya Pratidin, was fatally attacked near his home in April, reportedly for his work covering drug crimes, while Jagajit Saikia, a correspondent for Amar Asom, was murdered outside the paper’s offices in November. No arrests were made in either case. Also in November, Konsam Rishikanta, an editor with the Imphal Free Press, was found murdered in Imphal, Manipur’s capital. Reporters in these states faced pressure from both the government and insurgents, and those accused of Maoist or insurgent sympathies were detained by the authorities.

Conditions are particularly difficult in the state of Jammu and Kashmir, which saw repeated standoffs between protesters and security forces in 2008. Two journalists were killed in crossfire while trying to cover the news, while numerous others were beaten or detained despite carrying passes that enabled them to work during curfews, according to the Committee to Protect Journalists. Broadcasts were also blocked, and the intermittent curfews prevented newspapers from being distributed. SMS (text messaging) was blocked on the grounds that it was being used to incite communal tension. Local media face sustained threats from militants regarding coverage of certain issues, and pressure to self-censor has also been reported at smaller media outlets that rely on state government advertising for the majority of their revenue. During the year, the state government sent out an advisory that warned media outlets against “publication of certain objectionable material” and explicitly stated that failure to comply would lead to the withdrawal of official advertising. However, in a positive step, the state human rights commission in October directed the state administration to pay roughly US$1,500 in compensation to Naseer Ahmad Khora, a journalist and activist who had been attacked and tortured in 2007.

Most print outlets, particularly in the national and English-language press, are privately owned, provide diverse coverage, and frequently scrutinize the government. The broadcast media are predominantly in private hands, but the state retains a monopoly on AM radio broadcasting, and private FM radio stations are not allowed to broadcast news content. Following a new policy announced in 2006, there has been a modest increase in community radio stations, leading to a greater diversity of voices and topics covered. Doordarshan, the state-controlled television station, has been accused of manipulating the news to favor the government, and some private satellite television channels provide slanted coverage that reflects the political affiliation of their owners, according to the U.S. State Department. Restrictions on the operations of foreign news media outlets were eased in September, when a cabinet decision allowed foreign news magazines to print country-specific editions of their publications, provided they did so in collaboration with a local partner and did not hold more than a 26 percent stake in the joint venture.

The internet, accessed by 7.1 percent of the population in 2008, remains largely unrestricted, although some states have proposed legislation that would require the registration of customers at internet cafes. The government retains the right to censor the internet, particularly on the grounds of morality or national security. In August 2008, a subsidiary of the U.S.-based internet company Google was ordered to reveal the identity of a blogger who posted comments that were critical of Gremach, a construction company.
Indonesia

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

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As in previous years, a vibrant and independent media environment in Indonesia was offset in 2008 by the use of criminal defamation laws, overly strict broadcast licensing requirements, and continued attacks against journalists. Freedoms of speech and of the press are guaranteed by the constitution and the 1999 press law, but new legislation threatened these rights in 2008. In August, the Constitutional Court rejected a request for judicial review of several articles on defamation that remain in the criminal code. Although over the past two years the Constitutional Court has scrapped articles on insulting the president, the vice president, and the government, it argued in the August ruling that public officials needed special protection because “they possessed not only personal subjectivities but also institutional objectivities.” Because it upheld the constitutionality of criminal defamation, the court’s decision was criticized by the Southeast Asian Press Alliance (SEAPA) as “a serious blow to Indonesia’s press freedom.”

On several occasions in 2008, defamation laws were used to restrict reporting. Risang Bima Wijaya, a journalist and former general manager of the daily Radar Yogya, served a six-month jail term following a Supreme Court ruling on a defamation case brought against him by Sumadi M Wonohito, the general manager of the daily Kedaulatan Rakyat in Yogyakarta. The case stemmed from Risang’s 2002 news story on a sexual harassment claim involving Sumadi and a female employee. In November, the chief of the South Sulawesi Regional Police Office accused Upi Asmaradana, the coordinator of the Coalition of Journalists against Criminalization of the Press, of libel and defamation under the criminal code. She was alleged to have “provoked journalists to resist” the police chief.

There were also setbacks in two important civil cases, which strengthened fears that powerful corporations could obstruct the press through legal harassment. In July, the South Jakarta District Court ruled against the newspaper Koran Tempo in a defamation suit filed by the Riau Andalan Pulp and Paper Corporation, after the paper reported on illegal logging in Sumatra. In a separate judgment in September, the Central Jakarta District Court ruled against Tempo magazine in a case involving alleged tax evasion by palm-oil producer Asian Agri. Although the allegations were also being investigated by the attorney general’s office, the court said Tempo had damaged the company’s reputation through its investigative reports on the issue. Business tycoon Sukanto Tanoto owns the plaintiff companies in both of these cases. The rulings led press advocates to urge that aggrieved parties try to resolve press-related disputes through the mechanisms set out in the 1999 press law rather than through the court system.

Also in 2008, four new laws that were only indirectly concerned with the press brought new threats to media freedom. The 2008 Election Law, for example, included articles stating that
“print mass media [must] provide fair and balanced space and time for election coverage, interviews and campaign ads for election candidates.” The law held the Indonesian Broadcasting Commission (KPI) and the Press Council (Dewan Pers) responsible for monitoring such coverage and advertising, and also for levying sanctions in the event of violations, including the possible recall of licenses. Press advocates pointed out that these articles undermined the press and broadcasting laws of 1999 and 2003, and put unworkable obligations on the KPI and the Press Council. The new Information and Electronic Transaction Law likewise raised concerns among journalists, in that it carries a six-year jail term for those who commit defamation via the internet. And although the 2008 Freedom to Access Public Information Law offers new legal guarantees for public access to information, it also provides a one-year jail term for anyone who “misuses” that information. Finally, the controversial 2008 Law on Pornography allows journalists to be jailed for violations and relies on a vague definition of pornography.

Violence and intimidation of journalists continued to be an issue in 2008, although there was some improvement over the previous year. The Alliance of Independent Journalists (AJI), the country’s largest journalists’ union, documented 60 cases of press freedom violations in 2008, including incidents of physical violence, verbal threats, and legal harassment, a decrease from 75 cases in 2007. According to AJI, most of the perpetrators were supporters of candidates during regional elections, government agents, police officers, or members of the Indonesian military. Gorontalo, Jakarta, and Ternate were identified as the most dangerous areas for journalists.

Indonesia is home to a large number of independent media outlets that are generally able to provide a wide variety of opinions and perspectives. Since the Suharto era, private print media have grown enormously from under 300 publications in 1998 to over 800 today. However, large corporations and powerful individuals continued to exercise their ability to obstruct the press, and the perception of widespread corruption in the legal system kept most newspaper and television journalists from reporting on stories that were likely to lead to lawsuits. With only seven large companies dominating Indonesian mass media, press advocates argued that owners were increasingly cautious about publishing stories that might offend powerful companies or individuals. The broadcast market includes over 800 private radio stations and 10 private television networks nationwide; these compete with the public Televisi Republik Indonesia and Radio Republik Indonesia. The number of community radio stations has also proliferated, with over 11 operating in East Jakarta alone. Strict licensing laws have resulted in more than 2,000 illegal television and radio stations that operate on a regular basis without a license. In a countrywide survey, half of the journalists questioned revealed that their salaries were too low to cover basic living costs; more than 60 percent of journalists earn less than US$200 a month.

The internet, which is gaining popularity, was accessed in 2008 by 25 million people, or 10.5 percent of the population. There are no government restrictions on access, but the lack of high-speed infrastructure outside the major cities limits its use as a news source. The internet remains vulnerable to traditional media restrictions. In September, lawmaker Alvin Lie filed defamation charges against journalist Narliswandi Piliang over an article that was disseminated in Kompas newspaper’s online mailing list. If convicted, Narliswandi faced up to six years in prison and a fine of Rp 1 billion (US$110,000). The journalist was also charged under Article 27 of the Electronic Information and Transactions Law, which carries jail terms and fines that are even harsher than those of the criminal code.
Iran

Status: Not Free
Legal Environment: 29
Political Environment: 34
Economic Environment: 22
Total Score: 85

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Press freedom remained extremely restricted in 2008 as the regime’s conservative leaders continued to crack down on critical publications, journalists, and bloggers with arrests, detentions, and newspaper closures. Prior to the March 2008 parliamentary elections and in the run-up to the June 2009 presidential election, officials became especially restrictive of reporting on dissatisfaction with the government, women’s rights and ethnic issues, antigovernment demonstrations, the ailing economy, and the development of nuclear technology.

Constitutional provisions for freedom of expression and the press, which include broad exceptions regarding infringements on the tenets of Islam or “public rights,” are not upheld in practice. In addition, numerous laws restrict press freedom, including the 2000 Press Law, which specifically forbids the publication of ideas that are contrary to Islamic principles or detrimental to public rights. The government regularly invokes vaguely worded legislation to criminalize critical opinions. Article 500 of the penal code states that “anyone who undertakes any form of propaganda against the state…will be sentenced to between three months and one year in prison”; the code leaves “propaganda” undefined. Under Article 513, offenses deemed to be an “insult to religion” can be punished by death, or prison terms of one to five years for lesser offenses, with “insult” similarly undefined. Other articles provide sentences of up to two years in prison, up to 74 lashes, or a fine for those convicted of intentionally creating “anxiety and unease in the public’s mind,” spreading “false rumors,” writing about “acts that are not true,” and criticizing state officials. Iran’s judiciary frequently denies accused journalists due process by referring their cases to the Islamic Revolutionary Court, an emergency venue intended for those suspected of seeking to overthrow the regime. The Preventive Restraint Act is used regularly without legal proceedings to temporarily ban publications. In the run-up to the June 2009 presidential election, the Tehran prosecutor general announced in December that a special office would be created to review internet and SMS-related crimes.

During the year, the government detained, jailed, or fined several dozen publishers, editors, and journalists (including those working in internet-based media) for their reporting. Charges against journalists and publications are often arbitrary. Prosecutions and sentences are drawn out, and bail sums can be substantial. For example, Said Matinpour, a reporter for an Azeri-language weekly in Tehran who was arrested in 2007 for “publicity” against the government, was required to make a bail payment of 500 million tomen (US$700,000) to secure his release in early 2008 after eight months of pretrial detention. Editors and publishers are prohibited from hiring journalists who have previously been sentenced, and many journalists are forbidden to leave Iran. Successive arrests and closures of media outlets have led to widespread self-censorship among journalists. The government’s Office of Public Relations announced in July 2007 the creation of a special team whose mandate is to confront publications that are
critical of the government. The authorities accused several journalists of having ties to foreign governments, as was the case with Iranian American journalist Parnaz Azima, who was working for the U.S.-backed Radio Farda. In March 2008, she was sentenced in absentia to one year in prison, having been charged in 2007 with disseminating propaganda against the Islamic Republic and engaging in activities against national security. In November 2008, prominent Iranian Canadian blogger Hossein Derakhshan was arrested while visiting family in Tehran on suspicion of being a spy for Israel. At year’s end, he remained detained without charge.

The government continued to intimidate and persecute journalists who covered the country’s ethnic minority issues. Yaghoub Mehrnehad, a member of Iran’s Baluchi minority and a journalist for the Baluchi newspaper Mardomsalari, was executed in August 2008 for his alleged association with the armed group Jundallah. However, no evidence of such an association was presented during his trial. He was arrested after posting a blog entry that demanded the resignation or dismissal of local officials and later confronting these officials in person. Kurdish journalists Adnan Hassanpour and Abdolvahed Boutimar were sentenced to death in July 2007 for expressing their views on the Kurdish issue, based on charges of endangering national security and engaging in propaganda against the state. Hassanpour’s death sentence—initially upheld by the Supreme Court in December 2007—was overturned in September 2008, although he awaits retrial on espionage charges and could face up to 20 years in prison. Conversely, after Boutimar’s death sentence was initially thrown out in October 2007 on procedural grounds, he was sentenced to death for a second time in March 2008. As of August, six journalists of Kurdish or Arab descent were imprisoned and several others had received suspended sentences for their coverage of politically sensitive topics. In September, four Azeri journalists were arrested during a private meeting with a political activist, although all were released on bail in November.

The authorities also monitored student-run media, shutting down student publications and arresting eight student editors at Amir Kabir University in May 2007 for insulting state leaders and inciting public opinion. Three of the students were sentenced to between two and three years in prison in July 2007, but they were released in August 2008. Journalists also fell victim to violent attacks during the year. In November, journalist Mohammed Khaleghi was stabbed by two men on a motorcycle days after questioning the government’s handling of a gas shortage in Takab. In June 2008, the Ministry of Labor and Social Affairs threatened to dissolve the Association of Iranian Journalists. Some speculate that this was in reaction to the group’s 2007 statement that the government’s crackdown on independent newspapers had a negative effect on the quality of the independent Iranian media. The Ministry of Culture and Islamic Guidance has banned or closed more than 150 newspapers since 2000. The crackdown continued in 2008, focusing primarily on reformist outlets, although nine cultural magazines were shut down in March for covering stories about prominent foreign film stars and promoting “superstitions.” Officials warned 13 other publications about the consequences of not following the strict provisions of the Iranian press law. Daily newspaper Tehran Emrooz lost its license in June 2008 after publishing criticism of the president’s economic record while mayor of Tehran. The feminist monthly Zanan was closed in January for “publishing information detrimental to society’s psychological tranquility.” After several copies of Kurdish-language weekly Rouji Ha Lat were bought in Iraqi Kurdistan, it was permanently closed in April for violating the prohibition against receiving foreign financial support.

International media are also unable to operate freely. The government requires foreign correspondents to provide detailed itineraries and proposed stories before visas are granted.
Authorities did not renew the visa and residence permit for Robert Tait, a British correspondent for the *Guardian*, forcing him to leave the country on January 4. He had previously been ordered to leave the country in March 2007 but had successfully appealed the order. On July 22, authorities ordered Agence France-Presse’s Tehran bureau chief, Stuart Williams, to leave the country, despite his possession of a valid resident’s permit.

There are some 20 major print dailies, but following the closure of many reformist publications, those with the widest circulation and influence espouse conservative viewpoints or are directly run by the government, such as the dailies *Jaam-e Jam* and *Kayhan*. Owing to limited distribution of print media outside larger cities, radio and television serve as the principal sources of news for many citizens, with more than 80 percent of residents receiving their news from television. The government maintains a direct monopoly on all domestic broadcast media and presents only official political and religious viewpoints on channels run by the Islamic Republic of Iran Broadcasting network. A government-run, English-language satellite station, Press TV, was launched in July 2007. President Mahmoud Ahmadinejad said its mission would be “to stand by the oppressed of the world,” according to the British Broadcasting Corporation. Hassan Fahs was removed from his position as Tehran bureau chief for the Arab satellite station Al-Arabiya in September 2008, shortly after the station aired a controversial documentary entitled *The Road to Revolution*. Although it is forbidden, an increasing number of people own satellite dishes and access international news sources. Satellite radio stations such as Radio Farda and the Dutch-funded Radio Zamaneh also provide international broadcasts to a large part of the population.

The regime systematically controls the internet and other digital technologies. Despite restrictions, internet usage continued to increase dramatically in 2008, with approximately 35 percent of the population accessing the medium. A draft law that passed on its first reading in July 2008 would apply the death penalty to bloggers and website editors who “promote corruption, prostitution or apostasy.” The law was still awaiting final approval at year’s end.

The authorities censor online content by forcing internet service providers (ISPs) to block access to a growing list of “immoral sites and political sites that insult the country’s religious and political leaders.” The government boasted in late 2008 that it was blocking access to five million websites. Access to international news websites and the sites of international organizations is increasingly restricted. Social-networking sites and content-sharing sites such as Facebook, Orkut, and YouTube are intermittently blocked but remain popular, and blogging sites such as Blogger and Persianblog are also blocked. Since the summer of 2006, the censors have focused their efforts on online publications such as *Zanestan* that deal with women’s rights issues. In September, online journalists and women’s rights activists Maryam Hosseinkhah, Parvin Ardalan, Jelveh Javaheri, and Nahid Keshavarz were convicted of “publishing information against the government” and sentenced to six months in prison. These and other women’s activists who were charged and detained during the year were involved in a web campaign seeking to gather signatures in protest of Iranian laws that discriminate against women. Several Iranian news websites, such as *Emrouz*, *Ruydad*, and *Rooz Online*, were filtered. Conservative news websites were also subject to censorship, such as the website *Farda*, which was blocked after revealing that the newly appointed interior minister had lied about his academic qualifications.

Unable to entirely silence online dissidents, the regime announced in late 2008 that it intended to create thousands of progovernment blogs. This amounted to a recognition of the power of Iran’s hundred-thousand-strong blogging community. Blogs have been harnessed by
the large youth population as a medium for expressing frustration about the regime as well as commenting on a variety of social and cultural issues. Seventeen bloggers were questioned or arrested in 2008, seven more than in 2007. Nevertheless, websites continue to communicate opinions that the country’s print media would never publish, with both reform advocates and conservatives promoting their political agendas. Iran’s most popular blogs oppose the regime, and many bloggers publish anonymously. The internet has also provided a key platform for international information portals—such as Article 19’s Persianimpediment.org, Freedom House’s Gozaar, and Rooz Online—that promote freedom of expression and inform the Iranian public on human rights issues.

Iraq

Status: Not Free
Legal Environment: 21
Political Environment: 30
Economic Environment: 16
Total Score: 67

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The two greatest challenges to press freedom in Iraq in 2008 remained the country’s ongoing security threats and government restrictions on investigating corruption and abuses of power. Both freedom of opinion and freedom of the press are guaranteed in Article 36 of the 2005 constitution, provided these rights are exercised “in a way that does not violate public order or morality.” The constitution also outlines a legal framework for the creation of an independent National Communications and Media Commission to regulate broadcast media. However, Iraqi laws restrict the press and allow for fines and up to seven years in prison for anyone who insults the parliament, the government, or public authorities. The media are also prohibited from supporting the Ba’ath Party, inciting violence or civil disorder, or calling for a change in Iraq’s borders through violent means. In addition, a number of restrictive laws dating from Saddam Hussein’s rule remain on the books, and some emergency orders from the Coalition Provisional Authority (CPA) period are still in effect. The press may be prosecuted under the 1969 penal code, which criminalizes libel, defamation, the disclosure of state secrets, and the spreading of “false news.” Several amendments to laws governing the press have been circulated, and the constitution itself is still being revised, which may or may not improve legal protections for the press.

On September 22, Iraqi Kurdistan’s regional parliament passed a media law giving journalists unprecedented freedoms. An earlier version of the law, passed in December 2007, met with widespread opposition from Kurdish journalists, who pressured Massoud Barzani, president of the Kurdistan Regional Government (KRG), to send it back to the parliament. The new law eliminates prison terms for defamation cases, leaving only fines as a possible punishment. The law was tested several times before year’s end. On November 4, a criminal court in Sulaymaniya found Shwan Dawdi, editor in chief of the Kirkuk-based Hawal newspaper, guilty of three defamation charges filed by the former director of the Sulaymaniya courthouse. Dawdi was
sentenced to one month in prison and fined 300,000 Iraqi dinars (US$250). On November 13, the Court of Appeals overturned the verdict, stating that Dawdi should be tried under Kurdistan’s new press law. A court in Arbil, Iraqi Kurdistan, convicted *Hawlati* reporter Adel Hussein on November 24 and fined him 125,000 dinars for an April 2007 article about homosexuality. The conviction was not consistent with the regional press law, which does not consider violations of “public custom” to be a criminal offense. Adel was pardoned on December 7 by KRG President Barzani.

The number of arrests and detentions of journalists by Iraqi security forces and U.S. forces declined in 2008. However there were still many cases of journalists being arrested, and the Iraqi authorities employed other forms of legal harassment of the media. The government also maintained its policy of curbing broadcasters using CPA Order 14, which prohibits the media from “inciting violence.” Reuters photojournalist Ibrahim Jassam Mohammed was arrested on September 1 by U.S. and Iraqi forces after being labeled a security threat. On November 30, the Iraqi Central Criminal Court determined that there was no evidence against Jassam and ordered him released from U.S. military custody. However, U.S. authorities ignored the ruling, stating that they were not obligated to follow Iraqi court decisions, and Jassam remained in detention at year’s end. On April 9, the U.S. military released Associated Press photographer Bilal Hussein after an Iraqi judge ordered his release and granted him amnesty regarding accusations of aiding the insurgency. Hussein had been held for over two years. On June 4, U.S. forces detained Ahmed Nouri Raziak, a cameraman for Associated Press Television News, at his home in Tikrit. He was released without charge on August 23. On December 14, the security services of the Iraqi prime minister arrested Muntazer al-Zaidi, an Iraqi television journalist who threw his shoes at U.S. president George W. Bush during a Baghdad press conference. At the close of 2008, al-Zaidi remained in jail awaiting charges.

Iraq continued to be the most dangerous place in the world for the press in 2008, with at least 11 journalists killed during the year. However, this figure was the lowest annual toll since the U.S.-led invasion in 2003, and two-thirds lower than the annual figures for 2007 or 2006, according to the Committee to Protect Journalists (CPJ). All of the journalists killed in 2008 were Iraqis working for domestic news outlets. Although some were caught in crossfire, most were victims of deliberate attacks by insurgent groups and militias. Among the victims was Shihab al-Tamimi, the president of the Iraqi Union of Journalists (IUJ). He was injured in an attack following a meeting of the union leadership in Baghdad and died from his injuries on February 27. The new IUJ president, Moaid al-Lami, survived another Baghdad bomb attack seven months later. On May 4, gunmen killed freelance journalist Sirwa Abdel Wahab during an attempted kidnapping as she left her home in Mosul. Iraq is ranked first worldwide on CPJ’s Impunity Index, which calculates the number of unsolved murders of journalists as a percentage of the population. In an initiative to protect reporters, the Iraqi Interior Ministry created a hotline for journalists in danger. The ministry also set up a special police unit to investigate murders of journalists. Despite these improvements, killers often go unpunished, as Iraqi authorities lack sufficient resources to enforce the law. Only six journalists were abducted in 2008, down from 25 in 2007. According to CPJ, the most notable kidnapping was that of Richard Butler, a producer for the news program “60 Minutes” on the U.S. television network CBS. He was abducted in Basra in February, and in April Iraqi forces raided the house where he was being held and successfully freed him. Many kidnappings targeted local journalists working for foreign media outlets. Most journalists practice a high level of self-censorship in response to the
extralegal intimidation and violence, as well as the threat and implementation of restrictive press laws.

The diversity of the media in Iraq increased dramatically after the fall of Saddam Hussein. Iraq now has more than 100 daily and weekly publications and dozens of private television and radio channels. Nevertheless, the financial viability of these outlets is severely threatened by the security situation, and many publications have very small circulations. Nearly all media outlets are privately owned and operated, though many are financially dependent on or affiliated with ethnic, sectarian, or partisan groups. This fact, combined with poor training for journalists, has resulted in a media environment that reflects a plurality of viewpoints but lacks balanced journalism. Traditional, independent journalism is spearheaded by successful publications such as Assabah Aljadeed and Hawlati and news agencies such as Aswat al-Iraq. Media infrastructure has improved with information and communication technologies and new printing presses in Baghdad and Basra. The government-controlled Iraqi Media Network includes Al-Iraqiya television, the newspaper Al-Sabah, and radio stations throughout the country. Among the largest domestic television stations is Al-Sharqiya, which broadcasts from Dubai and features news, soap operas, and satire. The popularity of foreign satellite television, which had been banned under Saddam Hussein except in the northern Kurdish region, has increased immensely since the 2003 invasion. Around one-third of all Iraqi families now own satellite dishes.

Internet use was severely limited during the Saddam Hussein era, but many internet cafes have opened since 2003. There are no direct government restrictions on internet access, but owing to the security situation, power failures, and lack of infrastructure, the number of private internet users remains small even by regional standards. Roughly 1 percent of Iraqis accessed the internet in 2008.

**Ireland**

Status: Free  
Legal Environment: 4  
Political Environment: 6  
Economic Environment: 5  
Total Score: 15

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**Israel**

Status: Partly Free  
Legal Environment: 7  
Political Environment: 16  
Economic Environment: 8  
Total Score: 31
Status change explanation: Israel’s status declined from Free to Partly Free due to the heightened conflict in Gaza, which was reflected in increased travel restrictions on both Israeli and foreign reporters and official attempts to influence media coverage of the conflict within Israel.

Israeli media are pluralistic, and coverage of both domestic and international issues conveys a diversity of perspectives that is unusual for societies under conditions of conflict. At the same time, the ongoing confrontation with Palestinian groups has led to a degree of military censorship, travel restrictions, and other controls on journalists. These controls intensified somewhat during the fighting in the Gaza Strip at the end of 2008.

Freedom of the press is generally respected in Israel. The country’s basic law does not specifically address the issue, but the Supreme Court has affirmed that freedom of expression is an essential component of human dignity. Moreover, court rulings based on the principles laid out in the declaration of independence have reinforced the legal standing of press freedom. Hate speech and publishing praise of violence are prohibited, and the 1948 Prevention of Terrorism Ordinance bans expressions of support for terrorist organizations or groups that call for the destruction of Israel. Publishers are required to receive a license from the Interior Ministry in order to operate a newspaper, while broadcasters are covered by a separate regulatory regime. The Government Press Office (GPO) requires journalists operating in Israel to have proper accreditation in order to attend official press conferences, gain access to government buildings, and pass through Israeli military checkpoints. Foreign journalists, including some who are strongly critical of Israeli policies, are generally accredited, though the GPO has occasionally refused to provide press cards, especially to Palestinians, citing security grounds, thus preventing the affected reporters from entering Israel.

All Israeli press reports are subject to military censorship to ensure that national security is not being compromised. The role and jurisdiction of the military censor are defined in the most recent Censorship Agreement between the media and the military, signed in 1996. Under the agreement, the censor is granted the power to penalize, shut down, or stop the printing of a newspaper, or to confiscate the printing machines that belong to the newspaper, if it is believed to be endangering national security. In practice, the censor’s role is quite limited, and journalists often evade restrictions by leaking a story to a foreign outlet and then republishing it.

A long-standing law forbidding Israeli citizens from traveling to “enemy states” without permission from the Interior Ministry has on occasion been applied to journalists, most recently in 2007. Press freedom organizations have condemned the selective application of the law, as well as the potential effects of such travel restrictions on the diversity of news available to the Israeli public. In general, Israeli journalists are restricted from entering the Palestinian territories without explicit military approval. However, an informal arrangement exists under which the military ignores the presence of Israeli journalists in the West Bank. Israeli journalists have been prohibited from entering the Gaza Strip since 2006 under a military decree that cites reasons of personal safety. This ban was extended to all foreign journalists in November 2008, citing similar safety concerns. However, suspicions that the government’s primary motivation for the ban was to control the tenor of news coverage gained ground after several officials made statements indicating that they wanted to prevent damaging articles or limit negative coverage.

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On December 1, veteran *Haaretz* correspondent Amira Hass was briefly detained for having entered Gaza. The military temporarily lifted the Gaza ban on December 5, only to reinstate it and declare the entire Gaza Strip a closed military zone on December 28, at the onset of major Israeli military operations there. An Israel Defense Forces (IDF) spokesperson said that the closed military zone extended two miles into Israeli territory, effectively preventing both local and foreign journalists from reporting on developments near the border as well. On December 31, the High Court ruled in favor of a Foreign Press Association petition that the Gaza ban be lifted and called for a limited number of journalists to be allowed entry into Gaza, but at year’s end the total ban remained in place. In addition, Israeli journalists covering the southern region faced threats from Palestinian militants throughout the year; for example, a television crew encountered gunfire from Palestinian snipers near the Gaza border in January 2008.

Deliberate violence against or harassment of journalists is rare in Israel, but it does occur, with the principal targets being Arab journalists. An article published in the Israeli newspaper *Globes* reported that police often use excessive force against Arab journalists, including violence and detention. George Khoury, a photographer with Al-Arabiya television, claimed that he was beaten by policemen while filming a demonstration in northern Israel on May 8. The GPO has been known to pose difficulties, especially through airport security, for foreign journalists who are suspected of an anti-Israel political orientation. At the end of 2008, Atta Farahat, who writes for the Syrian newspaper *Al-Watan*, continued to be detained. He had been held since July 2007 and had more than 17 separate court hearings. Israeli media have been banned by a court order from reporting on Farahat’s situation, and no information regarding the charges against him was released in 2008.

Israelis are active news consumers. Mainstream Hebrew newspapers garner an estimated one million daily readers, out of a population of approximately seven million. The pluralistic makeup of Israeli society is reflected in the vibrant press landscape, which includes 12 daily newspapers. Three of those are mainstream Hebrew outlets, one has a national-religious outlook, three operate within the ultraorthodox sector, one is aimed at Arab readers, one is printed in English, and another is in Russian. In addition, there are two daily newspapers that are distributed free of charge. A wide range of weekly newspapers and internet news sites operate, and these are also divided along religious, ethnic, and language lines. All newspapers are privately owned and provide a range of views, and some freely criticize government policies and aggressively pursue cases of official corruption.

The major newspapers are principally owned by a small number of wealthy families, some of whom have strong connections to the political leadership. Some owners have been known to influence the editorial content of their papers. In addition to print media, a diverse selection of broadcast media is available. Television underwent privatization beginning in the early 1990s, and since then the number of commercial networks has grown rapidly. Most Israelis subscribe to cable or satellite services that provide access to international commercial stations. As a result, the dominance of the state-run Israel Broadcasting Authority (IBA) in the television market has declined significantly. The IBA’s radio station, Kol Israel, and the military-operated Galei Tsahal remain popular, while a diverse range of pirate radio stations also operate, serving the country’s ultraorthodox, Russian-speaking, and Arabic-speaking communities in particular. Israel has the region’s highest rate of internet usage, at 74 percent, and the government generally does not restrict internet access.
[This rating and report reflect the state of press freedom within Israel proper, not in the West Bank and Gaza Strip, which are covered in the report on the Israeli-Occupied Territories/Palestinian Authority.]

**Israeli-Occupied Territories/Palestinian Authority**

**Status: Not Free**  
**Legal Environment: 28**  
**Political Environment: 36**  
**Economic Environment: 22**  
**Total Score: 86**

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Press freedom in the Palestinian territories deteriorated in 2008 following an escalation of factional hostilities and increased restrictions imposed by Israel. The divide between the West Bank, which was controlled by Fatah, and the Gaza Strip, which Hamas militants had taken over in 2007, deepened during the year. Journalists were often caught in the middle of the power struggle between the two groups. Moreover, Israeli policy aimed at isolating the Hamas leadership had dire effects on the freedom of local and international reporting in Gaza, especially ahead of the Israeli attack on the territory that began on December 27 and was ongoing at year’s end. The Palestinian Basic Law and the 1995 Press and Publication Law provide for freedom of the press and freedom to establish media outlets, and state that there should be no censorship. However, the law stipulates that restrictions may be imposed if press activity threatens “national unity” and “Palestinian values.” This vague terminology gives the authorities ample leeway to impede journalistic activity. Reporters Without Borders (RSF) reported that the Hamas government in Gaza had introduced a new system of accreditation under which all journalists are required to register with the authorities. In the West Bank, the Fatah-led Palestinian Authority’s Ministry of Information regulates all television and radio station licenses.

Israeli security policies continued to restrict Palestinian media freedom in 2008. The Palestinian Center for Development & Media Freedoms (MADA) reported that the Israeli security apparatus was responsible for 147 press freedom violations. These included arrests, harassment, restriction of movement, shots fired at journalists, and raids of media outlets. On April 16, Fadel Shanaa, a Palestinian cameraman working for Reuters, was killed by a shell fired from an Israeli tank while filming a military incursion into the Gaza Strip. His soundman, Wafa Abu Mizyed, was wounded in the incident. The Committee to Protect Journalists (CPJ) reported that Shanaa was identified as a journalist by markings on both his vehicle and his jacket. An Israeli military investigation concluded that the soldiers mistook Shanaa’s mounted camera for a possible mortar or antitank missile, and they were cleared of any crime. In a separate incident two days later, Amar Awad, a Palestinian photographer also working for Reuters, was shot with a rubber bullet by a border guard while filming a demonstration in the West Bank town of Bilein. Journalists covering demonstrations in the West Bank are often exposed to the indiscriminate use of dispersal tools, such as tear gas and rubber bullets.
Israeli security services continued to harass reporters during the year. Freedom of movement is restricted by the Israeli checkpoint system, which requires military permission for passage into Israeli territory and often hinders travel within the West Bank. MADA recorded 51 separate incidents of journalist detentions, although there was no information regarding the circumstances of each arrest. Several arrests by Israeli security forces were recorded in June and July, including one in which reporter Mohammed Omer was detained and interrogated for several hours after crossing into the West Bank from Jordan. RSF reported that Omer was beaten while in custody. Separately, CPJ reported that Israeli authorities arrested Ibrahim Hamad, a soundman working for the Hamas-affiliated news agency Ramattan, on July 15. The British Broadcasting Corporation (BBC) later revealed that Hamad was suspected of involvement in terrorist activity. Press coverage in Gaza was particularly limited by Israeli security forces in 2008. The Israeli Defense Ministry decided to deny press access to Gaza, for both foreign and Israeli journalists, due to its inability to guarantee the journalists’ safety. The policy was repealed by the Israeli authorities on December 5, but it was quickly reinstated at the onset of the Israeli offensive later that month, as the entire area was declared a closed military zone and remained so at year’s end.

Heightened tension between Fatah and Hamas inflicted grave damage to press freedom in both the West Bank and Gaza. Journalists were often pawns in each party’s attempt to prevent the infiltration of the other into its sphere of control. Abuses included violence, arrests, threats, and restrictions on distribution and broadcasting, and the pressure drove many journalists to self-censorship on political developments. Palestinian media generally focus on political issues vis-à-vis the Israeli occupation, often neglecting social and domestic issues. MADA reported 110 media freedom violations in 2008 by the Palestinian Authority (PA), including 60 separate incidents of journalist detention. The West Bank was plagued by arbitrary arrests of journalists. Most of those targeted were connected to the Hamas-affiliated newspapers Felesteen and Al-Resaleh and the Hamas-controlled television station Al-Aqsa, and were detained under the legal article concerning attacks on “national unity.” Repeated arrests under a “revolving door” policy were often used to intimidate Hamas-affiliated journalists. For example, Ossayd Amarneh, a cameraman for Al-Aqsa television, has been arrested multiple times and reported to RSF that he suffered “constant humiliation” while in custody. Arrests in the West Bank were not limited to Hamas media outlets, as RSF reported that two contributors to the Qatar-based satellite station Al-Jazeera were detained during a wave of arrests in June and July, and Farid Hamad, a correspondent for the PA-funded Al-Ayyam newspaper, was arrested on July 29. Three separate incidents of gunfire aimed at reporters from unidentified sources were recorded in the West Bank: an assassination attempt on the editor of Felesteen on June 19, gunfire on the home of reporter Mustafa Sabri on December 6, and shots at the headquarters of the pro-Fatah newspaper Al-Hayat al-Jadidah. In the Gaza Strip, several journalists with Fatah-affiliated and independent media outlets were detained. While the status of the detainees is not always clear, on February 13 a Gaza court sentenced two journalists with the Fatah-affiliated Al-Ayyam to six-month prison terms on charges of libel. On July 25, Hamas security forces initiated a wave of journalist arrests following a car bombing on a Gaza City beach. Most of those arrested were employed by pro-Fatah news outlets; Sawah Abu Saif, a Palestinian cameraman with the German television station ARD, was also arrested and released six days later.

There are three daily Palestinian newspapers—Al-Hayat al-Jadidah, which is completely funded by the Fatah-controlled PA; Al-Ayyam, which is partially funded by the PA; and Al-Quds, a privately owned paper based in Jerusalem that is subject to Israeli military censorship.
Distribution of these papers in Gaza was banned by the Hamas government on July 27, though the bans on all but Al-Hayat al-Jadidah were subsequently lifted. Meanwhile, the June 2007 ban on Hamas-affiliated newspapers Felesteen and Al-Resaleh in the West Bank has not been lifted. Circulation of these papers is approximately 50,000 copies a day, but travel restrictions imposed by Israeli forces often curtail their distribution. There are approximately 45 privately owned television stations, and the PA funds the official Palestinian Broadcasting Corporation (PBC), which is under the direct control of PA president Mahmoud Abbas. The PA has closed down the pro-Hamas Al-Aqsa television in the West Bank towns of Ramallah, Jenin, and Tulkarm. In Gaza, Hamas officials closed down the Voice of the People radio station, which is operated by the left-wing Popular Front for the Liberation of Palestine. The station was reopened four days later. PBC transmissions have been blocked in Gaza since the Hamas takeover in 2007.

The Israeli military has utilized coercive tactics to restrict broadcasting by stations deemed to be advocating terrorism. On July 10, the military sealed off the entrance to Afaq TV in Nablus and declared that the station would be closed for a year. At the onset of the Israeli military campaign in Gaza in late December, air raids destroyed the headquarters of Al-Aqsa, though no fatalities were reported. Internet usage increased in the West Bank and Gaza in 2008, from 10 percent to almost 14 percent of the population. However, the Alwatan Voice news website was blocked by a decree from the Palestinian general prosecutor on November 3.

Italy

Status: Partly Free
Legal Environment: 11
Political Environment: 11
Economic Environment: 11
Total Score: 32

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 Freedoms of speech and of the press are constitutionally guaranteed and generally respected despite ongoing concerns regarding concentration of media ownership. The 2004 Gasparri Law on Broadcasting, which introduced a number of reforms (including preparations for the switch from analog to digital broadcasting), was heavily criticized for provisions that enabled Prime Minister Silvio Berlusconi to maintain his control of the private media market. In June 2008, the cabinet approved a bill that would impose heavy fines or jail terms on journalists who use the transcripts from wiretaps without a judge’s permission. The bill, which had yet to win parliamentary approval at year’s end, was similar to one passed by the lower house in 2007. Libel cases continued to burden Italian journalists during the year. One was brought against the author and journalist Alexander Stille by Fedele Confalonieri, the chairman of Berlusconi’s media company, Mediaset. He objected to several passages in Stille’s 2006 book, The Sack of Rome, which details Berlusconi’s rise to power. In May, Senate president Renato Schifani sued journalist Marco Travaglio for libel after he hinted at ties between Schifani and criminals during a program aired by the public television network, Radiotelevisione Italiana (RAI). These cases, and at least two others brought by government officials, were ongoing at year’s end. In
September, a Milan court acquitted the *Economist* magazine of libel in a suit brought by Berlusconi following the 2001 publication of an article that characterized him as unfit to lead the country.

Pluralism in the Italian media faced a serious threat in 2008 when the television channel La7 announced plans to lay off 25 members of its 88-person news department, citing vague accusations of “unproductiveness.” La7 is the only national-level alternative to the RAI, controlled by Berlusconi’s government, and the channels owned by Berlusconi through Mediaset, the country’s largest private television company. La7 has been considered the most impartial and independent channel in the highly politicized Italian television landscape. Organized crime also significantly affects media freedom in Italy. The author Roberto Saviano has been living under police protection since the 2006 publication of his book *Gomorrah*, an examination of the Neapoltan crime syndicate known as the Camorra. There were also a series of attacks on journalists in Rome during the year, organized by far-right groups. These included harassment while attempting to cover stories, vandalism of journalists’ vehicles, and the storming of RAI’s studios following the airing of footage showing certain far-right activists at student demonstrations in the Piazza Navona. Far-right groups have opposed media scrutiny of their anti-immigrant activities and student demonstrations.

Italy suffers from an unusually high concentration of media ownership by European standards. With the 2006 election of Romano Prodi as prime minister, overt government interference in media content began to diminish. However, Berlusconi’s return to power in April 2008 gave him the potential to once again control up to 90 percent of the country’s broadcast media through the state-owned outlets and his own private media holdings. The prime minister is the main shareholder of Mediaset; the country’s largest magazine publisher, Mondadori; and its largest advertising company, Publitalia. His brother owns one of the country’s nationwide dailies, *Il Giornale*. Nonetheless, a 2006 Council of Europe report found that there was considerable diversity of content in the country’s news and other media. There are many newspapers and news magazines, most of them with regional bases. Newspapers are primarily run by political parties or owned by large media groups, and they continue to provide a range of political opinions, including those critical of the government.

Although the internet is generally unrestricted, the government blocks foreign websites if they violate national laws, and the police monitor certain websites in an effort to catch child pornographers. After the 2005 London bombings by Islamist extremists, Italy’s parliament approved a new antiterrorism law that requires internet cafes to obtain a government license in order to operate, legalizes internet surveillance, and obliges internet cafe users to show photo identification. Blogs have become an important source of news for many Italians. One blog, beppegrillo.it, run by the popular Italian comedian Giuseppe Grillo, has been ranked among the 10 most visited blogs in the world, and many posts receive over 1,000 comments. Approximately 48 percent of the population accessed the internet regularly in 2008.

**Jamaica**

Status: Free  
Legal Environment: 3  
Political Environment: 6  
Economic Environment: 6
Total Score: 15

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**Japan**

Status: Free  
Legal Environment: 2  
Political Environment: 13  
Economic Environment: 6  
Total Score: 21

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**Jordan**

Status: Not Free  
Legal Environment: 21  
Political Environment: 24  
Economic Environment: 19  
Total Score: 64

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Already suffering from oppressive media legislation and government pressure on advertisers, Jordan’s media environment deteriorated in 2008 as security agencies continued to harass journalists and a government body prevented the launching of the country’s first private television station. In addition to constitutional guarantees of the right to freedom of expression and of the press, the parliament approved a new Press and Publications Law in 2007 that explicitly prohibits “detention as a result of the enunciation of an opinion in speech, writing, or through other means.” Despite this positive development, the new law also drastically increased fines for defamation, allowing to up to 28,000 dinars (US$39,500) for speech that offends religious beliefs, offends the prophets, or slanders the government. Journalists may also be prosecuted under the penal code, which assigns prison terms of up to three years for defaming the king, the royal family, government officials, or the intelligence forces.

In practice, limited criticism of the government and its allies is often tolerated, as is speech in favor of Islamist movements. Nevertheless, a number of journalists faced legal action during the year as a result of their writings. In September, the governor of Amman, Saed al-Wadi al-Manasir, filed a lawsuit in the State Security Court against Faiz al-Ajrashi, editor in chief of *Al-Akhbariya*, after his newspaper published articles criticizing the governor’s performance. The
following month, al-Ajrashi was charged with “agitating sectarian tension and creating strife among people” under Article 150 of the penal code. He faced between six months and three years in prison if convicted, and faced another charge of failing to “respect the truth” and for a “lack of objectivity” under the Press and Publications Law. If convicted on this count, he could be fined up to 500 dinars. On March 13, two staff members at Al-Arab al-Youm, Taher al-Adwan and Sahar Qassam, along with former Ad-Dustour editor Osama Sharif and Ad-Dustour reporter Fayezy Louzi, were sentenced to three months in prison for “insulting the judiciary and commenting on its rulings.” On October 19, authorities arrested Al-Arab al-Youm reporter and poet Islam Samhan and charged him with slandering Islam through his use of Koranic verses in a book of love poetry. He was released on October 24 on 1,000 dinars in bail, but still faced up to three years in prison and a 20,000 dinar fine.

In April 2007, Jordan passed an Access to Information Law, the only such law in the Arab world. Nonetheless, press freedom groups criticized the new legislation for having vague national security exemptions and an oversight mechanism that lacked independence. Under the new law, any person has the right to acquire information; if denied he or she may complain to the Information Council. There were no registered complaints in 2008, as no information requests were ever filed. According to many Jordanian journalists, reporters face daily obstacles in their attempts to obtain information. Most senior officials routinely require their subordinates to secure formal permission before sharing information with the media. Despite this, the government ran a series of advertisements in July reminding the public about the Access to Information Law. Journalists must be members of the Jordan Press Association (JPA) to work legally. In the past, critical journalists have been excluded from the JPA and prevented from working.

Intelligence agencies watch journalists closely, and the government gave free rein to intelligence officials, the police, and prosecutors to clamp down on undesirable speech. There were also claims that the government used informants in newsrooms and recruited workers at printing presses to act as de facto censors. As a result of the threat of fines or prosecution, an estimated 94 percent of journalists practiced self-censorship in 2008, according to the Jordan-based Center for Defending Freedom of Journalists (CDFJ). In November, King Abdullah II stated emphatically that “there will be no detention of any journalist for carrying out his/her duty.” However, the government has not changed its policies regarding the media. As a result, editors and journalists claim to have received official warnings to refrain from publishing certain articles and avoid sensitive topics. Security officials have also pressured printers to delay publications until editors agree to remove problematic stories. While the CDFJ’s annual report on press freedom shows an overall decline in journalist complaints from 2007, several complaints detailing threats and harassment of journalists were received in 2008. In January, Imad Hajjaj, a cartoonist for the daily newspaper Al-Ghad, received threats labeling him an infidel over two of his caricatures. In May, Umar Kullab, a journalist and director of the website Maraya News, was harassed and threatened with the loss of his Jordanian citizenship by a member of parliament for publishing an “inflammatory” article.

The government owns substantial shares in Jordan’s two leading daily newspapers, and all publications must obtain licenses from the state. The new Press and Publications Law provides the courts with the authority to block publication of any printed material, as well as the power to withdraw licenses. However, the new law does limit the government’s ability to shut down printing presses. On October 22, the monthly magazine Al-Weibdeh was prohibited from printing for four months for allegedly lacking a proper license. The decision was overturned in
December by Prime Minister Nader Dahabi. There are high taxes on the media industry and tariffs on paper, and the government has been criticized for advertising primarily in newspapers in which it owns a stake. In April, the lower house of parliament approved an amendment to the Culture Law calling for the establishment of a fund to support cultural and artistic events in Jordan. The amendment stipulated that activities would be funded by a 5 percent tax on all advertisements placed in media outlets, as well as a 2 percent fee for licensing or renewing radio and satellite television licenses. The legislation was criticized by journalists and media groups.

In 2003, the government officially gave up its monopoly on domestic television and radio broadcasting with the creation of the Audiovisual Commission (AVC), which licenses and regulates private radio and television outlets. Although the first privately owned television station, ATV, was licensed two years ago, the AVC abruptly halted its planned launch in August 2007, citing incomplete paperwork. As of the end of 2008, ATV had yet to begin broadcasting. The state-run Jordan Television and Radio serves mostly as a mouthpiece for the government. No restrictions are placed on satellite broadcasts, and satellite dishes continue to be a popular way of receiving international media, especially from neighboring Israel and Syria.

The government actively promotes access to the internet and claims to place no restrictions on its use. However, online publications became subject to the Press and Publications Law on September 2007. The internet was accessed by 18.2 percent of the population in 2008. In March, the Ministry of the Interior issued new instructions for monitoring internet cafes, including requiring owners to install cameras and record users’ personal data, such as their names, telephone numbers, and time of use. In December, the municipality of Amman blocked access at its offices to 600 websites, among them all Jordanian news sites. The municipality said the move was designed to prevent employees from misusing their time, but news website owners argued that they were targeted for their publication of critical stories concerning the municipality and the mayor of Amman.

Kazakhstan

Status: Not Free
Legal Environment: 26
Political Environment: 30
Economic Environment: 22
Total Score: 78

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While Kazakhstan’s media environment presented familiar obstacles to independent reporting in 2008, including legal restrictions, self-censorship, and harassment, political events underscored the overwhelming extent of partisan ownership and presidential influence. The constitution guarantees freedom of the press but also provides special protection for the president, and in practice the government uses numerous tactics to control the media and limit freedom of expression. A new draft of the Law on Publishing was proposed in the second half of the year, but no real progress was made, and the restrictive 2006 amendments to media legislation remained in force. These provisions imposed costly registration fees on journalists, broadened
criteria for the denial of registration, required news outlets to submit the names of editors with registration applications, and necessitated reregistration in the event of a change of address or editor. The 2008 draft is the second attempt at a new publishing law; a previous draft had been introduced in the parliament in April 2007. While the proposed amendments are less restrictive than the current law, media groups remain concerned at the intended level of government control over a wide range of publishing activities, which would effectively eliminate any pretense of media independence. The incidence of libel suits decreased slightly in 2008, but they continued to be a hindrance for journalists. On September 18, a judge heard libel charges against Viktor Miroshnichenko, a correspondent for Vremya newspaper, that had been brought by Sarsenbay Davetov, deputy chief of the Department of Internal Affairs. Miroshnichenko had written an article in July accusing Davetov of accepting bribes. This was the third libel case brought against the journalist; the two previous cases were dismissed after he was able to prove that his accusations were based in fact.

Journalists and media outlets willing to criticize the government continued to face harassment and obstacles to reporting, including intimidation and physical attacks. During the overnight hours on March 31, the offices of independent newspaper Taszhargan were fired upon and pelted with stones, causing structural damage but no injuries. Taszhargan is the oldest opposition paper in Kazakhstan and has previously endured harassment in the form of arson and burglary. In September a driver for the independent media group Aygak was assaulted and his vehicle was set on fire. The most serious attack of the year occurred on December 30, when two men approached Taszhargan reporter Artyom Miusov outside a supermarket in Almaty and stabbed him three times in the abdomen. No progress was made in the case of Oralgaisha Omarshanova, an investigative reporter for Zakon i Pravosudiye who had written about ethnic clashes and dangerous conditions in mines and went missing in March 2007.

Major broadcast media are either state run or controlled by members or associates of the president’s family. The government controlled nearly all broadcast transmission facilities, and media observers believed that most of the seven nationwide television broadcasters were owned wholly or partly by the government. Kazakh law limits the rebroadcast of foreign-produced programming to 20 percent of a station’s total airtime, overburdening smaller stations that are unable to develop their own programs. There are well over a thousand daily and weekly newspapers in Kazakhstan. Like the broadcast media, many of them are either government run or controlled by groups or individuals associated with the president. The government controls all of the country’s printing presses, and with advertising revenue in short supply, private print media are often forced to rely on state subsidies.

Freedom on the internet, which had provided a refuge of sorts for Kazakhstan’s beleaguered independent press, was increasingly contested by the state. On October 7, the country’s two largest internet service providers (ISPs), KazakhTelecom and NurSat, began blocking access to the LiveJournal blogging platform. Neither company gave any explanation, and KazakhTelecom never acknowledged that the filtering was occurring. However, it is widely believed that the authorities ordered the move in an attempt to restrict access to the blog of self-exiled government critic Rakhat Aliyev, the president’s former son-in-law. The block remained in place at the end of the year. ISPs must obtain a license from the Agency for Information and Communication, which requires that they use at least part of the state-controlled KazakhTelecom network. The internet remained freer than print and broadcast media, although even the most optimistic estimates put the proportion of internet users in the country at only 12.4 percent of the population.
Kenya

Status: Partly Free
Legal Environment: 21
Political Environment: 21
Economic Environment: 18
Total Score: 60

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Kenya has generally enjoyed a reputation as a regional leader in free expression. However, the media faced a difficult period following the postelection violence in early 2008, including a wave of threats and self-censorship. Kenya’s constitution does not explicitly guarantee press freedom, though Section 79 protects an individual’s right to freedom of expression. Nevertheless, the government routinely restricts this right by broadly interpreting several laws, including the Official Secrets Act, the penal code, and criminal libel legislation. Although defamation remains criminalized in Kenyan law, the attorney general declared in a 2005 defamation case that the archaic law would no longer be used to suppress freedom of expression, and unlike in 2007, there were no reports of criminal libel laws being used to threaten journalists in 2008. In December, the parliament passed amendments to the Communications Act that permit intrusive government regulation of the media and allow the information minister to assert undue political influence on the media licensing body, the Communications Commission of Kenya. The law also gives the commission broad authority to regulate broadcast content and scheduling. On December 30, President Mwai Kibaki signed the bill into law.

Until the rival candidates in the disputed December 2007 presidential election formed a coalition government in March, several cases of intimidation of journalists by officials and security forces were reported. During the postelection violence, community radio stations were accused of stoking ethnic hatred. A ban on radio and television news broadcasts lasted from December 30, 2007, until February 4, 2008. Two journalists were injured in the period around the election: in January, photographers Hezron Njorge of *The Nation* and Robert Gicheru of *The Standard* were shot while covering riots in the Kibera slums of Nairobi. Although some commentators alleged that journalists engaged in excessive self-censorship during this period, David Makali of the Media Institute argued that despite some instances in which media “played into the ethnic divisions that characterized the campaign,” many journalists held their ground under pressure and continued to provide a range of balanced views. By mid-2008, outlets seemed to have regained their full vibrancy and critical reporting. In May, New Zealand–born photographer Trent Keegan was murdered in unclear circumstances. Several journalists and civil society activists, including the morning crew of the radio station Kiss FM, were arrested in Nairobi on December 12 at a demonstration protesting the passage of the Communications Act amendments.

Although the number of private media outlets has risen steadily, the government-controlled public broadcaster, Kenya Broadcasting Corporation (KBC), remains dominant outside the major urban centers, and its coverage tends to favor the ruling party. Nonetheless,
private media outlets are generally outspoken and critical of government policies, and considering the limitations, much of the domestic media provided robust coverage of the postelection violence in 2008. Two private companies, the Standard Media Group and the Nation Media Group, are influential media houses, running independent television networks and respected newspapers. There has been a significant expansion of FM radio, particularly ethnic stations, and their call-in shows have fostered increasing public participation as well as commentary that is unfavorable to the government. Unfortunately, many of these vernacular stations were accused of broadcasting ethnic hate speech in the wake of the election. The Media Council of Kenya, an independent regulatory body, cited the prevalence of politicians who doubled as radio station owners as a contributing factor in increased tensions. International news media, including the British Broadcasting Corporation and Radio France Internationale, are widely available in Kenya. There are no reports that the government restricted internet access, but the authorities did reportedly monitor the internet during the postelection period, as it was used to disseminate both information and hate messages. The percentage of Kenyans accessing the internet is estimated at 7.9 percent, but the figure is expected to rise with the completion of new undersea cables in 2009.

Kiribati

**Status:** Free  
**Legal Environment:** 6  
**Political Environment:** 8  
**Economic Environment:** 13  
**Total Score:** 27

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Kuwait

**Status:** Partly Free  
**Legal Environment:** 18  
**Political Environment:** 21  
**Economic Environment:** 16  
**Total Score:** 55

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- Freedoms of speech and of the press are protected under Articles 36 and 37 of the constitution, but only “in accordance with the conditions and in the circumstances defined by law.” The law prohibits and demands jail time for the publication of material that insults God, the prophets, or Islam, and forbids criticism of the emir, disclosing secret or private
information, and calling for the regime’s overthrow. Any citizen may press criminal charges against an author who they believe has violated these bans.

- The law requires newspaper publishers to obtain an operating license from the Ministry of Information (MOI). In March, the MOI revoked the licenses of two weekly newspapers and fined their editors, one for “besmirching the prime minister’s reputation” and the other for publishing political articles in a newspaper whose license limited it to covering arts and culture.

- The government censors and prosecutes the media for reporting on certain prohibited religious and political topics. The MOI screens all imported media for morally offensive content, and controls the publication and distribution of all materials classified as informational.

- As the risk of fines, arrest, and imprisonment must be factored into reporting, journalists and publishers continued to practice self-censorship. In at least one instance a journalist has been arrested for a comment made by someone else in an online forum that the journalist hosted.

- International news is widely available, with a number of international media outlets operating bureaus in Kuwait. News sources originating outside Kuwait must be reviewed by the MOI before circulation, and the government continued its 2007 ban on the import and circulation of several Egyptian newspapers.

- The country had 14 Arabic and three English-language daily newspapers, all of which were privately owned. Print outlets in Kuwait are largely independent and diverse in their reporting, and rank among the most outspoken and aggressive in the region.

- The state still owns a number of broadcast outlets, with nine local radio stations and four television stations. However, there are now 11 privately owned television stations.

- An estimated 34.7 percent of the population used the internet in 2008. The government monitored internet communications for defamation and security threats, and the Ministry of Communications (MOC) continued to block websites deemed to “incite terrorism and instability.” Internet service providers (ISPs) are required to block other websites as directed by the government, and internet cafe owners must collect customers’ names and identification numbers and pass the information to the MOC upon request. During the year a new internet censorship law was proposed that would place greater restrictions on websites and blogs. However, at year’s end no further action had been taken.

**Kyrgyzstan**

**Status: Not Free**

Legal Environment: 23  
Political Environment: 29  
Economic Environment: 20  
Total Score: 72

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Kyrgyzstan’s media environment continued to deteriorate in 2008 following a brief period of optimism in 2005, when protesters ousted the country’s long-ruling authoritarian president,
Askar Akayev. Flawed December 2007 parliamentary elections and escalating government pressure on the media cemented the increasingly authoritarian rule of current president Kurmanbek Bakiyev and his Ak-Zhol party. These developments strengthened the progovernment media and increased the level of self-censorship at independent outlets, which remained active but were less frequently heard.

Despite the country’s relatively progressive media laws, libel remains a criminal offense and carries up to three years in prison; authorities have ignored repeated calls to decriminalize it. In 2008, the government and its allies opened at least seven criminal cases and over 30 defamation lawsuits in their efforts to suppress embarrassing news. In June, a court in Bishkek fined two independent weekly newspapers, *De Facto* and *Alibi*, 1 million Kyrgyz som (US$28,500) each for reporting that the president’s nephew may have played a role in a fatal car accident. Authorities aggressively harassed both newspapers in the following months. Prosecutors opened criminal investigations against their editors, both newspapers were forced to close down, and *De Facto* editor in chief Cholpon Orozbekova fled the country, fearing for her safety. Secretive and politicized media regulators failed to issue broadcasting licenses to independent media companies that would compete with the state-run Kyrgyz National Television and Radio Corporation (KTR). The government has not approved any requests for new media outlets since 2006.

The government took several steps in 2008 to restrict the country’s influential broadcast media. In June, Bakiyev signed restrictive broadcast legislation that effectively derailed attempts to reform the KTR. The new law allowed the president to appoint the executives of KTR, expanded the ability of media regulators to shutter outlets by revoking broadcasting licenses without judicial oversight, and established new programming requirements that are likely to force some independent broadcasters out of business. In October, the authorities suspended local broadcasts of Radio Free Europe/Radio Liberty on KTR, with the state broadcaster’s director Melis Eshimkanov complaining in December that its news reporting was “too negative and too critical.” Officials regularly refused to provide basic public information to journalists and in some cases failed to issue press accreditation in their efforts to obstruct independent reporting.

Independent journalists reporting on politically sensitive issues like government corruption and the improper privatization of state companies continued to endure aggressive harassment from tax inspectors, security officers, and the state antimonopoly committee. In March, officers from the National Security Committee (KNB) repeatedly questioned and threatened journalist Sultan Kanazarov after a website he reported for, the Russia-based Fergana.ru, published an article about Bakiyev traveling to Germany to receive medical care. In December, the financial police summoned journalists from the independent news agency 24.kg for questioning after they reported on contaminated flour that had been imported from China.

In other cases, unidentified individuals harassed journalists with impunity. Two unidentified men broke into the home of opposition Green Party activist and journalist Khabira Mazhiyeva and threatened her after she exposed secret efforts by the government to authorize mining within a national park. Mazhiyeva fled the country out of fear for her security. The government’s growing hostility toward the media was also reflected in its failure to properly investigate the October 2007 murder of independent journalist Alisher Saipov, despite credible allegations that security officers from neighboring Uzbekistan were involved. Police officials twice closed and reopened the inquiry during 2008, with Deputy Interior Minister Dmitry Fedorov announcing in December that Saipov’s murder was unrelated to his journalistic work. In these and other incidents, the authorities seemed less than eager to identify the perpetrators and
bring them to justice. Taken together, the growing harassment of journalists, the uninvestigated murder of Saipov, and the authorities’ willingness to impose extrajudicial censorship at politically sensitive moments indicated a clear continuation of the retreat from reformist principles that began soon after the fall of Akayev.

Nearly 50 newspapers and magazines print regularly with varying degrees of freedom. The independent printing press run by local nongovernmental organization Media Support Center surpassed the state-run printing house, Uchkun, as the leading newspaper publisher in the nation. Approximately 50 state-owned and private television and radio stations operated in the country, with two television stations, both state-owned, broadcasting nationwide. Foreign media are allowed to operate freely, but foreign ownership of domestic media outlets is prohibited. A number of Russia-based media outlets are also present, and as they are registered with the Ministry of Justice, the government considers them domestic media. Government newspapers, television, and radio continued to receive state subsidies, and the government remained the primary source of scarce advertising revenue, which allowed officials to influence media content. Internet news sites, blogs, and forums provided a lively alternative for those with access (approximately 14 percent of the population in 2008), though there were reports that news websites like Radio Free Europe/Radio Liberty and blogging websites like LiveJournal were blocked by the government.

Laos

Status: Not Free
Legal Environment: 27
Political Environment: 33
Economic Environment: 26
Total Score: 86

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- Article 6 of the 1991 constitution guarantees press freedom and civil liberties, but only in theory, as the country’s media remain under the tight control of the ruling Lao People’s Revolutionary Party (LPRP) and the judiciary lacks the independence to uphold citizen’s rights.
- In August 2008, Laos’s rubber-stamp National Assembly approved its first media law. While it contained some promising provisions, such as a vague right to access public information, the legislation as a whole failed to create a legal basis for free expression. Instead it served to institutionalize the ruling party’s preexisting informal management and licensing regulation of the media sector.
- The authorities allow little departure from the party line in the media, even on issues such as exposing corruption. The degree of editorial direction was especially evident during 2008, in foreign-language as well as Lao-language publications. In the English-language Vientiane Times, coverage of the repatriation of ethnic Hmong refugees from Thailand to their native Laos from February to May included only reporting on those who allegedly returned voluntarily, entirely disregarding earlier rounds of forcible deportation.
• In another instance of editorial control, a romantic Thai movie being filmed in the country had its script reviewed by the Ministry of Information and Culture. At least one ministry official was present on the set every day of the shooting, and filmmakers removed certain scenes (including references to communism) from the version dubbed into Lao.

• To date, there are no international media agencies in Laos. Foreign journalists must apply for a special visa to enter the country and are accompanied by official escorts throughout their stay. The new media law contains provisions for foreign media to set up bureaus, but they had yet to be implemented by year’s end.

• Under the criminal code, individuals may be jailed for up to one year for reporting news that “weakens the state” or for transporting into the country a publication that is “contrary to national culture.” There were no reports of new incarcerations during the year.

• The government owns all newspapers and broadcast media. The media’s official role is to link the people to the party, deliver party policy messages, and disseminate political ideology.

• No effort was made to block television and radio broadcasts from abroad. A large number of citizens watch Thai television and radio, and wealthier individuals have satellite access.

• Language barriers and high monthly connection fees limit regular internet use to only 1.5 percent of the population. All internet service providers are controlled by the state, enabling the government to monitor communications and regularly block access to websites operated by Hmong groups abroad.

Latvia

Status: Free
Legal Environment: 6
Political Environment: 8
Economic Environment: 9
Total Score: 23

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Lebanon

Status: Partly Free
Legal Environment: 18
Political Environment: 22
Economic Environment: 16
Total Score: 56

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Media freedom lost ground in 2008 as the sectarian fighting that broke out in May—leaving hundreds dead and injured—led to increased extralegal intimidation and physical violence against journalists and media outlets.

The constitution provides for freedom of the press, and although the media do not face direct interference from the government, political developments and violence in recent years have resulted in increased security risks and self-censorship among journalists. Journalists are prohibited from insulting the head of state or foreign leaders, and those charged with press offenses may be prosecuted in a special publications court.

Most court cases launched against journalists in previous years were not pursued during 2008, and there were no developments in the appeal filed by Al-Mustaqbal editor in chief Tawfiq Khattab and staff reporter Fares Khashan; authorities had fined them 50 million pounds (US$33,000) each for libel and damaging the reputation of then president Emile Lahoud in 2006. In a positive move in November, a criminal court in Beirut dismissed slander charges against Muhamad Mugraby, a prominent lawyer and human rights activist. The charges stemmed from a speech he gave in 2003, in which criticized the government and condemned the use of torture to coerce confessions from suspects.

The Directorate of General Security (SG) is authorized to censor all foreign magazines, books, and films before they are distributed, as well as pornography and political or religious material deemed a threat to the national security of either Lebanon or Syria. Throughout the year the SG banned or delayed the release of several films, including the Oscar-nominated Persepolis. The SG also tore two pages from the French newspaper Le Monde in October before allowing its distribution in Lebanon.

Political violence continued to threaten journalists’ safety, and impunity for past attacks contributed to intimidation and self-censorship among journalists. Particularly troubling were the events of May 2008, which included physical attacks on journalists and photographers, the forced cessation of both television and radio broadcasts, and the destruction of studio property. On May 9, for instance, fighters led by the Shiite Islamist group Hezbollah closed four media outlets affiliated with the Future Movement, part of the governing coalition. The radio station, daily newspaper, and two television stations were allowed to resume operations five days later.

Lebanon hosts hundreds of periodicals and nearly a dozen daily newspapers. All national daily newspapers are privately owned, as are most television and radio stations, including six television and satellite stations and nearly three dozen radio stations. Access to satellite television has grown substantially over the last decade.

Some 26.6 percent of the population regularly accesses the internet. The government did not restrict such access in 2008, and there were no reports of government monitoring of websites or e-mail. In January, four university students were jailed for one week without trial on charges of slander, libel, and public insult due to comments they posted on the social-networking site Facebook.

Lesotho

Status: Partly Free
Legal Environment: 14
Political Environment: 19
Economic Environment: 15
Total Score: 48

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Liberia

Status: Not Free
Legal Environment: 17
Political Environment: 25
Economic Environment: 21
Total Score: 63

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- Liberia’s 1986 constitution guarantees citizens the right of free expression but makes them “fully responsible for the abuse thereof.”
- After much campaigning and several years of discussion, a Freedom of Information Act was finally passed in 2008. Two other draft media laws—one to establish an independent broadcasting regulator and another to transform the state broadcaster into a public service broadcaster—were introduced in the legislature in 2008, but they did not pass before the end of the year.
- On a number of occasions in 2008, judges abused their power to punish journalists who had been critical of them. For example, in April a judge summoned a newspaper editor to court to face contempt charges for publishing an article that criticized him, and in October another judge threatened to imprison journalists who misspelled his name.
- In September, the Senate moved to ban print journalists from the floor of the chamber, ostensibly because there was not enough room there for both print and broadcast journalists. The ban has effectively limited print journalists’ access to important proceedings. Journalists were also required to obtain accreditation from the Truth and Reconciliation Commission in order to cover its proceedings, despite the fact that they are open hearings which other members of the public can attend freely.
- Incidents of harassment and intimidation of journalists continued unabated and largely unpunished in 2008. Moreover, the large majority of these attacks came from government sources, primarily individual members of parliament who were displeased with coverage they had received. In one instance, a lawmaker and a number of her associates forcibly entered the office of a radio station and harassed journalists for airing a caller’s critical comments about her policies. Journalists also continue to face harsh libel laws.
- Reporters commonly accept payment from individuals covered in their stories, and the placement of a story in a paper or radio show can often be bought and influenced by outside interests.
Newspaper distribution is limited to the capital, and literacy rates remain low, meaning most Liberians rely on radio broadcasts. There were 15 independent radio stations in Monrovia and 24 local stations outside the capital.

Access to foreign broadcasts and the internet is not restricted by the government, though internet usage is limited to less than 1 percent of the population due to cost, literacy, and infrastructural barriers.

Libya

Status: Not Free
Legal Environment: 29
Political Environment: 36
Economic Environment: 29
Total Score: 94

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Libyan media remain among the most tightly controlled in the world. While Libyan law provides for freedom of speech and of the press within the confines of “the principles of the Revolution,” the government severely limits the rights of the media in practice, and journalists who violate the harsh press codes can be imprisoned or sentenced to death.

The press avoids publishing any material that could be deemed offensive or threatening, particularly to Islam, national security, territorial integrity, or Colonel Muammar al-Qadhafi, the country’s leader.

Those who criticize the government from outside the country, such as in foreign-based publications or websites, may be arrested upon entering Libya. There have been several cases over the past few years in which the government has harassed or imprisoned Libyans who denounced it on Europe-based websites. A vast network of secret police and informers works to ensure that state critics are known to the regime, fostering a high level of self-censorship.

In 2008, journalist Jamal al-Haji was sentenced to 12 years in prison. He and 13 others were detained for planning a peaceful demonstration in the capital to commemorate the 11 people who died during a clash with the police in February 2006. Sentences for the other defendants ranged from 6 to 25 years. Separately, human rights activist Fathi al-Jahmi remained in custody throughout the year despite his deteriorating health. He was sentenced to prison in 2004 after calling for a free press and free elections.

The government owns and strictly controls all print and broadcast media. The General Press Institute owns three daily newspapers (Al-Jamahiriya, Al-Shams, and Al-Fajr al-Jadeed), while the government-supported Movement of Revolutionary Committees owns the fourth daily, Al-Zahf al-Akhder.

The first steps toward private media were made in 2007, when a subsidiary of the Qadhafi Development Foundation was allowed to launch a satellite television station, a radio station, and two daily newspapers. However, the foundation was established by Saif al-Islam al-
Qadhafi, the son of Muammar al-Qadhafi, which casts doubt on the independence and truly private nature of these outlets.

- No foreign publications are available, and although satellite television is accessible, the government occasionally blocks foreign programming. Popular pan-Arab satellite television stations such as Al-Jazeera and Al-Arabiya do not have local correspondents covering Libya.
- Internet penetration remains relatively low; just over 4 percent of the population used the medium in 2008. Nevertheless, the government reportedly monitors internet communications, regularly blocks opposition websites, occasionally blocks other sites, including those that support minority rights. The country’s only internet service provider is government owned.

**Liechtenstein**

Status: Free  
Legal Environment: 1  
Political Environment: 5  
Economic Environment: 8  
Total Score: 14

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**Lithuania**

Status: Free  
Legal Environment: 5  
Political Environment: 7  
Economic Environment: 6  
Total Score: 18

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**Luxembourg**

Status: Free  
Legal Environment: 2  
Political Environment: 3  
Economic Environment: 7  
Total Score: 12

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142
Macedonia

Status: Partly Free  
Legal Environment: 12  
Political Environment: 19  
Economic Environment: 16  
Total Score: 47

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- Macedonia’s legal framework contains basic protections for freedoms of the press and of expression, and government representatives generally respect these rights.
- Journalists remain subject to criminal and civil libel charges, although imprisonment has been eliminated as a punishment. In December a court ordered columnist Ljubomir Frckoski to pay US$45,600 after Prime Minister Nikola Gruevski sued him for slander. Frckoski, writing in the daily *Dnevnik*, had accused Gruevski of mismanaging the privatization of an oil refinery while serving as finance minister in the 1990s. Several days after the controversial ruling, Gruevski’s party decided to drop all 12 pending lawsuits by its members against journalists. Gruevski had drawn criticism in June for arguing that Macedonian reporters covering the European Union in Brussels should shape their reporting to suit the country’s interests.
- The parliament in January passed a lustration law that would require government officials and other key figures in society, including journalists, to formally state whether they had cooperated with the communist-era secret police. The statements would be investigated by a special commission chosen by a supermajority in the parliament. Opponents of the measure expressed concerns that it could be subverted for political purposes.
- Both the Broadcasting Council, which regulates television and radio outlets, and the public broadcaster remained underfinanced and dependent on the government, as the license-fee system that was supposed to fund them was essentially inoperative.
- The Broadcasting Council and the Organization for Security and Cooperation in Europe (OSCE) both reported political bias among television broadcasters during the run-up to parliamentary elections in June. The public broadcaster, MTV, clearly favored the ruling coalition, while private stations collectively represented a range of views. The Broadcasting Council issued dozens of warnings and nonbinding recommendations to television stations for violations of election-coverage guidelines, but the measures did not have the force of law because the parliament had dissolved in April without enacting the relevant legislation.
- Thieves stole key transmission equipment from the private television station Alstat-M at the peak of the election campaign in May, disabling its broadcasts in crucial areas. The station was seen as favoring the ethnic Albanian party that was then in opposition, and it had reported pressure from the Democratic Party of Albanians, part of the ruling coalition, in the past.
Several journalists received death threats during the year, apparently from ultranationalists who objected to their support for a compromise in the country’s long-running dispute with Greece over its official name. Separately, radio station owner Goran Gavrilov was severely beaten by two masked men in January. Three suspects, including the owner of a cable television station about which Gavrilov’s outlet had reported, were charged but later acquitted in the case.

Macedonia has a large number of media outlets for its population, including five private nationwide television broadcasters (as well as one public one), dozens of local television and radio stations, and nine daily newspapers. Ownership of the top print publications is concentrated in the hands of a few firms, including Germany’s Westdeutsche Allgemeine Zeitung, which holds three leading dailies. While the government does not own or control any of the newspapers, it is a major advertiser and reportedly favors outlets it perceives as friendly. A number of major television stations and newspapers are owned by or linked to political party leaders, and outlets are typically divided along ethnic lines.

Access to the internet is restricted only by cost and infrastructural obstacles, with 44 percent of the population accessing the medium in 2008.

Madagascar

Status: Partly Free  
Legal Environment: 14  
Political Environment: 22  
Economic Environment: 15  
Total Score: 51

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Malawi

Status: Partly Free  
Legal Environment: 17  
Political Environment: 21  
Economic Environment: 18  
Total Score: 56

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Freedoms of speech and of the press are constitutionally guaranteed, although these rights are sometimes restricted in practice. The government has occasionally used libel and other laws to put pressure on journalists.
- The government does not exercise overt censorship, but freedom of expression in Malawi is threatened in more subtle ways, often resulting in self-censorship.
- In February, James Mphande, editor of the private newspaper *Daily Times*, was arrested after publishing a story that quoted allegations by opposition leader John Tembo concerning government plans to rig the 2009 elections. Mphande and the writer of the article, Mike Chipalasa—who was also arrested—were charged with “publishing false news likely to lead to a breach of public order.” Both journalists were released on bail after questioning.
- In August, the government banned live broadcasts of parliamentary proceedings on account of the “sensitive” language used by members. The Media Institute of Southern Africa criticized the ban, calling it an infringement on freedom of the media.
- In November, the Malawi Communications Regulatory Authority (MACRA) revoked the operating license of private radio station, Joy Radio, on the grounds that it was owned by a politician in violation of the Communications Act. After 30 days, however, the Supreme Court of Appeal allowed the station to resume broadcasting pending judicial review of the case.
- The print media present a broad spectrum of opinion; 11 independent newspapers are available, and of the 8 major papers in circulation, 6 are privately owned and most are editorially independent. The state-owned Malawi Broadcasting Corporation (MBC) operates the country’s 2 largest radio stations, and there are approximately 15 private radio stations with more limited coverage operating mainly in urban areas. Following a ban on Joy TV in 2007, state-owned Television Malawi—which generally exhibits a progovernment bias—is now the country’s only television station.
- The opposition-controlled parliament continued to withhold funding for MBC and Television Malawi, accusing them bias in favor of the government and the ruling party. At the same time, independent radio broadcasters receive no support from the state, even through advertising revenue. As all equipment must be imported and paid for in U.S. dollars, the high cost of taxes and import duties imposed by the state threaten the economic viability of many independent commercial broadcasters.
- There are no government restrictions on the internet, although with only 1 percent of the population able to access the medium, it is not a major news source.

**Malaysia**

**Status: Not Free**  
**Legal Environment: 24**  
**Political Environment: 24**  
**Economic Environment: 17**  
**Total Score: 65**

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Despite hope for enhanced press freedom following the March 2008 general elections and notable efforts for a more open system by some of the newly elected officials, Malaysia’s media climate deteriorated in 2008 as a result of a crackdown led by Prime Minister Abdullah Ahmad
Badawi, who was struggling to shore up support within his own party. In response to the clear role of online media in propelling opposition candidates to victory in the March elections, the authorities employed restrictions and censorship tactics that were traditionally used against the mainstream media to curb increasingly active bloggers and online journalists.

Malaysia’s constitution provides each citizen with “the right to freedom of speech and expression” but allows for limitations on this right. The 1984 Printing Presses and Publications Act (PPPA) requires all publishers and printing firms to obtain an annual operations permit, and gives the prime minister the authority to revoke licenses at any time without judicial review. The PPPA has been used to shut down or otherwise circumscribe the distribution of media outlets that published material deemed antigovernment, against the national interest, or “sensitive.” The PPPA was invoked in mid-April by Home Affairs Minister Syed Hamid, who refused to renew the permit of the Tamil-language newspaper *Makkal Osai* after it devoted ample coverage to opposition parties ahead of the March general elections. The minister reversed his decision a few days later, announcing that the ministry would consider abolishing the PPPA, but no such action was subsequently taken.

The 1988 Broadcasting Act allows the information minister to decide who can own a broadcast station and what type of television service is suitable for the Malaysian public. The country has no access to information legislation, and officials are reluctant to share controversial data. The Official Secrets Act (OSA), the Sedition Act, and harsh criminal defamation laws are also used to impose restrictions on the press and other critics, and all transgressions are punishable by several years in prison. The government used its restrictive defamation laws against online media for the first time in 2007 in response to bloggers’ and websites’ increasing coverage of corruption cases and other controversial matters. This crackdown reached new heights following the March 2008 general elections. In June, justifying its actions with “security concerns,” the government issued new restrictions on media coverage of the parliament that permit only five representatives from each medium to cover parliamentary developments at any given time. Following the March elections, 15 newly elected officials joined a group of nongovernmental organizations in pushing for the enactment of a freedom of information law and a review of current media laws. However, no concrete progress was made by year’s end.

Although violence against media workers in Malaysia is relatively uncommon, the Centre for Independent Journalism documented several instances of physical assault against journalists in 2008. In February, two newspaper reporters, Mohammed Rashidi Karim of *Harian Metro* and Adha Ghazali of *Berita Harian*, were attacked while covering election campaigning in Kangar. In addition, a number of newspaper photographers suffered beatings during the year while covering political events.

Investigative reporting is generally inhibited by the threat of expensive defamation suits, dismissals, media closures, and unannounced interrogation by the Ministry of Internal Security for any “mishandling” of information. Moreover, a history of political interference in coverage of certain issues has fostered a culture of self-censorship among traditional media. While there has been somewhat greater criticism of official policy in the mainstream print media in recent years, both the print and broadcast media’s news coverage and editorials generally support the government line. Reporting bans issued in July 2006 and July 2007 in connection with claims of heightened racial and religious tensions were not as prominent in 2008, as Prime Minister Abdullah and the ruling Barisan Nasional (BN) coalition grew more concerned with holding on to power following the large electoral gains by the opposition. Fears about the renewal of their licenses caused two papers that were previously critical of the administration to practice
heightened self-censorship in the run-up to the elections. A media monitoring project conducted by the Centre for Independent Journalism found that 65 percent of election coverage in 2008 held a bias in favor of the incumbents, whereas only 12 percent favored opposition candidates.

Online journalists have increasingly defied this tradition, however, playing a more prominent role in exposing official corruption, covering antigovernment protests, and criticizing the administration for its repressive approach to the media. In addition to using defamation suits and other legalistic means to silence criticism, the BN has occasionally issued coverage directives to online media since 2007. Sedition charges and the Internal Security Act (ISA) were used in 2008 to harass and intimidate the online community. Raja Petra Kamarudin—a political blogger known for his widely read *Malaysia Today* website, bore the brunt of this repression, as his detailed criticism of the BN was believed to have contributed to opposition electoral gains. In May, a host of sedition charges were issued against Raja Petra and others. In late July, he was charged with defamation for publishing a statement he made to the High Court that implicated Deputy Prime Minister and Defense Minister Najib Abdul Razak in the murder of a Mongolian woman in 2006. He was ordered to reveal sources in August and to remove articles from his blog. The government’s campaign to silence online critics climaxed in September, when three high-profile arrests were made under the ISA. Raja Petra, another journalist, and a member of the opposition were detained, even as the opposition prepared a bid to gain control of the parliament. All three had been released by mid-November, however. In blatant violation of Malaysia’s law prohibiting censorship of online media, access to *Malaysia Today* was blocked in September as well. The government continued to pledge support for online media while stressing “accountability for what one writes.”

Foreign publications are subject to censorship, and the distribution of issues containing critical articles is frequently delayed. The government directly censors books and films for profanity, nudity, and violence as well as certain political and religious material. There were no major reports of banned books and films in 2008. Television stations censor programming according to government guidelines, and in 2007, when religious issues were more of a priority for the government, a talk show was banned for contradicting the Islamic values advocated by the prime minister. The government also maintained a ban on the Chinese-language newspaper *Epoch Times*.

Print journalism is dominated by 11 national daily newspapers—3 in English, 4 in Malay, and 4 in Chinese—all of which are owned or controlled by the ruling coalition or individuals closely connected with the government. A 2006 business deal between media tycoon Tiong Hiew King and the Malaysian Chinese Association, a key BN party, solidified the monopolization of the Chinese-language press, with the top four Chinese dailies now concentrated in the hands of a political-business alliance. The state-owned Radio Television Malaysia operates two television and a large number of radio stations, though private radio stations broadcasting in Malay, Tamil, Chinese, and English are also in operation. With nearly 63 percent of the population accessing the internet, online media have helped minimize the government’s monopoly of information in the past few years and bolstered the average Malaysian’s access to alternative sources. Moreover, online media proved a crucial organizing and publicity tool for the opposition-led and minority rights demonstrations of November 2007, which were critical to the opposition’s electoral victory in 2008.
Status: Partly Free  
Legal Environment: 19  
Political Environment: 20  
Economic Environment: 17  
Total Score: 56

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**Status change explanation:** The Maldives’ status improved from Not Free to Partly Free due to a new constitution protecting freedom of expression, the opening of additional private radio and television stations, the release of a prominent journalist from life imprisonment, and a general loosening of restrictions after the country’s first democratic presidential election in October.

- While modestly eased media restrictions have been offset by crackdowns on journalists in recent years, the media environment improved significantly in 2008. By year’s end, according to the U.S. State Department, most outlets were able to “report largely unfettered by government censorship or interference.”
- A new constitution passed in August protects freedom of expression, but it also places restrictions on speech deemed “contrary to the tenets of Islam.” Consequently, foreign publications containing pornography and other material deemed objectionable to Islamic values remained prohibited.
- Despite the improved constitution, the overall legal framework protecting free expression was weak. A series of media reform bills had yet to be passed by year’s end, and defamation remained a criminal offense.
- In October, the parliament passed a bill for the establishment of a Maldives Media Council, and it was ratified in November by outgoing president Maumoon Abdul Gayoom. The council’s mandate will reportedly include the development of a code of conduct for media workers, as well as the authority to receive complaints from the public and conduct inquiries. Although the council is to consist of media workers and members of the public who would ostensibly be independent, critics argued that the body’s powers could be used to improperly punish journalists and that a purely self-regulatory mechanism would be preferable.
- There was a loosening of government control over the state-run media, especially the main television station, TV Maldives, which prepared to transform itself into a more editorially independent public broadcaster. Such reforms yielded unprecedented coverage of the opposition and its presidential candidates, though observers also noted a pro-Gayoom bias in the run-up to the October presidential election. Opposition candidate Mohamed Nasheed nevertheless emerged victorious.
- Journalists were less subject to arrest and harassment in 2008 than in past years. There were no new prosecutions of journalists, and the only arrest was that of a *Minivan Daily* photographer detained in March after allegedly receiving threats from a police officer who demanded video footage of police beating a lawmaker in 2006. A court reportedly dismissed the charges against the photographer in November.
- In another indication that the judiciary may be moving toward greater protection for free expression, a court struck down a dubious drug conviction against *Minivan Daily* writer
Abdullah Saeed in November. He was subsequently released from life imprisonment after spending nearly three years behind bars.

- The reduction in assaults and intimidation of journalists and the loosening of editorial control over government-owned outlets reportedly contributed to an atmosphere of reduced self-censorship.
- Though some print publications are still owned by Gayoom allies, the number of private radio stations increased during the year. The country’s first private television channel, DhiTV, began operating in July, while several others prepared to open. In total, an estimated 200 private broadcast outlets and publications operated at year’s end, according to the U.S. State Department. However, these were authorized through individual agreements with the government rather than new broadcasting legislation, limiting their legal protections. In an unexpected development, the Dhivehi-language *Minivan Daily*, which had played a key role in the democratic transition as one of few publications that was openly critical of the Gayoom government, announced its disbandment upon the inauguration of Nasheed as the new president.
- The government did not generally interfere with the internet, which was accessed by 8.6 percent of the population in 2008. Previously restricted opposition-oriented websites, such as the Dhivehi Observer, were unblocked in 2008. In November, the website’s editor, Ahmed Moosa, returned to the country after five years in exile. However, the Ministry of Islamic Affairs announced in late November that Christian websites would be blocked, arguing that they could negatively affect belief in Islam.

### Mali

**Status: Free**

**Legal Environment:** 9  
**Political Environment:** 9  
**Economic Environment:** 8  
**Total Score:** 26

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- Mali’s constitution protects the right to free speech, and the country’s broadcast and print media have historically ranked among the freest in Africa. Unlike in 2007, authorities did not use libel laws to prosecute journalists during 2008.
- However, there were a few scattered instances of harassment of journalists during 2008. One of the more prominent cases was that of Sidiki Doumbia, a journalist with the newspaper *Les Echos*. He was detained overnight after an encounter with a police officer demanding money from bus passengers who did not show their identity cards. In another case, two French journalists were detained for a day on the grounds that they did not have the proper identification papers to travel to the north of the country.
- A journalist with the newspaper *Le Republicain* received an anonymous death threat following a report on government corruption.
• There are more than 100 private radio stations and over 50 independent newspapers, many of which openly criticize the government. The country’s only national television station remains under state ownership.
• Given the adult literacy rate of only 24 percent, the majority of Malians rely on broadcast media, and private or community radio stations provide a critical service.
• The government does not restrict access to foreign media.
• Although the government does not restrict internet use, less than 1 percent of the population was able to access this resource in 2008.

Malta

Status: Free
Legal Environment: 4
Political Environment: 9
Economic Environment: 9
Total Score: 22

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Marshall Islands

Status: Free
Legal Environment: 2
Political Environment: 6
Economic Environment: 9
Total Score: 17

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Mauritania

Status: Partly Free
Legal Environment: 18
Political Environment: 22
Economic Environment: 18
Total Score: 58

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The constitution provides for freedom of speech and of the press. Legal and regulatory reforms enacted in 2006 included the elimination of the requirement for prepublication government approval for newspapers, the establishment of journalists’ legal right to protect sources, and the creation of the High Authority for the Press and Broadcasting.

On August 6, 2008, the constitutional government of President Sidi Ould Cheikh Abdellahi was ousted in a coup after he attempted to dismiss top military leaders. The coup was led by the head of the Presidential Guard, General Mohamed Ould Abdel Aziz. The political turmoil did not dramatically alter the media landscape through the end of the year.

Since the coup, at least two journalists have been punished by the authorities for attempting to cover anti-coup protests. Ahmed Ould Neda, a reporter with the Nouakchott-based independent news agency Akbar Info, was arrested while covering an August 7 protest, and Bechir Ould Babana, a reporter with the MBC satellite television network, was beaten by police while covering an October 15 protest.

Several journalists were arrested or faced defamation charges during the year for reasons unrelated to the coup. Among other cases, an appeals court in February upheld the one-year prison term of Abdel Fettah Ould Abeidna, managing editor of the newspaper Al-Aqsa, for defaming a businessman whom he accused of involvement in a drug scandal. In another case, the publisher and a journalist with the private Al-Hurriya newspaper were arrested on defamation charges in July after the paper reported on alleged judicial corruption; the two men were released on August 17.

Immediately following the coup, military leaders took control of the state broadcast media. Mauritania is currently the only West African country without any private radio or television stations. There are several state-controlled newspapers, and numerous private daily and weekly papers.

Internet access is not restricted by the government, but the internet was used by only 1 percent of the population in 2008.

Mauritius

Status: Free
Legal Environment: 6
Political Environment: 8
Economic Environment: 12
Total Score: 26

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Mexico

Status: Partly Free
Legal Environment: 15
Political Environment: 27
Media freedom continued to decline in 2008, as Mexican journalists worked amid growing organized crime–related violence that claimed over 6,000 lives during the year. Attacks against journalists, compounded by impunity and government inaction, remained one of the key threats to press freedom.

Articles 6 and 7 of the constitution provide for freedom of expression. Legislation passed at the federal level in 2007 decriminalized defamation, libel, and slander, moving them to the federal civil code. The law also obliged the states to follow suit, but most states still treat these transgressions as criminal offenses. In past years, numerous politicians have used the state laws to pressure critics. Separately, after taking months of testimony, a special commission on crimes against journalists proposed legislation in October that would federalize such crimes as a way to overcome systematic impunity. The proposal was supported by a number of domestic and international press rights groups, but it appeared stalled in the legislature at year’s end. Inaction by authorities investigating crimes against the media is one of the principle causes of significant self-censorship in Mexico. A special federal prosecutor devoted to the issue continued to operate in 2008, but lacked sufficient legal authority to be effective. In one possible sign of progress on past crimes against journalists, a state court judge in April sentenced a former Sinaloa police chief and three accomplices to 11 years in prison for the murder of photographer Gregorio Rodriguez Hernandez in 2004. However, the mastermind who ordered the killing was never identified, the sentence was appealed, and a number of doubts have since arisen about the case.

Violence against the media remained a key issue of concern in 2008, as journalists were targeted by drug cartels, criminal gangs, and occasionally the military, police, and politicians. The Committee to Protect Journalists (CPJ) confirmed or strongly suspected that four journalists were killed in connection with their work during the year. Two journalists and indigenous community advocates, Teresa Bautista Flores and Felicitas Martinez, died in April when unidentified gunmen attacked their vehicle. They had been hosts for a new radio station known for denouncing abuses within the Triqui community and had previously received threats. Separately, radio host Alejandro Zenon Fonseca Estrada was shot and killed on a major street in Villahermosa, Tabasco, in September, after he refused to take down banners encouraging citizens to report kidnappers to the authorities. He had publicized the banner campaign on his popular radio show. In November, an assailant shot crime reporter Armando Rodriguez of El Diario in Ciudad Juarez at least eight times as he sat in his driveway with his young daughter. The authorities had reportedly failed to act on earlier death threats against him. Press freedom groups reported another seven killings of journalists during the year that were not independently verified as being directly related to their work.

In addition, at least seven journalists have disappeared under suspicious circumstances since 2005, according to CPJ. They include Mauricio Estrada Zamora, a crime reporter for the daily La Opinion de Apatzingan in the state of Michoacan who was last seen in February 2008. Separately, at least two threatened journalists, Grupo Reforma owner Alejandro Junco de la Vega and Ciudad Juarez journalist Emilio Gutierrez Soto, sought safety in the United States during the year. Self-censorship, which has increased in recent years, continued to be the norm in
2008. Several press freedom organizations have noted that almost no Mexican media investigate the important issues of drug trafficking and organized crime.

Media in the largest cities present a greater diversity of perspectives than those in smaller towns and rural areas. An estimated 300 independently owned newspapers are in operation. Television remains in the hands of a duopoly (Televisa and TV Azteca) that has dominated Mexican broadcasting since the authoritarian era. Approximately 1,400 local and regional private radio stations operate alongside a number of state-run stations. There were complaints that local and state governments used advertising to punish media critics and reward allies. The Inter American Press Association (IAPA) highlighted an ad boycott against the daily *A.M.* by the state government in Leon Guanajuato, where President Felipe Calderon’s National Action Party is in power. Critical academics and journalists have also charged that the federal government bows to broadcaster pressures to maintain the concentrated commercial ownership structure and fails to strengthen community, public, and educational media. The executive branch granted AM stations FM frequencies last fall without a concession process, replicating the existing AM ownership concentration on the FM dial, and Congress took no action to reform the broadcast ownership structure despite a 2007 Supreme Court decision to reverse key components of a broadcasting law that would have strengthened concentration even more. Meanwhile, the television duopoly used news content in an attempt to pressure the Supreme Court into striking down a federal electoral reform that set aside airtime for political candidates. The government does not restrict access to the internet, which was used by 24.9 percent of the population in 2008.

**Micronesia**

**Status:** Free

**Legal Environment:** 2

**Political Environment:** 8

**Economic Environment:** 11

**Total Score:** 21

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**Moldova**

**Status:** Not Free

**Legal Environment:** 20

**Political Environment:** 26

**Economic Environment:** 21

**Total Score:** 67

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Press freedom continued to decline in 2008 as the ruling Communist Party restricted independent reporting ahead of the 2009 parliamentary elections. The party had lost some key posts in the 2007 local elections. While the government has made some attempts to comply with the requirements of European integration in recent years, enacting a number of democratic legal reforms, those changes have not been properly implemented or enforced, and media restrictions have continued. In an indication of the government’s emphasis on appearances, Prime Minister Vasile Tarlev appealed to journalists in January to refrain from tarnishing Moldova’s image abroad, asking instead that discussions of state abuses or violations be limited to domestic forums.

Although the government often infringes on legally protected press freedoms, libel is rarely punished with imprisonment, and in 2006 the parliament approved legislation designed to moderate excessive financial awards in libel cases. Few new libel lawsuits were reported in 2008, partly because a series of judgments against journalists have been struck down by the European Court of Human Rights in recent years. In February and July, the Strasbourg-based court found violations of freedom of expression in two libel judgments against the newspaper Flux in 2003 for having criticized the Communist Party and the former prosecutor general. In April, a court in the capital temporarily froze the bank account of the independent newspaper Jurnal de Chisinau due to a libel lawsuit filed by a former prosecutor whom the newspaper had criticized in 2003 and 2004. Journalists are often unable to obtain basic public information from the government because many officials ignore an existing Access to Information Law. Government officials sometimes deny accreditation to independent journalists and exclude them from press conferences. In February, the parliament passed a code of ethics for government officials that authorized only press officers to speak with the media, raising fears that public information would become even more inaccessible.

President Vladimir Voronin’s government controls the country’s public broadcaster, Teleradio Moldova, whose news programs consistently favored progovernment politicians and denied coverage to the opposition during the year. Owners of both state-run and private media houses continued to promote self-censorship, and police occasionally harassed journalists for reporting on politically embarrassing events. For example, in February police in Chisinau searched the independent television station Albasat without a warrant, claiming to be investigating labor violations, after the station criticized the Communist Party. In October, several police officers in Chisinau beat a cameraman with the Romanian station Pro TV after he worked on stories that criticized the police and covered an opposition rally.

In the separatist Transnistria region, media are highly restricted and politicized. Most local broadcast media are controlled by the Transnistrian authorities or companies, like Sheriff Enterprises, that are linked to the separatist regime. Several small opposition newspapers like Novaya Gazeta and Chelovek i Yevo Prava criticize abuses committed by the separatist authorities, and their journalists and advertisers are frequently harassed as a result. Print media in Transnistria are required to register with the local Ministry of Information in Tiraspol rather than the internationally recognized Moldovan government in Chisinau.

Moldova’s print media were able to express diverse political and public views throughout the year, but faced increased harassment in retaliation for criticizing the authorities or exposing human rights abuses. In September, editors and journalists at the independent newspaper Ziarul de Garda received telephone threats after exposing a security officer who was trying to recruit young men to work as agents. Only government-controlled broadcasters have national reach; there is little private broadcasting, and most programs are rebroadcasts from either Romania or
Russia. Distribution of broadcast licenses and privatizations of state outlets are politicized. In May, the broadcast media regulatory agency, the Audiovisual Coordinating Council, distributed radio and television frequencies only to progovernment broadcasters. The government’s disagreements with neighboring Romania clearly influenced the work of the council, which suspended the license of the Romanian television station TVR1 in September and tried to take Pro TV off the air in December, but backed off due to domestic and international opposition. The government also influences the media through financial subsidies. Internet access is not restricted by the authorities, although the underdeveloped telecommunications infrastructure has helped to limit internet services to just over 16 percent of the population. In June, prosecutors in Chisinau confiscated the computers of 12 teenage bloggers and questioned them in retaliation for posting comments that criticized the government.

Monaco

Status: Free
Legal Environment: 3
Political Environment: 7
Economic Environment: 6
Total Score: 16

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Mongolia

Status: Partly Free
Legal Environment: 13
Political Environment: 16
Economic Environment: 12
Total Score: 41

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Montenegro

Status: Partly Free
Legal Environment: 11
Political Environment: 16
Economic Environment: 10
Total Score: 37
Morocco

Status: Not Free
Legal Environment: 24
Political Environment: 23
Economic Environment: 17
Total Score: 64

- Freedom of the press remained restricted in 2008. Although the constitution guarantees freedom of expression, the Press Law prohibits criticism of the monarchy and Islam and effectively bars material challenging the government’s position on the status of Western Sahara. In January, the final court of appeals upheld the 2007 conviction of journalist Mostapha Hurmatallah for receiving documents by criminal means in connection with an article on the contents of an intelligence memorandum. Hurmatallah served his sentence and was released in July.

- Libel remains a criminal offense that carries large fines, and the use of the judiciary to settle scores with critical journalists has been an issue of concern for years. The publisher of Al-Massae, the largest Arabic daily, was ordered to pay over 6 million dirhams (US$688,000) in October in connection with a libel suit brought by four prosecutors. The paper was then fined 600,000 dirhams in December for allegedly libeling a lawyer in a separate case. The extreme financial burden of these judgments is likely to drive Al-Massae out of business.

- King Mohamed VI and the government wield considerable control over the editorial content of domestic broadcast media. The king has the authority to name the heads of all public radio and television stations, as well as appoint the president and four board members of the High Authority for Audio-Visual Communication, which issues broadcast licenses. The government has the power to revoke licenses and suspend or confiscate publications.

- The government is known to issue directives and guidance to publications. In June 2008, a Rabat court ordered the new independent daily Al-Jarida al-Oula to stop publishing the testimony of victims describing human rights abuses during the rule of the late king Hassan II before the royal Equity and Reconciliation Commission. Al-Jarida al-Oula appealed the ruling, and no decision was reached by year’s end.

- While government censorship occurs, self-censorship is far more widespread, as journalists fear heavy fines, prison sentences, or extralegal intimidation and physical violence in retribution for their stories. The national Trade Union of the Moroccan Press reported that more than 20 cases of extralegal physical assaults on journalists occurred between May 3, 2007, and May 3, 2008, including a knife attack on Al-Massae editor Rachid Nini outside Rabat’s main train station. The attackers took Nini’s documents, two mobile telephones, and laptop, but they did not take his money or other valuable items.
• According to the Moroccan constitution, the press in the Moroccan-occupied Western Sahara is free, but this is not the case in practice. There is little in the way of independent Sahrawi media. Moroccan authorities are sensitive to any reporting that is not in line with the state’s official position on Western Sahara, and they continue to expel or detain Sahrawi, Moroccan, and foreign reporters who write critically on the issue. Online media and independent satellite broadcasts are largely unavailable to the impoverished population.

• There are 17 dailies and 90 weekly publications in circulation. Broadcast news media are still dominated by the state, but residents can access critical reports through pan-Arab and other satellite channels.

• Foreign publications are widely available in Morocco, and the Ministry of Communication accredited 115 foreign journalists during the year. However, the ministry also banned the distribution of the French weekly *L’Express* at various times, and cancelled the accreditation of pan-Arab satellite channel Al-Jazeera’s bureau chief for allegedly publishing false information.

• Approximately 19 percent of the population regularly accessed the internet in 2008. There is no official legislation regulating internet content or access, but the government occasionally blocks certain websites and online tools, including Google Earth and LiveJournal. In February a Casablanca court sentenced Fouad Mourtada to three years in prison on a charge of “usurping an identity” for creating an unauthorized and spurious but nondefamatory Facebook profile of the king’s brother. The king pardoned Mourtada the following month. In September, blogger Mohammed Erraji was arrested on charges of insulting the king for a blog entry entitled “King encourages dependency on handouts.” He was sentenced to two years in prison, but the verdict was overturned on appeal and Erraji was released.

**Mozambique**

*Status: Partly Free*

*Legal Environment: 12*

*Political Environment: 15*

*Economic Environment: 14*

*Total Score: 41*

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• The 1990 constitution provides for press freedom but restricts this right to ensure respect for the constitution, human dignity, the imperatives of foreign policy, and national defense.

• Defamation of the president is illegal, and libel laws are sometimes used to prosecute media outlets. In August, two editors and a reporter with the independent newspaper *Zambeze* were sentenced to six months in prison each—later converted to a small fine—for defaming the prime minister and “threatening state security” in an article questioning her nationality.

• Journalists were harassed and intimidated throughout the year, primarily by political party supporters. In April, two supporters of the ruling party, FRELIMO, broke into a private radio station, threatened the staff, and briefly detained one reporter. In similar incidents in October,
local leaders of the opposition party, RENAMO, threatened two journalists they accused of favoring political rivals.

- The risk of lawsuits, prosecution, and extralegal intimidation encourages self-censorship among journalists.
- In December, the convicted murderer of investigative journalist Carlos Cardoso escaped from prison, where he was serving a 30-year sentence. It was the third time he had escaped since his incarceration began, and in this case he received help from prison guards.
- The state owns a majority stake in the leading national daily and the largest broadcast networks, although dozens of private radio and television stations also operate. Portuguese state television’s African service, RTP Africa, and the Brazilian-owned TV Miramar are also popular.
- The financial viability of many outlets is affected by a law limiting foreign ownership of any media enterprise to a 20 percent stake.
- According to the Media Institute of Southern Africa (MISA), the process for obtaining radio operating licenses is long and difficult, and new laws are needed to differentiate between commercial and public radio.
- The government has traditionally dominated the daily newspaper market. However, in a bid to break into that market, the successful independent weekly O Pais started publishing on a daily basis in 2008.
- Internet access is not restricted by the government, though less than 1 percent of the population has access because of a scarcity of electricity, computers, and telecommunications infrastructure. The leading telecommunications company, Cellular, said in 2008 that it would invest US$70 million in improving the reach of its mobile telephone and internet networks.

Namibia

Status: Free  
Legal Environment: 8  
Political Environment: 10  
Economic Environment: 12  
Total Score: 30

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Nauru

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

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

- The media environment in Nepal reached a plateau during 2008, following significant improvements in 2006 as a result of dramatic political change in which massive street protests forced an end to the direct rule of King Gyanendra Bir Bikram Shah Dev.
- The law guarantees freedom of the press, and Nepalese media were active and provided diverse views in 2008, but a number of threats to media freedom remain. On December 28, the Federation of Nepali Journalists (FNJ) and the government signed a 10-point agreement to address the federation’s complaints regarding attacks on the media during the year and insufficient press freedom safeguards. The agreement called for the formation of a high-level taskforce to recommend policy changes involving freedom of the press and the protection of journalists.
- While the 2007 Freedom of Information Act (FIA) has generally been met with enthusiasm by press freedom groups, there were several reports in 2008 of journalists being denied access to government information, particularly in the run-up to national elections in April. The FIA has also been criticized for its requirement that applicants submit reasons for their requests, and for the lack of any exception for information that is in the public interest.
- Chapter 4 of the Election Code requires that government-owned radio stations grant free advertising slots to political parties. The code also requires that both print and broadcast media remain impartial throughout the election period and grant equal coverage to a full range of political parties.
- There were several reports of media repression during the 2008 election campaign. The International Press Institute reported 63 instances of press violations in the two months prior to elections. Journalists were denied transportation permits to cover certain election events, and security officials reportedly threatened local media groups for reporting on election-related violence. In several cases, activists with the Young Communist League (YCL), which is affiliated with the Communist Party of Nepal–Maoist (CPN-M), threatened or attacked journalists for publishing negative stories about their party. In one case, CPN-M supporters in Kaski kidnapped a journalist following critical coverage. Other political parties and the Armed Police Force were also responsible for violence and intimidation during the campaign.
The FNJ reported 342 press freedom violations in 2008, and noted a rise in the number of attacks on journalists that went unpunished. Supporters of political parties—most commonly groups affiliated with the CPN-M or the Nepali Congress party—regularly threatened or attacked critical journalists.

The southern Terai region remained a hostile environment for journalists. On January 12, journalist Pushkar Bahadur Shrestha was murdered near the southern city of Birgunj. The Janatantrik Terai Mukti Morcha rebel group claimed responsibility for the murder. Several southern radio stations that covered the activities of rebel groups received threats in response to their reportage.

The government owns several of the major English-language and Nepali dailies, as well as the influential Radio Nepal and Nepal Television Corporation, the country’s main television station.

Private FM and community radio stations, which together with the national radio network reach some 90 percent of the population, are a primary source of news and information, particularly in rural areas.

In 2008, there were no reports that foreign media were banned or censored.

There were also no reports that the authorities monitored e-mail or blocked websites, although the internet was accessed by less than 2 percent of the population.

Netherlands

Status: Free
Legal Environment: 2
Political Environment: 7
Economic Environment: 4
Total Score: 13

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New Zealand

Status: Free
Legal Environment: 3
Political Environment: 5
Economic Environment: 6
Total Score: 14

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Nicaragua
Status: Partly Free
Legal Environment: 14
Political Environment: 19
Economic Environment: 12
Total Score: 45

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- The constitution provides for freedom of the press but also allows some forms of restriction. New rules on libel in the penal code, which took effect in July, eliminated the direct liability of publishers, editors, and owners of publications. It also stipulates that public officials are not libeled when they are criticized with respect to their official duties, concerning true facts, or in defense of or linked to the public interest, and so long as the news “has been reported in line with journalistic ethics.”
- Judges are often aligned with political parties, and some have restricted reporters from covering certain stories. Cases of judicial intimidation have also been reported.
- The administration of President Daniel Ortega frequently criticized the press during the year, calling them “traitors” and “murderers,” and favored progovernment media outlets.
- The government made several attempts in 2008 to increase its editorial influence over the media, including the appointment of the president’s wife, Rosario Murillo, as the government’s point person for all media relations. The popular talk-show of political commentator Jaime Arellano was cancelled by Channel 10, reportedly in return for the government agreeing to issue the station a radio license. The show was also canceled by Channel 2, reportedly after the government threatened not to renew its broadcast license.
- There have been reports of preferential treatment for journalists who are loyal to the ruling party and intimidation of those who criticize it.
- While physical attacks on journalists have diminished, a number of reporters received death threats or were harassed during the year. Progovernment and other radio stations reported incidents of vandalism and sabotage, including thefts of copper wiring and damage to transmission equipment.
- There are 10 Managua-based television stations as well as more than 100 radio stations, which serve as the population’s main source of news. Print media are diverse, with several daily papers presenting progovernment and critical perspectives. Newspaper ownership is concentrated in the hands of various factions of the Chamorro family, while the prominent Sacasa family dominates the television industry. Mexican media tycoon Angel Gonzalez, noted for his holdings in Guatemala and Costa Rica, also owns significant electronic media interests. Several media outlets are owned and controlled by President Ortega’s family and party, the Sandinista National Liberation Front (FSLN). The government owns the official Radio Nicaragua.
- During the year the government spent approximately 40 million cordobas (US$10 million) on publicity in various media, 80 percent of which went to progovernment outlets.
- There are no government restrictions on the internet, which was used by less than 3 percent of the population in 2008.
Niger

Status: Not Free
Legal Environment: 22
Political Environment: 25
Economic Environment: 17
Total Score: 64

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- Although Niger’s constitution guarantees freedom of expression, it is often not respected in practice, due primarily to government restrictions on coverage of an ongoing civil conflict. Fighting between the government and the ethnic Tuareg Movement of Nigeriens for Justice (MNJ) rebel group continued in 2008 despite Libyan-led mediation efforts in August.
- President Mamadou Tandja kept the country’s restive northern region under a continuous state of emergency during the year. The government’s crackdown on the media continued in 2008, with the arrest of several journalists and the closure of media outlets. The emergency also included a ban on live broadcasts concerning the government’s actions in the north.
- Government control of media licensing, the requirement that journalists be accredited, and an aggressive application of libel laws all contributed to the deterioration of media freedom and widespread self-censorship.
- In March, the High Council for Communication (CSC), Niger’s media regulatory body, suspended retransmission of Radio France Internationale (RFI) for three months. This followed the station’s March 10 show of solidarity with Moussa Kaka, an RFI correspondent who had been imprisoned since September 2007 for allegedly undermining state authority through his coverage of the rebels.
- In April, the CSC indefinitely suspended a key private radio station in the Agadez region, Sahara FM, due to the station’s coverage of possible abuses by Nigerien soldiers.
- Authorities also closed a press resource center for journalists in Niamey in July based on charges that it was under “external” influence, and suspended the private broadcaster Dounia for one month in August, possibly due to its favorable coverage of detained former prime minister Hama Amadou.
- Several journalists were arrested during the year for criticizing the government officials or other high-profile individuals. Among other cases, the director of the private L’Eveil Plus newspaper, Aboubacar Gourouza, was sentenced in February to one month in jail for “discrediting Niger’s justice system” through criticism of a public official; he was released in March. In July, authorities arrested a senior staff member of the private L’Evenement newspaper, Moussa Aksar, accusing him of “divulging military secrets” for reporting on a weapons cache. He was released on August 1, but was then rearrested in November along with his assistant, Sani Aboubacar, following an article that was critical of the director of a local power company. The men were released on November 19 after receiving three-month suspended jail sentences.
On a positive note, several journalists arrested in 2007 were released during the year, including four foreign journalists in January 2008; Ibrahim Manzo Diallo, editor of the private Agadez-based *Air Info*, in February; and Moussa Kaka, the RFI correspondent, in October.

- Some 45 private newspapers compete with a state-run daily in the print media market.
- The state continues to dominate the broadcasting landscape, though there are 15 private radio stations that broadcast in French and local languages. Three private television stations operate alongside two state-run stations.
- Restrictive press licensing legislation and a heavy tax on private media outlets hinder the development of the private media sector.
- Although the government does not restrict internet access, only 0.3 percent of the population accessed it regularly owing to the country’s high level of poverty and lack of infrastructure.

### Nigeria

**Status:** Partly Free  
**Legal Environment:** 15  
**Political Environment:** 22  
**Economic Environment:** 17  
**Total Score:** 54

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Media freedom suffered a setback in 2008 when a freedom of information (FOI) bill, pending in the parliament since 1999, failed to pass out of committee despite strong support from domestic and international media groups. Although the 1999 constitution guarantees freedom of expression, of the press, and of assembly, the state often uses arbitrary actions and extralegal measures to suppress political criticism and expression in the media, and a culture of impunity for crimes against the media persists. Libel remains a criminal offense, and under Nigerian law the burden of proof still rests with the defendant. Criminal prosecution also continues to be used against journalists covering sensitive issues such as official corruption, separatist movements, and communal violence. In addition, Sharia (Islamic law) statutes in 12 northern states impose severe penalties for alleged press offenses. In 2007, both houses of the National Assembly passed the long-awaited FOI bill—which among other provisions would criminalize the destruction or falsification of any official record by any officer, government administrator, or public institution—but outgoing president Olusegun Obasanjo declined to sign the bill into law. In April 2008, the resubmitted bill was rejected by a committee in the House of Representatives. Under the current legal framework, access to information remains restricted by laws like the 1962 Official Secrets Act and the Sedition Law.

Various security agencies used arbitrary detention and extrajudicial measures in attempts to muffle political activism and restrict press coverage that was perceived as critical or was related to sensitive issues such as official corruption, violence in the oil-rich Niger Delta, or the president’s health. In January, security agents in Akwa Ibom state detained and pressed sedition charges against a local newspaper distributor and a newspaper chairman in connection with a
story alleging that the state governor had ties to corrupt individuals. In April, security forces arrested four U.S. filmmakers and one Nigerian who were shooting a documentary on the Niger Delta region. According to the Committee to Protect Journalists (CPJ), the film crew spent a week in custody without being charged. In August, freelance U.S. filmmaker Andrew Berends and his Nigerian translator, Samuel George, were detained by state security agents in Port Harcourt. Berends was released after three days, but was forced to undergo 10 days of questioning before being deported; George was held for five days and interrogated for another three weeks, CPJ reported. Separately, the State Security Service (SSS), an elite corps under the president’s direct command—continued to retaliate against critical coverage of the federal government. SSS agents in September temporarily closed the Lagos and Abuja offices of the privately owned Channels TV station and detained at least four staff members after the station mistakenly aired a fabricated report that President Umaru Yar’Adua might step down for health reasons. In November, the SSS detained the publisher of the newspaper Leadership, Sam Nda-Isaiah, and questioned him for two days regarding a report alleging that the president was critically ill. A presidential directive instructed the police to arrest Nda-Isaiah along with two editors and a former associate editor at the paper for alleged “defamation of character and injurious falsehood” over the story. The journalists were released on bail pending trial, which was postponed until 2009.

Two Nigerian journalists were murdered in 2008 for reasons that remained unclear at year’s end. In August, Paul Abayomi Ogundeji, a board member of the private daily ThisDay, was shot to death in a suburb of Lagos. Two Nigerian papers reported that he was shot by a uniformed police officer, according to the U.S. State Department. In October, Eiphraim Audu, a senior radio journalist with the Nasarawa State Broadcasting Service, was assassinated by unidentified gunmen near his home in Lafia. Investigations into both murders were still pending at year’s end. Physical violence against journalists remained a common occurrence, particularly for those covering public protests, political rallies, or abuses of power by security forces. In March, Dave Amusa, the Rivers State correspondent for the National Mirror, was beaten by police while attempting to enter the Independent Electoral Commission offices in Port Harcourt to report on council poll results. In August, security forces assaulted a Channels TV cameraman who sought to take pictures of a raid on the Abuja residence of a Niger Delta militant leader. Police officers in Lagos reportedly beat three print journalists who were covering a political rally by the opposition Action Congress party in September.

There are more than 100 national and local publications, the most influential of which are privately owned. The press is vibrant and vocally critical of unpopular state policies. The broadcast industry has been liberalized since 1992, and hundreds of licenses have been granted by the Nigerian Broadcasting Commission (NBC), although many licensees continue to experience financial difficulties, limiting their viability. Radio tends to be the main source of information for Nigerians, while television is used mostly in urban areas and by the affluent. Private television stations are restricted by the requirement that 60 percent of their programming be produced locally. In December, the NBC chief executive stated that starting in 2009, all prime-time news broadcasts by local stations would have to be 100 percent local content. An NBC ban from 2004 on the live broadcast of foreign programs, including news, on domestic services remained in force. Foreign broadcasters, particularly the Voice of America and the British Broadcasting Corporation, are important sources of news in the country.

There were no reports that the government restricted access to the internet or monitored e-mail, although online news sites that are critical of the government have occasionally
experienced disruptions, possibly because of authorities’ attempts to impair service. In October, SSS operatives detained two U.S.-based bloggers upon their arrival at Nigerian airports. Their detentions may have stemmed from articles speculating on the president’s health, or from reports on corruption among Nigerian politicians; one blogger was reportedly accused of “threatening national security.” Both were released from custody, but the SSS continued to hold their passports and prevent them from leaving the country at year’s end.

North Korea

Status: Not Free
Legal Environment: 30
Political Environment: 39
Economic Environment: 29
Total Score: 98

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- North Korea remained the most repressive media environment in the world in 2008. The one-party regime owns all media, attempts to regulate all communication, and rigorously limits the ability of North Koreans to access information.
- Although the constitution theoretically guarantees freedom of speech, constitutional provisions calling for adherence to a “collective spirit” restrict all reporting that is not sanctioned by the government in practice.
- All journalists are members of the ruling party, and all media are mouthpieces for the regime. Under the penal code, listening to foreign broadcasts and possessing dissident publications are “crimes against the state” that carry grave punishments, including hard labor, prison sentences, and the death penalty.
- North Korean media portray all dissidents and the foreign media as liars attempting to destabilize the government, and authorities sharply curtail the ability of foreign journalists to gather information by seizing their mobile telephones upon arrival, preventing them from talking to people on the street, and constantly monitoring their movements.
- In December, Reporters Without Borders called on the North Korean government to release information on Colonel Kim Sung Chul, who was arrested in 2006 for secretly filming a public execution and sending the video to a Japanese television station, Asahi TV.
- In 2007, a Japanese journalist and several North Korean refugees launched the first newsmagazine, Rimjinkang, to be based on independent reporting from inside the country. The reporting is conducted by specially trained North Koreans—most of them refugees along the country’s border with China—who have agreed to go back into North Korea and operate as undercover journalists using hidden cameras. The newsmagazine began publishing a Japanese version in 2008 with hopes that wider dissemination would help to force change within the North Korean regime.
Internet access is restricted to a handful of high-level officials who have received state approval, and to 200 or so foreigners living in the capital, Pyongyang; all foreign websites are blocked by the state.

Norway

Status: Free
Legal Environment: 3
Political Environment: 3
Economic Environment: 4
Total Score: 10

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Oman

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

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Pakistan

Status: Not Free
Legal Environment: 19
Political Environment: 27
Economic Environment: 16
Total Score: 62

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While the additional press restrictions associated with the November 2007 imposition of martial law were eased during 2008, journalists continued to encounter official attempts to restrict critical reporting as well as high levels of violence. The constitution and other legislation, such as the Official Secrets Act, authorize the government to curb freedom of speech on subjects including the constitution itself, the armed forces, the judiciary, and religion. Harsh blasphemy
laws have occasionally been used to suppress the media. Under the 2004 Defamation Act, offenders can face minimum fines of 100,000 rupees (US$1,700) and prison sentences of up to five years; however, this legislation has not yet been used to convict members of the press. In a positive step, Rehmat Shah Afridi, editor of the Frontier Post, was freed on parole in May after nine years in prison on spurious drug-possession charges.

Broadcast media are regulated by the Pakistan Electronic Media Regulatory Authority (PEMRA), which has the power to halt broadcasts and shutter media offices. In recent years, PEMRA has intervened to restrict broadcasts, particularly those that are critical of the government, and to ban live news coverage during periods of political unrest. As part of the November 2007 imposition of martial law, a Provisional Constitutional Order suspended Article 19 of the constitution, which relates to freedom of the press, and two additional ordinances barred print and electronic media, respectively, from publishing or broadcasting “anything which defames or brings into ridicule the head of state, or members of the armed forces, or executive, legislative, or judicial organs of the state,” as well as any live news broadcasts deemed to be “false or baseless.” Those journalists or outlets considered to be in breach of the ordinances could face jail terms of up to three years, fines of up to 10 million rupees (US$165,000), and cancellation of their broadcaster’s license. A special bureau within the Information Ministry was tasked with monitoring the 21 national dailies and 13 leading regional newspapers to ensure that they followed the rules introduced in the print media ordinance. Television networks were taken off the air and required to sign a 14-page code of conduct promoted by PEMRA—in which they agreed to discontinue specific types of programming, such as election-related content, talk shows, and live phone-in segments—in order to resume broadcasting.

In early 2008, PEMRA attempted to impose restrictions on live coverage of the February 18 elections, but many outlets disregarded their directives. A new civilian government was elected, as voters swept an opposition coalition to power despite then president Pervez Musharraf’s attempts to rig the contest. The new government’s stated policies toward the press were considerably more open, and in a promising move, veteran journalist Sherry Rehman was appointed as minister of information. In April, Rehman introduced a bill that would repeal several provisions of the 2007 ordinances, including the ban on live news broadcasts involving suicide bombers, terrorists, militants, or extremists and the provision of sentences of up to three years in prison for journalists who defame or mock the president, the government, or the army. However, the bill stalled in the parliament, and at year’s end the ordinances remained in effect, though they were not stringently enforced by the new government. In general, while political pressure on the media improved, officials and military officers allegedly continued to call and complain of critical coverage, and the government attempted to control reporting on the ongoing judicial crisis. In addition, broadcast transmissions were affected or suspended by PEMRA on a number of occasions during the year.

The physical safety of journalists continued to be a major concern. Police, security forces, and military intelligence officers subjected journalists to physical attacks, intimidation, or arbitrary arrest and incommunicado detention. In addition, Islamic fundamentalists and thugs hired by feudal landlords or local politicians continued to harass journalists and attack newspaper offices. According to the Committee to Protect Journalists, at least five journalists were killed in 2008. While some were deliberately targeted, others were killed or injured as they attempted to cover political turmoil or were among the victims of large-scale suicide bombings. Impunity is the norm for such crimes, and many murder cases from previous years remain unsolved.
Foreign journalists often encounter visa and travel restrictions that can inhibit their reporting, and are subject to arrest and deportation if found in areas that are not specifically covered by their visas. Conditions for reporters covering the ongoing unrest in the tribal areas bordering Afghanistan were particularly difficult in 2008. A number of local and foreign correspondents were killed, detained, threatened, expelled, or otherwise prevented from covering events there, either by the Taliban and local tribal groups or by the army and intelligence services. Media remain much more tightly restricted in the Federally Administered Tribal Areas (FATA), where independent radio is not allowed, and in Pakistani-administered Kashmir, where publications need special permission from the regional government to operate and proindependence publications are generally prohibited. Coverage of Pakistan’s restive Balochistan province also remains sensitive. Munir Mengal, a businessman who proposed to launch a Baloch-language satellite television station, was freed in February after being held without charge for almost two years, first by the military and then by the police.

While some journalists practice self-censorship, a wide range of privately owned daily and weekly newspapers and magazines provide diverse and critical coverage of national affairs. The government continues to control Pakistan Television and Radio Pakistan, the only free broadcast outlets with a national reach, and their coverage supports official viewpoints. Private radio stations operate in some major cities but are prohibited from broadcasting news programming. However, in a dramatic opening of the media landscape in recent years, at least 25 all-news private cable and satellite television channels—such as Geo, ARY, Aaj, and Dawn, some of which broadcast from outside the country—have arisen to provide live domestic news coverage, commentary, and call-in talk shows, informing viewers and shaping public opinion regarding current events. International television and radio broadcasts are usually available. Authorities occasionally attempt to wield control over media content, reportedly by providing unofficial “guidance” to newspaper editors on placement of front-page stories or permissible topics of coverage. Both state-level and national authorities have used advertising boycotts to put economic pressure on media outlets that do not heed unofficial directives, although this practice appears to have declined in 2008. Both official and private interests reportedly pay for favorable press coverage, a practice that is exacerbated by the low salary levels of many journalists.

The internet is not widely used, with slightly over 10 percent of the population able to gain access, although blogs are growing in popularity and many news outlets provide content over the internet. As a result of the ban on many broadcast channels, news websites and weblogs played an important role as information sources during the 2007 state of emergency. Authorities blocked access to several dozen websites at various points during 2008, particularly those involving Baloch nationalism or other sensitive subjects. In February, authorities ordered internet service providers to block the YouTube video-sharing site, allegedly because of blasphemous content, causing the site to crash worldwide for several hours; the domestic ban was lifted several days later. The Prevention of Electronic Crimes Ordinance, issued in November, criminalized “cyber terrorism”—broadly defined as using or accessing a computer, network, or any electronic device for the purposes of frightening, harming, or carrying out an act of violence against any segment of the population or the government—and provided for harsh penalties in cases resulting in a death. The e-mail accounts of some journalists are reportedly monitored.

Palau
Status: Free
Legal Environment: 1
Political Environment: 5
Economic Environment: 8
Total Score: 14

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Panama

Status: Partly Free
Legal Environment: 18
Political Environment: 17
Economic Environment: 9
Total Score: 44

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- Freedom of the press is protected by the law and for the most respected in practice.
- Amendments to the criminal code that were approved in 2008 abolished Article 175, which had allowed criminal and civil libel cases against journalists.
- However, two new articles of the code allow journalists to be prosecuted for violating vaguely worded rules against publicizing private communications and documents, and set serious penalties for leaking government information to the press.
- The newspaper *El Periodico* was driven out of business after a court ordered the seizure of its assets in September. The judgment, for which an appeal was pending at year’s end, came in response to the newspaper’s publication of the tax returns of a prominent businessman.
- The risk of legal repercussions and judicial intimidation have served to promote self-censorship among Panamanian journalists.
- Despite the existence of transparency legislation, access to public information remains limited.
- No physical attacks on the media were reported in 2008.
- All Panamanian media outlets are privately owned, with the exception of one state-owned television network and one radio station.
- The government reportedly attempts to manipulate news coverage by buying advertising space only from friendly media outlets.
- There are no government restrictions on the internet, which was accessed by nearly 23 percent of the population in 2008.

Papua New Guinea
Paraguay

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

- Although the constitution supports basic press rights, the legal framework facilitates defamation and libel cases against the media.
- Political officials often use criminal libel laws to suppress investigative journalism and encourage self-censorship. Aldo Zuccolillo, the managing director of the newspaper *ABC Color*, was cleared in two separate defamation cases in February and April, but he reportedly faced at least 20 other criminal charges at year’s end.
- Politicians and other powerful actors have also used security forces and hired thugs to intimidate journalists. Police reportedly beat two journalists with the newspaper *La Nacion* during a June protest in Asuncion. Separately that month, radio reporter Miguel Angel Masi received death threats and was beaten on four occasions by unidentified attackers.
- Journalists who denounce political corruption and the linkages between political power and illegal business typically suffer the brunt of the violence, particularly in the interior and border towns, where smuggling and drug trafficking are widespread.
- Paraguay has a number of private broadcasting stations and three independent daily newspapers.
- No cases of government restriction of the internet were reported in 2008, and nearly 8 percent of the population had internet access.

Peru

Status: Partly Free
Legal Environment: 14
Political Environment: 19
Freedom of the press is guaranteed by the 1993 constitution, but local and international media organizations continued to express concern regarding the media’s ability to openly criticize the government.

In 2002 and 2003, the government of President Alejandro Toledo passed laws expanding access to public information. The willingness of many agencies to provide information has grown, despite a July 2005 measure that tightened restrictions on certain categories and extended the timelines for the release of classified information.

Defamation remains a criminal offense in Peru, and journalists continue to be imprisoned on defamation charges. In a high-profile case in October, Magaly Medina, a popular gossip journalist on the national television station ATV, was sentenced to five months in prison for defaming Peruvian soccer star Paolo Guerrero, who charged that she had insulted his honor and ruined his reputation in a report on his late-night drinking before an important soccer match. ATV producer Ney Guerrero Orellana received a three-month sentence.

The hostile climate for the press is evidenced by numerous instances of physical attacks and verbal threats by local authorities, private actors such as cocoa growers, and the police. Topics like the Shining Path guerrilla movement, corruption, and drug trafficking are considered particularly dangerous to cover. The National Journalists’ Association reported 177 cases of harassment in 2008, and the Institute of Press and Society issued 105 alerts.

Impunity remained a problem during the year, as most cases of violence or harassment of journalists by public officials and private citizens continued to go unpunished.

The government owns two television networks and one radio station and operates the print news agency Andina. However, private outlets dominate the media industry, and the audience for state-run media is relatively small.

Radio is an important news medium, especially in the countryside.

The media corruption that was endemic during the presidency of Alberto Fujimori in the 1990s continues to some extent, with both owners and individual journalists occasionally accepting bribes in exchange for slanted coverage.

The internet is not restricted by the government, and 26 percent of the population accessed the medium in 2008.

**Philippines**

**Status:** Partly Free  
**Legal Environment:** 11  
**Political Environment:** 23  
**Economic Environment:** 11  
**Total Score:** 45
While news reports are often rooted in sensationalism and innuendo, the media in the Philippines have historically ranked among the freest, most vibrant, and most outspoken in Southeast Asia. However, journalists in 2008 continued to face deadly violence and the use of defamation suits to silence criticism of public officials. In addition, the government continued to issue vague directives prohibiting media coverage of certain troublesome events.

The constitution guarantees freedoms of speech, expression, and peaceful assembly. There are no restrictive licensing requirements for newspapers or journalists, and few legal limitations such as privacy or obscenity laws. However, new national security legislation introduced in 2007 may limit journalists’ traditional rights and access to sources. Furthermore, in April 2007, President Gloria Macapagal Arroyo issued Executive Order 608, creating a National Security Clearance System to “protect and ensure the integrity and sanctity” of classified information against “enemies of the state.” The order, which came shortly before the May legislative elections, calls on the heads of government agencies to implement a vaguely defined security clearance procedure approved by the national security adviser.

The country’s penal code makes libel a criminal offense punishable by prison terms and, in some cases, large fines. The prevalence and severity of libel cases in recent years prompted a broad-based but ultimately unsuccessful campaign for the decriminalization of defamation in 2006. Defamation suits continued to receive considerable attention in 2008. In January, radio commentator Julito Ucab was arrested in southern Mindanao for failing to defend himself against a 2004 libel charge stemming from his interview of a woman who accused a government official of sexual assault. In another case, radio journalist Alexander Adonis was held in the Davao Penal Colony in Davao del Norte province until late December despite orders to release him in February. Adonis was convicted of defamation for accusing a former Davao congressional representative and current House speaker of having an extramarital affair. In September, Amado Macasaet, a Malaya newspaper columnist and well-known critic of the Arroyo administration, was arrested along with two other Malaya editors based on a nine-year-old libel complaint filed by the former governor of Rizal province. The charges resurfaced after Macasaet’s 2007 articles on bribery allegations involving a Supreme Court justice who is also the former governor’s sister. Macasaet was previously arrested for alleging that Mike Arroyo—the president’s husband and the most notorious abuser of libel laws—was involved in attempted vote-rigging in the 2004 presidential election. In October, the Court of Appeals denied a motion by Mike Arroyo to dismiss a 2006 case filed against him by numerous journalists for his abuse of libel suits. The mere threat of libel charges is often used in attempts to hush criticism. Following the testimony of former government adviser Rodolfo Lozada against former election commission chairman Benjamin Abalos in February, the latter threatened to file libel charges but ultimately did not do so.

Although a censorship board has the power to edit or ban content for both television and film, government censorship does not typically affect political issues. Both the private media and the country’s many state-owned television and radio stations address the country’s numerous controversial topics, including alleged election fraud, ongoing counterinsurgency campaigns, and high-level corruption cases. Media coverage in the run-up to the May 2007 legislative elections was perceived to be generally unbiased, although there were a few cases in which the media were prevented from conducting interviews with senior opposition members. A series of
developments in 2008 reflected ongoing tensions between the media and the government regarding reporting on contentious national events. In late January, three dozen journalists and several organizations came together to file a civil suit against the government for prohibiting media coverage of a November 2007 coup attempt and the arrest of over 30 journalists. The suit was dismissed by a judge in July. As part of the fallout from the media’s efforts to cover the coup, the Department of Justice issued a highly controversial advisory in mid-January that warned all media practitioners of criminal liabilities for “disobeying lawful orders from duly authorized government officers and personnel during emergencies.” In late February, the Supreme Court struck down a warning against airing wiretapped conversations between the president and an elections commissioner from 2005, and in March, the authorities prohibited stations from broadcasting aerial views of massive antigovernment demonstrations.

Filipino journalists faced danger in the course of their work throughout the year. The Center for Media Freedom and Responsibility reported that six journalists were killed in connection with their work in 2008, after a slight decline in violence yielded a death toll of three journalists the previous year. The Philippines continues to rank as one of the most dangerous places in the world for members of the press. Exposing corruption scandals or criticizing the government, army, or police can prove lethal, with the Committee to Protect Journalists (CPJ) reporting that 34 journalists have been killed since 1992 and citing a 90 percent impunity rate. Two murder victims in 2008 were radio broadcasters: Dennis Cuesta, a program director in General Santos City who was shot in August after receiving death threats for his coverage of a high-profile land dispute, and Martin Roxas, a program director on Panay Island who was also shot in August after reporting on a local political dispute and alleging the misappropriation of funds. Radio broadcasters outside major urban centers—known for sensational political reporting intended to attract high ratings—are the most common targets. At least four other journalists were slain during the year under unclear circumstances, while others received death threats or escaped injury in attacks and harassment.

The nature of advertising and the prevalence of “block timing”—buying airtime for political or partisan purposes—in radio broadcasting contribute to sensational reporting, while local political rivalries, corruption, and family vendettas often make the motives and perpetrators behind journalist murders difficult to identify. Only three convictions for the murder of journalists have ever been secured, and because the crimes are often carried out by hired gunmen, no mastermind of such a slaying has ever been held accountable. In a significant development in October 2008, murder charges were filed against two agriculture officials who were the alleged masterminds of the 2005 killing of investigative reporter Marlene Garcia-Esperat. After arrest warrants were issued, however, the two filed motions against the charges and the case remained pending at year’s end. The government has made some effort to address the impunity issue, including the 2006 establishment of Task Force Usig, a special police unit, and the Melo Commission to Investigate Media and Activist Killings. However, the official findings of the former are disputed by local human rights groups, while the latter lacked any sort of enforcement capacity. In February 2008, Supreme Court justice Reynato Puno demonstrated judicial support for ending impunity for journalist murders by delivering the keynote address at a CPJ conference, and in March the Supreme Court granted the first writ of amparo ordering protection of a journalist targeted in a murder plot. Introduced in September 2007, the writ of amparo is a new tool that the government and judiciary hope will help alleviate the massive spike in extrajudicial and journalist killings in recent years.
Most print and electronic media outlets are privately owned, and while some television and radio stations are government owned, they too present a wide variety of views. Since 1986, there has been a general trend toward concentration of ownership, with two broadcast networks controlled by wealthy families dominating audiences and advertising. Often criticized for lacking journalistic ethics, media outlets tend to reflect the political or economic orientations of their owners and patrons, and special interests reportedly use inducements to solicit favorable coverage. Approximately 14.6 percent of the population made use of the internet in 2008, and the government did not restrict access.

Poland

Status: Free
Legal Environment: 8
Political Environment: 9
Economic Environment: 7
Total Score: 24

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Portugal

Status: Free
Legal Environment: 4
Political Environment: 6
Economic Environment: 6
Total Score: 16

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Qatar

Status: Not Free
Legal Environment: 19
Political Environment: 24
Economic Environment: 22
Total Score: 65

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Romania

Status: Partly Free
Legal Environment: 13
Political Environment: 16
Economic Environment: 15
Total Score: 44

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- The constitution protects freedom of the press, and the government generally respects these rights.
- While there were no criminal libel cases during the year, some politicians used lawsuits to silence media criticism. The mayor of Constanta won a case in June against a correspondent for public television broadcaster TVR and the newspaper *Evenimentul Zilei* who had accused him of criminal associations; the reporter was ordered to pay compensation and issue an apology. In September, President Traian Basescu filed a suit over an editorial in the daily *Cotidianul* that accused him of organizing a preelection pact with an ultranationalist party, though he sought only 100 lei (US$40) in compensation.
- The Senate in late June unanimously passed a bill instructing broadcasters to devote at least 50 percent of their news programming to positive news. The measure drew widespread criticism, and the Constitutional Court struck it down in early July.
- Romanian journalists continued to suffer verbal abuse and assaults in the course of their work in 2008, and at least four reported receiving death threats. Several journalists resigned or were fired during the year due to complaints about politicized censorship by managers at state-owned outlets, threats of violence, or pressure from local authorities. Most such incidents stemmed from reporting on corruption, organized crime, and politics. Political influence at TVR had reportedly grown worse since the parliament appointed former Social Democratic Party official Alexandru Sassu to lead the station in September 2007.
- Both the British Broadcasting Corporation (BBC) and Radio Free Europe/Radio Liberty ended their venerable Romanian-language services in August. Romanians have access to a growing diversity of media outlets, but some observers expressed concern that the closures would reduce the number of independent, objective news sources in a media market that remained heavily influenced by various political and economic interests.
- Access to the internet is widely available, with no reports of government interference. More than 33 percent of the population used the internet in 2008, and Romania is considered a regional leader in high-speed broadband connections. Costs have also decreased due to competition.

Russia

Status: Not Free
Media freedom continued to decline in 2008, with the Kremlin relying on Soviet-style media management to facilitate a sensitive political transition and deflect responsibility for widespread corruption and political violence. Although the constitution provides for freedom of speech and of the press, the Kremlin used the country’s politicized and corrupt court system—including dozens of criminal cases and hundreds of civil cases—to harass and prosecute the few remaining independent journalists who dared to criticize widespread abuses committed by authorities. In June, two journalists from the central Russian region of Bashkortostan—editor Viktor Shmakov and freelancer Airat Dilmukhametov—who had accused local authorities of corruption were convicted under a vague anti-extremism law, given two-year suspended prison sentences, and banned from working as journalists for one year. Their independent newspaper, Provintsialnye Vesti, was closed. Also that month, the Moscow-based English-language biweekly eXile shut down after a state media regulatory agency looking into allegations of extremism—reportedly because of a regular column written by opposition politician Eduard Limonov—scared away the newspaper’s local investors. Toward the end of the year, the Kremlin attempted to suppress news reporting of the country’s economic crisis. In November, prosecutors warned the media against producing “damaging” news reports, Prime Minister Vladimir Putin publicly told journalists not to report anything “unpatriotic,” and outlets were instructed not to use the word “crisis” in their coverage. In December, the parliament passed a law preventing jury trials in terrorism, extremism, and treason-related cases, knowing that judges were more reliable in convicting criminal defendants, while Putin’s government proposed expanding the treason law to make communication with international nongovernmental organizations punishable by up to 20 years in prison. The measure was awaiting President Dmitri Medvedev’s signature at year’s end. Authorities have used extremism charges against a number of government critics, including journalists.

Journalists remained unable to cover the news freely, particularly with regard to contentious topics like human rights abuses in the North Caucasus, government corruption, organized crime, and police torture. They were subject to a variety of abuses that encouraged widespread self-censorship. In January, police in the southern region of Ingushetia briefly detained and physically assaulted nine journalists and two human rights activists trying to report on the violent suppression of 200 protesters. In November, Mikhail Beketov, the editor of Khimkinskaya Pravda, an independent newspaper outside Moscow, was brutally beaten and left unconscious with multiple bone fractures after strongly criticizing local authorities for plans to build a freeway through a local forest. In December, police in the Far Eastern city of Vladivostok assaulted and destroyed the equipment of television crews from Primorskoye TV, TV Center, and the Japanese broadcaster NHK, as well as journalists from the Moskovskiy Komsomolets daily and the ITAR-TASS news agency, during a protest against increases in car import tariffs. In addition, several international journalists were denied entry into the country during the year. Authorities worked aggressively to restrict coverage of human rights abuses in the North.
Caucasus, and in April police in Chechnya arrested and expelled Jane Armstrong, a foreign correspondent for Canada’s *Globe and Mail* newspaper, from the region despite the fact that she had obtained special accreditation required by the Interior Ministry.

Russia remained one of the most dangerous countries in the world for the media due to widespread lawlessness that allows politicians, security agents, and criminals to silence journalists by any means. In 2008, two journalists were murdered in retaliation for their reporting, both in Russia’s politically unstable North Caucasus region. In August, Magomed Yevloyev, director of an opposition website, Ingushetiya.ru, that reported aggressively on local human rights abuses and corruption, was “accidentally” shot in the head while in police custody in Ingushetia. In September, Tamerlan Alishayev, a reporter and host of an Islamic education program on the television station Chirkei who had criticized conservative religious leaders, was shot and killed by two unidentified assailants in the southern region of Dagestan. At least 16 journalists have been murdered in work-related slayings since 2000, and authorities have encouraged an atmosphere of impunity by rarely investigating those cases; all but one remain unsolved. The trial of two suspects in the 2004 murder of *Forbes Russia* editor Paul Klebnikov was delayed throughout 2008, while the trial of three suspects in the 2006 slaying of *Novaya Gazeta* journalist Anna Politkovskaya started at the end of 2008 without the alleged triggerman or any information about who may have ordered the murder. Some journalists were forced into exile as a result of aggressive harassment by the Federal Security Service (FSB) and other government agencies. Roza Malsagova, editor in chief of Ingushetiya.ru, was forced to flee the country and seek asylum in France after enduring an intense campaign of threats, legal harassment, and violence, including the August murder of Yevloyev, the site’s owner.

Authorities continued to exert significant influence on media outlets and news content through a vast state media empire. The government owns two of the 14 national newspapers, more than 60 percent of the more than 45,000 registered local newspapers and periodicals, and, in whole or in part, all six national television stations and two national radio stations. This allowed the government to ensure that the press was filled with pro-Kremlin propaganda, particularly ahead of the flawed March presidential election and during Russia’s military invasion of neighboring Georgia in August. International radio and television broadcasting remains generally restricted; most private FM radio stations have been pressured to stop rebroadcasting news programs by the British Broadcasting Corporation, Radio Free Europe/Radio Liberty, and Voice of America, relegating those services to less accessible short- and medium-wave frequencies. Diversity continued to decline as private companies loyal to the Kremlin and regional authorities purchased influential private newspapers, and most media outlets remained dependent on state subsidies as well as government printing, distribution, and transmission facilities. Government-controlled television was the primary source of news for most Russians, while lively but cautious political debate was increasingly limited to glossy weekly magazines and news websites that were available only to urban, educated, and affluent audiences.

Internet freedom has corroded in recent years. With online media developing rapidly and an estimated 27 percent of the population now online, the authorities have increasingly engaged in intentional content removal. The FSB continued widespread monitoring of e-mail and web posts, while government officials harassed some news websites and bloggers. In July, a court in the northern region of Komi convicted the blogger Savva Terentyev of extremism and gave him a one-year suspended prison sentence for criticizing corruption in the local police on the popular blogging site LiveJournal. Kremlin allies have purchased several independent online newspapers
or created their own progovernment news websites, and are reportedly cultivating a network of bloggers who are paid to produce pro-Kremlin propaganda.

**Rwanda**

**Status:** Not Free  
**Legal Environment:** 25  
**Political Environment:** 34  
**Economic Environment:** 26  
**Total Score:** 85

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- The constitution provides for freedom of the press “in conditions prescribed by the law,” but the media are tightly controlled by the government in practice despite a 2002 law that formally forbids censorship. Libel remains a criminal offense, and there are no laws guaranteeing access to information.
- The situation deteriorated slightly in 2008 with the passage of a new law banning any criticism of the president, requiring journalists to reveal their sources in court, and stiffening accreditation requirements. To a certain extent, the new requirement for formal training for journalists is a necessary step in a country where fewer than 10 percent of journalists have had such an education and where the quality of reporting is frequently poor. Nonetheless, the new rules are expected to provide the government with another tool for obstructing critical reporting.
- The risk of imprisonment posed by far the greatest threat to independent journalists in Rwanda. Self-censorship is pervasive.
- The government made it very difficult for foreign journalists to function inside the country in 2008. In January, a Belgian journalist was denied a visa because of a critical program he had previously put together. Similarly, in May a Ugandan reporter with the *Daily Mirror* was expelled from the country for what the government considered to be “unobjective reporting.” While Radio France Internationale has already been banned from Rwanda, in 2008 the government severely restricted the work of journalists from both Voice of America and the British Broadcasting Corporation, excluding them from government press conferences and denying them access to information.
- Independent domestic journalists often faced even greater difficulties than their foreign colleagues. In July, the government refused to renew the passport of the managing editor of the newspaper *Umuseso* and extradited her to Tanzania, where she also has citizenship. The move was thought to be linked to a story *Umuseso* had published concerning investigations into the assassination of an opposition leader. Separately, two of *Umuseso*’s other editors were each sentenced to one year in prison and a US$2,000 fine for defaming a South African businessman.
- A number of other journalists were imprisoned, harassed, or forced into hiding as a result of their work in 2008. However, no journalists were imprisoned during the year for “inciting
genocide,” a charge frequently used in the past to silence critics under the guise of preventing another genocide.

- The *New Times*, a private newspaper with close government ties, is the only paper that appears daily. Of the 57 private publications registered with the government, only 37 were operational in 2008, and only 6 appeared on a regular basis. The state broadcasters continue to dominate radio and effectively monopolize television in the country.

- Internet access was not restricted or monitored by the government, but it was available to only 1 percent of the population in 2008.

### St. Kitts and Nevis

Status: Free  
Legal Environment: 4  
Political Environment: 8  
Economic Environment: 7  
Total Score: 19

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### St. Lucia

Status: Free  
Legal Environment: 2  
Political Environment: 9  
Economic Environment: 4  
Total Score: 15

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### St. Vincent and the Grenadines

Status: Free  
Legal Environment: 4  
Political Environment: 7  
Economic Environment: 6  
Total Score: 17

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Samoa

Status: Free
Legal Environment: 7
Political Environment: 13
Economic Environment: 9
Total Score: 29

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San Marino

Status: Free
Legal Environment: 4
Political Environment: 6
Economic Environment: 7
Total Score: 17

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Sao Tome and Principe

Status: Free
Legal Environment: 4
Political Environment: 10
Economic Environment: 14
Total Score: 28

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Saudi Arabia

Status: Not Free
Legal Environment: 28
Political Environment: 29
Economic Environment: 25
Total Score: 82
The media environment in Saudi Arabia is among the most repressive in the Arab world. The Basic Law does not guarantee press freedom, and journalists who offend the authorities and other powerful actors face fines, detention, interrogation, dismissal, and harassment.

All newspapers must be licensed with the government, and any media outlet can be legally banned or temporarily suspended if it is deemed to promote “mischief and discord,” compromises “the security of the state and its public image,” or “offends a man’s dignity and rights.” Following a January incident in which audience members made angry comments about senior government officials, the Ministry of Culture and Information (MCI) banned all future live broadcasts in the country.

The kingdom does not have official freedom of information legislation. Access to information has improved over the past few years, though it remains limited.

The government exerts a high level of influence and editorial control over media outlets. The MCI must approve and appoint all senior editors, and it has the ability to remove them at will. The government routinely issues “guidelines” to newspapers detailing how they should cover controversial issues.

All journalists must register with the MCI, and foreign journalists face visa obstacles and restrictions on their movement. Foreign publications are often banned, censored, or delayed. Media outlets engage in extraordinary levels of self-censorship, carefully avoiding criticism of the royal family, Islam, or religious authorities.

While journalists are occasionally harassed or intimidated, there were no reports of violent attacks on members of the press in 2008. However, on three occasions during the year, Saudi clerics issued religious edicts against journalists in the Arab world.

There are 10 daily newspapers in Saudi Arabia; all are privately owned, but most owners are either members of the royal family or are associated with them or the government. Newspapers that criticize the kingdom are banned. In a positive move, several new independent newspapers were started during 2008.

The government owns and operates all domestic broadcast media, and government censors remove references deemed offensive to Islam. Satellite television has become widespread despite its illegal status.

Bribery and the culture of giving gifts to journalists are widespread. Gifts can include small items, major purchases like cars, or favors and concessions to friendly journalists.

About 22 percent of the population used the internet in 2008. In 2006, the government approved the first law to combat “electronic crimes,” criminalizing defamation on the internet and computer hacking. E-mail and chat rooms are reportedly monitored by the Saudi Telecommunications Company (STC), and the government increasingly blocks certain blogs and harasses their authors. Blogger Fouad Ahmed al-Farhan, who was arrested in December 2007, was released in April 2008 without formal charges ever being filed. In November, poet and blogger Roshdi Algadir was detained, beaten, and forced to sign an agreement stating that he would never again publish his work online, after being accused of apostasy.

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**Senegal**

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Senegal’s steady decline in media freedom continued in 2008, with several cases of imprisonment, physical attacks against journalists and media houses, and unprecedented verbal assaults by President Abdoulaye Wade. Article 80 of the penal code, which assigns prison terms for threatening public security, has been used repeatedly to punish journalists and offending media outlets. Because Wade had come into power after years as a persecuted opposition politician, many thought he would usher in a new era of strengthened civil and political liberties, legal protections for media independence, and abolition of harmful laws like criminal libel legislation. At the start of his second seven-year term in February 2007, Wade not only failed to deliver on prior commitments, he quickened the pace of media persecution. During a July 2008 visit to Chicago, he condoned the police beating of two journalists at a Dakar soccer stadium in June and denounced Senegalese journalists in general, dismissing them as “politicians.” Regulatory bodies like the National Council for the Regulation of Broadcasting (CNRA) were accused of unfairness in their enforcement of standards, fines, fees, and other measures designed to ensure equitable access to the airwaves. The CNRA remained largely silent in 2008, or was sidelined as media practitioners faced mounting pressure from other sources.

Criminal prosecutions of media workers continued in 2008. In May, editor in chief Serigne Saliou Samb and reporter Jules Diop of the private daily newspaper L’Observateur were convicted of criminal defamation and received suspended six-month prison sentences. Their newspaper was fined 30 million CFA francs (US$72,000). One week later, director Papa Moussa Gueye of the private daily L’Exclusif received a six-month suspended prison term for publishing “false news.” In 2007, Gueye had been jailed for four weeks along with the paper’s owner, Pape Moussa Doucar, after they ran a front-page story by reporter Justin Ndoye on the “nocturnal escapades” of the president. Ndoye went into hiding after the story was published, and police issued an arrest warrant for him. Separately, in September 2008 editor El Malick Seck of the daily 24 Heures Chrono was convicted of offending the head of state, publishing false news, and threatening public order for an article claiming that the president was involved in money laundering. The paper was one of two privately owned newspapers whose offices were attacked in mid-August by men driving government vehicles. They smashed computers and used pepper spray on employees. The attacks were later linked to the air transport minister, who was dismissed. Twelve men implicated in the attacks were prosecuted and given sentences ranging from five to six years in prison.

The increasing physical harassment and jailing of journalists exacerbates a climate of intimidation in which politicians and their supporters occasionally resort to extraordinary measures to silence critical and opposition viewpoints. In April, a Walf TV reporter was attacked as he attempted to cover a violent antigovernment protest motivated by the rising cost of living. The police later raided the station’s studios and confiscated footage of the protests, which had
been violently dispersed by the authorities. Walf TV is one of four private television channels in Senegal; it also publishes the independent newspaper *Wal Fadjri*. The latest attacks against the press followed several cases of assault and harassment in 2007, including the government shutdown of radio station Premier FM on the grounds of licensing irregularities.

Despite the hostile climate for the media, Senegal still has many private, independent print publications. A number of community, private, and public radio stations operate across the country, and more than 80 radio frequencies have been allocated to date. Journalists continued to criticize government efforts to control media content by selectively granting or withholding state subsidies, which were given to both government-affiliated and private outlets. The government frequently used subsidies to pressure the media not to publicize certain issues. Critics say Wade’s associates in politics, business, and the religious community receive preferential treatment in the allocation of frequencies and fees. Of the four private television channels that now operate, most are entertainment channels. The only national television station, Radiodiffusion Television Senegalaise, is required by law to be majority controlled by the state. Its news coverage generally favors the government. Foreign satellite television and radio stations, including Radio France Internationale and the British Broadcasting Corporation, are available and unrestricted. Internet access is also unrestricted, but only 6.1 percent of the population used the medium in 2008.

**Serbia**

**Status:** Partly Free  
**Legal Environment:** 13  
**Political Environment:** 17  
**Economic Environment:** 9  
**Total Score:** 39

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- The constitution protects freedom of the press, which is generally respected in practice. However, there were reports of some government interference during the year.
- Libel remains a criminal offense and is punishable with imprisonment or fines of up to US$18,000. In April, journalist Dragana Kocic and editor in chief Timosenko Milosavljevic of the daily newspaper *Narodnih Novina* were charged with defamation for their use of quotes from classified documents in an article. The case was still open at year’s end.
- The parliament approved the budget of the independent Republic Broadcast Agency (RBA), a regulatory body with broad authority to revoke radio and television station licenses without the possibility of appeal. However, no national broadcasting licenses were revoked during 2008.
- There is no official censorship, but journalists at times practice self-censorship, and many avoid politically charged topics, including war crimes and the breakaway province of Kosovo.
- Two highly politicized events in 2008—Kosovo’s declaration of independence in February and the arrest of fugitive war crimes suspect Radovan Karadzic in July—led to threats and
attacks against journalists by ultranationalists, including members of the Serbian Radical Party.

- In February and July, both foreign and Serbian reporters were injured while covering right-wing protests against Kosovo’s independence.
- Police thwarted an arson attack on the radio and television broadcaster B92 following its coverage of the protests. Protesters also broke into the offices of some news outlets.
- Press freedom groups criticized the government for making comments that seemed to justify attacks on the media.
- The public broadcaster RTS was the dominant news source, operating two television stations and Radio Belgrade. However, both print and broadcast media are mostly privately owned and independent. The privatization of media owned by local governments remains incomplete.
- While there are no government subsidies for private media, the state-owned media enjoy strong financial support from the government, as does the state-owned news agency, Tanjug. Media ownership in general remains somewhat opaque, with indications that some formal owners serve as a front for the real interests behind the outlet.
- Internet access is unrestricted, and there were no reports of government monitoring. Over 32 percent of the population had internet access in 2008.

**Seychelles**

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

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**Sierra Leone**

**Status: Partly Free**
**Legal Environment:** 18  
**Political Environment:** 22  
**Economic Environment:** 16  
**Total Score:** 56

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The constitution guarantees freedom of expression, but the retention of the Public Order Act of 1965, which criminalizes libel, continues to threaten the observance of this freedom in practice.

The draft Sierra Leonean Right to Access Information Bill had not been enacted by the end of 2008.

In September, the Sierra Leone Association of Journalists (SLAJ) imposed a media blackout on the activities of the country’s police. The move was a show of solidarity six weeks after the authorities refused to implement recommendations for the compensation of eight journalists who had been attacked by the police during a State House function in August. The blackout was lifted two days later, after Vice President Sam Sumana, who is the chairman of the police council, assumed responsibility for the attack and promised to compensate the journalists.

Despite improvements in the government’s attitude toward the media and a significant decline in the number of attacks against journalists, several incidents during the year posed problems for press freedom. In August, supporters of the ruling party attacked and ransacked the offices of Unity Radio, stealing the station’s generator and disrupting normal broadcasts. In October, the director and staff of the Society for Democratic Initiatives (SDI) reported receiving death threats after publishing its report on the state of media in the country. And in November, an angry mob in the town of Tombo attacked the Voice of Peninsular, a community radio station. Several youths took away the station’s transmitters, generator, and other equipment, and threatened the lives of the staff.

The number of newspapers and radio stations in the country has grown significantly in recent years. More than 50 newspapers now publish, and over 45 government and private radio and television stations provide domestic news and political commentary. Self-censorship is much less common than in previous years.

However, poor journalistic training, some instances of self-censorship, and corruption within the media sector continue to weaken the quality of news coverage. Reporting is often politicized and inaccurate.

Just 0.2 percent of the population accessed the internet in 2008, though at least five separate internet service providers were operating in the country.

Singapore

Status: Not Free
Legal Environment: 24
Political Environment: 23
Economic Environment: 21
Total Score: 68

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The constitution grants the freedoms of speech and expression in Article 14, but also permits restrictions on these rights.
There are strict defamation and press laws, and the government vigorously punishes the press for perceived personal attacks on officials. As a result, the vast majority of print and broadcast journalists practice self-censorship, and many expect increased restrictions for online content in the future.

In September, a court found the *Far Eastern Economic Review* guilty of defaming Prime Minister Lee Hsien Loong and his father, former prime minister Lee Kuan Yew, after it published an interview with opposition leader Chee Soon Juan. The case, which dated to 2006, was decided by summary judgment and never went to trial. Two months later, the *Wall Street Journal Asia* was judged to be in contempt of court and fined S$25,000 (US$16,500) for publishing two editorials and a letter to the editor written by Chee.

In September, blogger Gopalan Nair was sentenced to three months in prison for accusing a High Court judge of “prostituting herself” during a hearing to assess damages in a successful defamation suit filed by the family of Lee Kuan Yew against an opposition newspaper.

During Singapore National Day celebrations on August 17, Prime Minister Lee announced that the government would ease the ban on political videos and outdoor public demonstrations. He said podcasts, videocasts, and other election materials would be allowed in the next general election, although he cautioned that “made-up material, partisan stuff, [and] footage distorted to create a slanted impression” would still be off limits.

Films, television programs, music, books, and magazines are sometimes censored.

Foreign media in Singapore are subject to many of the same pressures and restrictive laws as domestic outlets.

Nearly all print and broadcast media outlets, internet service providers (ISPs), and cable television services are either owned or controlled by the state or by companies with close ties to the ruling People’s Action Party.

Though Singaporeans generally have unrestricted access to the internet, it is monitored and subject to the same laws as traditional media. All ISPs must be licensed by the government. The internet was accessed by 67.4 percent of the population in 2008.

### Slovakia

**Status:** Free  
**Legal Environment:** 7  
**Political Environment:** 9  
**Economic Environment:** 7  
**Total Score:** 23

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### Slovenia

**Status:** Free  
**Legal Environment:** 7
Political Environment: 10
Economic Environment: 7
Total Score: 24

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Solomon Islands

Status: Free
Legal Environment: 5
Political Environment: 14
Economic Environment: 11
Total Score: 30

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Somalia

Status: Not Free
Legal Environment: 27
Political Environment: 35
Economic Environment: 22
Total Score: 84

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The media environment varies significantly across the different regions, and media freedom depends largely on which entity is controlling a given area. In the south, the situation for the media remained extremely dangerous in 2008. The president of the Transitional Federal Government (TFG), Abdullahi Yusuf Ahmed, stepped down at the end of December, and appeared set to be replaced by Sheikh Sharif Sheikh Ahmed, a moderate Islamist leader. While this raised hopes for peace and greater media freedoms in 2009, the radical Islamist militant group Al-Shabab strengthened its position across much of south-central Somalia during 2008, instituting a harsh form of Sharia (Islamic law) and severely restricting all freedom of expression in areas under its control. Many media outlets in the south allied themselves with political factions as a means of survival, making neutral or objective reporting a rarity. The media environment in the self-governing northern regions of Puntland and Somaliland was markedly better.

In principle, Somalia’s charter provides for freedom of the press, but owing to the lawless nature of the country, journalists continue to face restrictions on their reporting in practice. There
is no freedom of information law to guarantee access to public information. In December 2007, the Transitional Federal Assembly approved a media bill that was criticized by press freedom groups for imposing vague and severe restrictions, including limits on images and speeches. However, given the TFG’s tenuous control over its territory, the practical effects of the law remained unclear.

Somalia continued to be regarded as the deadliest country for journalists in Africa in 2008. Two journalists were killed, a decline from the previous year, but more than 30 faced death threats or attempted assassinations, and nearly 30 were arrested (though they were often released quickly) in relation to their work. The two journalists killed during the year were reporter Hassan Kafi Hared of the Somali National News Agency, who was slain by a remotely detonated landmine, and Nasteh Dahir Farah, the vice president of the National Union of Somali Journalists, who was reportedly assassinated by insurgents in Kismayo. Impunity is the norm for such crimes, and by year’s end no arrests had been made in connection with the murder of journalists in 2008 or any previous year. Several radio stations were shut down during the year, including Radio Simba, Radio Shabelle, and Horn Afrik in TFG-controlled areas, and Radio Markabley in a region under Islamist administration.

Photocopied dailies and low-grade radio stations have proliferated in Mogadishu and elsewhere since 1991; there were numerous radio stations broadcasting in Mogadishu in 2008. A number of outlets have ceased operations in recent years, however, and of those that continue to operate, many have been accused of bias, particularly in their coverage of the war or clan rivalries. Somalia has a rich internet presence, fueled predominantly by the Somali diaspora in Europe, North America, and the Gulf states. Internet service is widely available in large cities, and users enjoy a fast and inexpensive connection. Nevertheless, owing to pervasive poverty and the internal displacement of many Somalis, only 1 percent of the population had access to this resource in 2008. Although there were no reports of government restrictions on the internet, some factions reportedly monitored internet activity.

The status of press freedom was visibly better in Puntland, a self-declared autonomous region, but restrictions remain harsh and coverage of political and security issues can be particularly dangerous for journalists. Among other instances of violence against the press, Bisharo Mohammed Waeys, an anchor for the Eastern Television Network, escaped unharmed from an assassination attempt by several armed men. She later received threatening text messages and eventually fled the country. In November, two foreign journalists reporting on piracy for London’s *Daily Telegraph* were kidnapped in Bossasso, the commercial capital of Puntland; they were released in the first week of 2009.

Somaliland, a region whose claims of independence have not been internationally recognized, enjoys more press freedom than the rest of the country. However, in advance of elections that were expected in 2009, journalists faced a greater level of harassment by the authorities in 2008 than during the previous year. The government also proposed a new Press Law to replace the existing, more liberal statute. The Somaliland Journalists’ Association has criticized the lack of dialogue in the process of drafting the legislation, and objected to specific provisions that would allow the Ministry of Information to influence media outlets’ managerial, financial, and editorial decisions. Journalists also protested the proposed requirement that they register with the ministry and hold a press card.

Whereas in previous years the Somaliland government and the press had a relatively conciliatory relationship, this was sharply reversed in 2007 and 2008. In 2007, several prominent journalists, including editor Yusuf Abdi Gabobe of the private daily *Haatuf*, were arrested but
eventually pardoned following internal political pressure and widespread domestic protests. In October 2008, Al-Shabab carried out three suicide attacks in Somaliland, targeting the United Nations, the Ethiopian embassy, and the presidency. Five days later, the Somaliland government detained freelance journalist Hadis Mohammed Hadis and held him for two weeks, apparently for his coverage of the bombings. Somaliland journalists also faced threatening text messages and harassment from Al-Shabab.

In 2008, the number of independent daily newspapers in Somaliland grew to over 10, in addition to a government daily, although most newspapers were not economically sustainable and were heavily subsidized by the diaspora and journalists’ families. There were also two independent television stations and a government-owned station. The government has been reluctant to liberalize the airwaves, citing the potential of instigating clan violence, an argument that some Somalilanders support. The establishment of independent radio stations is banned, and government-owned Radio Hargeisa remains the only FM station. The internet is widely available at competitive prices and serves as an active forum through which the diaspora contributes to the local media environment.

### South Africa

**Status:** Free  
**Legal Environment:** 9  
**Political Environment:** 12  
**Economic Environment:** 9  
**Total Score:** 30

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Freedom of expression and the press is protected in the constitution and generally respected, and South Africa has vibrant press freedom advocacy and journalists’ organizations. Nevertheless, several apartheid-era laws that remain in effect—as well as a 2004 Law on Antiterrorism—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. There has been an increase in the use of interdictions and gag orders by both governmental and nonstate actors in recent years. Since 2005, the independent weekly and online daily *Mail & Guardian* has received at least three government gag orders to stop reporting on corruption scandals.

Members of government and other political figures continued to display a heightened sensitivity to media criticism in 2008, in some cases accusing journalists of racism and betraying the state. In December, Jacob Zuma, president of the ruling African National Congress (ANC) party, launched a US$700,000 defamation lawsuit against cartoonist Jonathan Shapiro (known as Zapiro) for a September cartoon in the *Sunday Times*; the suit also targets the *Sunday Times* itself and Johncom, the newspaper’s holding company. Journalists are occasionally harassed and assaulted. For example, Shapiro received death threats, reportedly from angry ANC supporters, after the controversial Zuma cartoons were published. In October, a Swazi journalist was harassed by South African police and his photographs were deleted while he was attempting to cover a protest at a border post.
A number of private newspapers and magazines—including the *Mail & Guardian*, the *Cape Times*, and the *Sunday Times*—are sharply critical of the government, political parties, and other societal actors. The state-owned South African Broadcasting Corporation (SABC) dominates broadcast media. While officially editorially independent, the SABC has come under increasing fire for displaying a pro-ANC bias and practicing self-censorship. In 2008, the United Democratic Movement, an opposition party, filed a complaint with the Independent Communications Authority of South Africa (ICASA), accusing the SABC of granting scant airtime to smaller parties and of cutting a scheduled interview with five opposition parties in favor of live coverage of an ANC rally. The ANC later filed its own complaint with ICASA, accusing the SABC of favoring a new party that was critical of the ANC. Both the ANC and the rival Congress of the People (COPE), which was founded by ANC defectors, accused the SABC of biased coverage of the events surrounding the 2008 split that led to COPE’s formation. SABC journalists in turn accused members of both parties of intimidation in the run-up to 2009 elections.

For primarily socioeconomic reasons, most South Africans receive the news via radio outlets, a majority of which are controlled by the SABC. While ICASA is involved in efforts to expand the number and broadcasting range of community radio stations, the process is slowed by lack of bandwidth and bureaucratic delays. While the SABC’s three stations claim most of the television market, the country’s two commercial television stations, e.tv and M-Net, are reaching growing proportions of the population. According to governance watchdog Global Integrity, the government has threatened to withdraw advertising from newspapers that report on corruption and other scandals. Internet access is unrestricted and increasing rapidly, with approximately 10 percent of the population enjoying regular access during the year. However, access costs remain prohibitive for many South Africans.

**South Korea**

**Status:** Free  
**Legal Environment:** 9  
**Political Environment:** 12  
**Economic Environment:** 9  
**Total Score:** 30

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**Spain**

**Status:** Free  
**Legal Environment:** 5  
**Political Environment:** 14  
**Economic Environment:** 5  
**Total Score:** 24
### Sri Lanka

**Status: Not Free**

Legal Environment: 21  
Political Environment: 32  
Economic Environment: 17  
Total Score: 70

**Survey Edition**  | **2004** | **2005** | **2006** | **2007** | **2008**
---|---|---|---|---|---
Total Score, Status | 19,F | 22,F | 21,F | 22,F | 23,F

Media freedom continued on a downward trajectory in 2008, as outlets faced increased restrictions on covering the intensifying conflict between the government and the Tamil Tiger rebels, and journalists encountered heightened attacks and intimidation, particularly in the war-torn north. Although freedom of expression is provided for in the constitution, a number of laws and regulations restrict this right. The 1973 Press Council Law prohibits disclosure of certain cabinet decisions as well as fiscal, defense, and security information, while the decades-old Official Secrets Act bans reporting on information designated “secret.” Those convicted of gathering secret information can be sentenced to up to 14 years in prison; although no journalist has ever been charged under the law, it is frequently used to threaten them. Emergency regulations reintroduced in 2005 allow the government to bar the publication, distribution, performance, or airing of any print or broadcast material deemed likely to cause public disorder; however, it generally did not use this authority. In 2006, unofficial prepublication censorship concerning issues of “national security and defense” was imposed by the government’s Media Center for National Security. The Emergency (Prevention and Prohibition of Terrorism and Specified Terrorist Activities) Regulations introduced in December 2006 were immediately used to arrest and detain journalists, sometimes for months without charge. In addition, contempt of court laws are used occasionally to punish reporters who investigate judicial misconduct. Senior journalist J. S. Tissainayagam, editor of the *North Eastern Monthly* magazine, was detained in March 2008, and after being held without charge for five months, he was indicted under the 1979 Prevention of Terrorism Act (PTA), marking the first time the law was used against a journalist. Two of his colleagues were also being held on related charges at year’s end.

The distribution and suspension of broadcast licenses sometimes appear to be arbitrary and politically influenced. New rules announced in October, entitled the Private Television Broadcasting Station Regulations, classified stations and services; laid down procedures for the issue, duration, and revocation of licenses; barred broadcast ownership by individuals who have formal political affiliations; and banned content deemed to be “detrimental to national security,” with violations punishable by suspension of the broadcaster’s license. Following criticism of the new regulations from local groups, the government decided to delay their implementation.

Journalists throughout Sri Lanka, particularly those who cover human rights or military issues, faced regular intimidation and pressure from both high- and low-ranking government officials. Official rhetoric has become quite hostile toward journalists and media outlets.
perceived to be “unpatriotic” or critical, with top officials, including Defense Secretary Gothabaya Rajapaksa and army commander Sarath Fonseka, regularly making statements that equate any form of criticism with treason. State-controlled media and the Defense Ministry website were regularly used to smear individual journalists and other activists. As a result, levels of self-censorship have risen considerably. In one case, prominent defense correspondent Iqbal Athas stopped writing his weekly column as a result of the verbal abuse. In December, the Sunday Leader group of newspapers was banned from making any reference to Rajapaksa pending a judicial inquiry into his allegations that it had published defamatory material.

The level of threats and harassment against journalists and media outlets continued to rise during the year. In addition to verbal and physical attacks from official sources, journalists and press advocacy groups perceived as supportive of Tamil interests have drawn the ire of Sinhalese nationalist vigilante groups. Attacks by unidentified assailants in 2008 included the May beating and abduction of Keith Noyahr, a deputy editor and defense columnist for the Nation newspaper, and a July assault on Namal Perera, a project coordinator at the Sri Lankan Press Institute and a freelance defense writer. In August, Labor Minister Mervyn Silva and several accomplices beat two television journalists. In an unusual development, Silva and three others were indicted in November and settled the case in December. In several other instances, security forces manhandled reporters as they attempted to cover the news, barring access to certain events and deleting or otherwise censoring photographic images. A number of journalists fled the country as a result of threats. Previous cases of attacks and killings of journalists have not been adequately investigated or prosecuted, leading to a climate of impunity.

The sharp increase in violence in the northeast since 2006 has severely affected journalists’ ability to cover the conflict there. The Tamil Tigers (Liberation Tigers of Tamil Eelam, or LTTE) have terrorized a number of Tamil journalists and other critics, while security forces and the government-allied guerrillas known as the Karuna faction have also been responsible for abuses. At least two journalists were killed and numerous others were attacked or otherwise intimidated during 2008. A number of Tamil newspapers have been banned or seized by various factions, and distributors have been attacked or warned not to sell certain papers; several independent outlets have closed due to threats. Mounting bans on physical access to the conflict zone have further hampered journalists’ work.

Several privately owned newspapers and broadcasters continue to scrutinize government policies and provide diverse views. However, media outlets have become more polarized, shrinking the space for balanced coverage. In recent years ownership has also become more consolidated, with many private outlets now owned by figures who are closely associated with the government or who hold official positions. The Colombo-based Free Media Movement has noted that state-run media—including Sri Lanka’s largest newspaper chain, two major television stations, and a radio station—are heavily influenced by the government, citing cases of pressure on editors, several unwarranted dismissals of high-level staff, and biased coverage. Business and political interests exercise some control over content through selective advertising and bribery. Owing to the closure of a major road, newspapers on the Jaffna peninsula faced shortages of newsprint and other key supplies, hindering their production capacity.

Access to the internet and to foreign broadcasts is generally not restricted, but foreign outlets came under pressure during the year, with reports that the British Broadcasting Corporation was being jammed intermittently by the state-owned Sri Lanka Broadcasting Cooperation (SLBC). Just 3.7 percent of the population used the internet in 2008, with most residents deterred by the high costs involved. In June 2007, the government ordered the
country’s two largest internet service providers to restrict access to TamilNet, a pro-LTTE news website; the ban remained in place at the end of 2008. In May, the editor of an online news website, Lanka Dissent, alleged that the site had been disrupted by cyberattacks.

Sudan

Status: Not Free
Legal Environment: 27
Political Environment: 29
Economic Environment: 22
Total Score: 78

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- With continuing conflict, violence, and tension in the Darfur region and Southern Sudan, the government in Khartoum maintained its restrictive and heavy-handed media policies in 2008.
- There are no existing laws that explicitly guarantee freedom of the press. The highly restrictive 2004 Press and Printed Press Materials Law has been used by the government to suppress critical reporting, and media watchdogs have called for its repeal.
- The government has been accused of reestablishing censorship policies beginning in February 2008. The security agencies have eliminated articles from papers such as Al-Sahafa and have reportedly been making nightly visits to Al-Midan’s printing press to have articles removed. Police were also accused of seizing newspaper copies. On April 13 the National Security Service demanded that the editors of 10 papers submit their content for prepublication approval. When the papers refused to do so, the copies were seized. Protests against censorship were also dealt with harshly, as 70 anticensorship demonstrators were arrested for a short period in November.
- Regular government closures of newspapers have been reported. Two English-language papers reporting on the south, the Sudan Tribune and the Citizen, were closed for several weeks, apparently for not complying with administrative requirements. The National Press and Publications Council allowed both papers to continue publishing after they addressed these issues. Other papers that were banned or forced to close for a period of time included Al-Midan, Al-Alwan, Al-Rai al-Shaab, and Ajrass al-Huriya.
- Journalists faced harassment, attacks, and intimidation by both government and nongovernmental forces.
- Entry into the media is difficult unless one is a supporter of the government, and all journalists must pass a difficult Arabic-language exam regardless of the language they intend to use professionally.
- The government runs one Arabic and one English-language newspaper.
- The state dominates the broadcast media, the main source of information for much of Sudan’s population. Television broadcasts are formally censored, and radio content must reflect the government’s views.
• Even though there have been some reports of harassment of journalists, press freedom conditions in Southern Sudan are somewhat better than in areas controlled directly by Khartoum. The regional government was still in the process of establishing its legal framework for the media. At the end of 2008, the southern legislature was considering a series of bills that would govern access to information, public broadcasting, and other important subjects.

• Internet penetration in Sudan is among the highest in sub-Saharan Africa, with 8.7 percent of the population able to access the medium in 2008. The government monitors the internet, reads private e-mail correspondence, and blocks websites. The video-sharing site YouTube, for instance, was blocked for a period during the year.

### Suriname

**Status:** Free
**Legal Environment:** 5
**Political Environment:** 12
**Economic Environment:** 6
**Total Score:** 23

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### Swaziland

**Status:** Not Free
**Legal Environment:** 25
**Political Environment:** 26
**Economic Environment:** 25
**Total Score:** 76

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• Swaziland’s absolute monarchy continued to exert strict state control over the media in 2008.

• Freedom of expression is restricted, especially regarding political issues or matters concerning the royal family.

• There are very few legal protections for journalists and media workers, and harsh defamation laws are used to stifle the press. In March, the brother of the king sued the independent *Times of Swaziland* newspaper for over US$200,000 for reporting on his involvement with a company that was allegedly smuggling cigarettes.

• The government routinely warns against negative news coverage, and journalists are subject to harassment and assault by both state and nonstate actors.
• A vaguely worded Suppression of Terrorism Act, passed by the parliament in May, was used by the government to harass, intimidate, and arrest journalists who criticized the government.
• There are two major newspapers in circulation, one independent and the other generally progovernment. Both continued to criticize government corruption and inefficiency in 2008, but avoided negative coverage of the royal family.
• The Swaziland Television Authority, which is both the state broadcaster and the industry regulator, dominates the airwaves.
• There is one government-owned radio station and one independent radio station, Voice of the Church, which focuses on religious programming.
• The government does not restrict internet-based media, though only 3.7 percent of the population used the internet in 2008.

**Sweden**

Status: Free  
Legal Environment: 2  
Political Environment: 5  
Economic Environment: 4  
Total Score: 11

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**Switzerland**

Status: Free  
Legal Environment: 5  
Political Environment: 3  
Economic Environment: 5  
Total Score: 13

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**Syria**

Status: Not Free  
Legal Environment: 29  
Political Environment: 33  
Economic Environment: 21  
Total Score: 83
Although the constitution provides for freedoms of speech and of the press, these rights are severely restricted in practice. The 2001 Press Law allows for broad control over all print media and forbids reporting on topics deemed sensitive by the government—such as issues of “national security” or “national unity”—as well as the publication of “inaccurate” information.

Defamation remains a criminal offense. In January, journalist Mazen Darwish was sentenced to 10 days in jail for defaming state institutions. His sentence was subsequently commuted to five days.

The government strictly controls the dissemination of information. Criticism of the government can lead to legal suits, fines, harassment, and dismissal. Several journalists were reportedly removed from their positions during the year for criticism of the government and meeting with international media organizations.

The Ministry of Information (MOI) and the Ministry of Culture and National Guidance (MCNG) routinely censor domestic and foreign publications. Currently, all Kurdish-language publications are banned, though they are still available in some areas. In February the MOI briefly halted distribution of three journals for criticizing government policies. The ban on one, Al-Hal, remained in place at year’s end. The business weekly Borsat wa Aswak was suspended more than five times during 2008.

Journalists are frequently harassed and detained. Harassment includes banishment from the country, failure to respond to accreditation requests, and extralegal intimidation. A wave of arrests continued in January following a December 2007 meeting of the Damascus Declaration, a group organized around a 2005 manifesto calling for democratic change in Syria. Twelve of those arrested, including three journalists, were sentenced in October to two and a half years in prison. Kurdish poet Muhammad Iso, who had been held incommunicado since his 2006 arrest, was reportedly released in March.

The government and the ruling Ba’ath Party owned most newspaper publishing houses, and except for a handful of radio stations that do not broadcast news or report on political issues, Syria’s radio and television outlets are all state owned. Satellite television is widely available.

Close to 10 percent of Syrians accessed the internet in 2008. Critical journalists have increasingly used the medium to voice their dissent. However, the government has stepped up its online censorship and monitoring. Filtering of internet traffic significantly increased in 2008, as did the harassment and arrest of bloggers and online journalists. In April, access to the popular news site Syrianews.com was blocked for 10 days. At the end of the year roughly 200 websites were blocked by order of the government. Several bloggers were arrested during the year, including Tareq Bayasi, who was sentenced to six years in prison for publishing online communications that were critical of the government. While Syria does not have internet-specific laws, charges can be filed against internet users under the Press Law, the Emergency Law, and the penal code.

### Taiwan
Taiwan’s media environment is one of the freest in Asia, with a vigorous and diverse press that reports aggressively on governmental policies and alleged official wrongdoing. Nevertheless, the overall environment deteriorated in 2008 due to heightened polarization, apparent government efforts to influence the editorial content of publicly owned outlets, and assaults on journalists by state and nonstate actors during demonstrations surrounding the November visit of a Chinese envoy. The constitution provides for freedoms of speech and of the press, and the government and independent judiciary generally respect these rights in practice. While publications from mainland China are subject to screening and potential import bans by the Government Information Office (GIO), numerous materials from China were available in stores as well as on the internet.

Given that most Taiwanese can access about 100 cable television stations, the state’s influence on the media is, on balance, minimal. Print media are completely independent, and following reforms in recent years, broadcast media are no longer subject to GIO licensing and programming reviews. Nonetheless, a series of incidents during the year pointed to government efforts to exert control over the editorial content of publicly owned media. International watchdogs raised concerns in September when the former spokesperson for President Ma Ying-jeou’s electoral campaign was appointed as deputy president of the Central News Agency (CNA), a publicly owned news outlet known for its impartial coverage in an otherwise highly partisan media landscape. CNA staff later reported receiving editorial directives to alter certain content, and local media monitoring groups noted that criticism of the government in the agency’s coverage appeared to be markedly toned down in the latter part of the year. The parliament, dominated by Ma’s Kuomintang (KMT) party, froze half of the budget of the Taiwan Public Television Service (PTS) for much of the year. In December, two parliamentary committees approved a KMT resolution requiring item-by-item government approval of programming budgets for PTS and several of its affiliates; the bill was pending at year’s end. In a positive development, following the Council of Grand Justices’ 2006 decision to strike down guidelines for the composition of the National Communications Commission, a new group of commissioners was confirmed by the legislature under revised rules and began work in August.

Taiwanese media regularly criticize government policy and top officials. Reports on high-level corruption were particularly common in 2008, including scandals implicating former president Chen Shui-bian and his family members and associates. However, political polarization of media coverage appeared to increase amid hotly contested legislative and presidential elections in January and March and the controversial visit of Chinese envoy Chen Yunlin in November. Media observers have also raised concerns over a rise in sensationalism and a potential loss of quality, including a trend toward premature “trial by media” in cases of alleged corruption that have yet to work their way through the courts.
Physical violence against journalists is rare, and both local and foreign reporters are generally able to cover the news freely. During the year, the authorities decided to expand the number of mainland Chinese news outlets permitted to station journalists on the island, adding five regional outlets to the five national ones already operating. During Chen Yunlin’s visit in November, however, several reporters attempting to cover protests were injured by demonstrators and police. Chen Yu-ching, a documentary filmmaker, was briefly detained and reportedly injured by police while filming crowds outside the Chinese envoy’s hotel. In another incident tied to relations with the mainland, media watchdogs criticized the United Nations for denying accreditation to Taiwanese journalists seeking to cover the World Health Assembly (WHA) in Geneva in May 2008. Prior to 2004, Taiwanese journalists had reportedly been permitted to cover the event, but authorization was withdrawn under pressure from Beijing.

Taiwan has over 360 privately owned newspapers and numerous radio stations. Satellite television is broadcast on 143 channels. In 2005, cable television was available to 85 percent of the population, the highest level of cable viewership in Asia. According to a study conducted by Shih Hsin University in Taipei, 95 percent of Taiwanese watch television and 75 percent read newspapers. Legislation approved in 2003 barred the government and political party officials from holding positions in broadcast media companies and required government entities and political parties to divest themselves of all broadcasting assets. According to the U.S. State Department, in response to allegations that dependence on advertising revenue and loans from government-controlled banks discouraged some media outlets from criticizing the authorities, President Ma declared that the budget for government advertising should be evenly distributed among media outlets, regardless of party affiliation. In a case that raised concerns over the potential indirect influence of the Chinese government over Taiwanese media, the China Times Group, one of the nation’s largest media syndicates, was acquired in November by the chairman of Want Want China Holdings, a snack and drink company that depended on sales in mainland China. The government refrains from restricting the internet, which is accessed by nearly 70 percent of the population. However, several nongovernmental organizations claim that law enforcement agencies monitor chat-room and bulletin-board exchanges among adults in order to identify and prosecute individuals posting sexually suggestive messages.

**Taijikistan**

**Status:** Not Free  
**Legal Environment:** 25  
**Political Environment:** 28  
**Economic Environment:** 25  
**Total Score:** 78

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Freedom of speech is guaranteed by the constitution, but the media situation remained poor in 2008 due to President Emomali Rahmon’s marginalization of independent news reporting over the last several years. Libel and criticism of the president are criminal offenses that carry prison terms of up to four years. Prosecutors charged two journalists with libel in September, and their
cases were pending at the end of the year. One of the two, Tursunali Aliev, had published articles in the newspaper Tong criticizing authorities in Sugd province for improperly privatizing state companies. The other, Dodojon Avotulloev, the exiled editor in chief of the opposition newspaper Charoghi-i-Ruz, was charged with libel, sedition, and slandering the president for critical articles he had written. In October, the government ignored an international conference at which local and international groups called for the decriminalization of libel and criticism of the president. The parliament passed an access to information law in June, but government officials found numerous ways to obstruct and delay journalists’ requests for documents and basic public information. State-run media outlets have marginally better access to information, as ministries will occasionally provide them with updates.

Violence against journalists has declined in recent years, but reports of threats and intimidation continued in cases where journalists criticized authorities or exposed government corruption. In August, a senior official in the southern province of Kulyab assaulted Jurakhon Kabirov of the local newspaper Millat in retaliation for an article that criticized the official’s work. Other journalists received warnings over the telephone, faced unauthorized searches, or were denied access to information and press conferences after reporting independently on politically sensitive topics.

The government maintained its stranglehold on the media in 2008 through direct and indirect ownership, politicized licensing requirements, control of printing and transmission facilities, and subsidies. Although there were over 170 registered newspapers, none operated daily, and the broadcast industry was dominated by state-controlled national television stations that praised Rahmon and denied coverage to independent or opposition points of view. There are a number of independent news outlets, but many practice self-censorship for fear of government retribution, and the television industry is notoriously difficult for new companies to enter. The work of the Licensing Commission, the state body that issues broadcasting licenses, remained secretive and highly politicized in 2008. In April, the commission denied licenses to five independent radio stations because they had received some of their equipment from an international organization. The commission also continued denying a license to the British Broadcasting Corporation after revoking its previous license in 2006.

The internet is still a relatively new medium in Tajikistan, and because of financial and other constraints, less than 7 percent of the population accessed it in 2008. Nonetheless, authorities have become increasingly concerned about the greater media freedom on the web and have imposed a variety of restrictions. The government began blocking critical websites in 2006, and in 2007 Rahmon extended criminal libel and defamation laws to internet publications, exposing online journalists to fines in excess of US$5,000 and up to two years in prison. Authorities continued blocking critical websites in 2008, particularly in January, when news and commentary focused on energy shortages during a particularly cold winter.

Tanzania

Status: Partly Free
Legal Environment: 16
Political Environment: 19
Economic Environment: 15
Total Score: 50
The media environment in Tanzania suffered some setbacks in 2008 with the arbitrary arrest of several journalists and increased attacks on the media.

Although the constitution provides for freedom of speech, several other laws limit the ability of the media to function effectively, and there are no explicit provisions for freedom of the press. Authorities are empowered to register and ban newspapers under the Newspaper Registration Act “in the interest of peace and good order,” while the Broadcasting Services Act provides for state regulation of electronic media and the National Security Act allows the government to control the dissemination of information to the public. In addition, criminal penalties imposed by libel legislation continue to intimidate journalists. There is no freedom of information law in place, though a draft bill was introduced in February 2007.

The registration of newspapers remained difficult, and applications were approved or denied at the discretion of the registrar of newspapers at the Ministry of Information.

*MwanaHalisi*, a private Swahili weekly, was targeted several times during the year for its coverage of official corruption. Its editor and deputy editor suffered an acid attack in January by unidentified assailants. In July, the police raided the newspaper, questioned the editors, and seized a computer based on a complaint by the National Bank of Commerce that the paper had illegally published the banking data of some of its clients. The government finally shut down *MwanaHalisi* in October for what it claimed was a pattern of publishing seditious material. The paper remained closed at year’s end.

The situation in semiautonomous Zanzibar remains more restrictive than in the rest of the country. Journalists in Zanzibar must be licensed and obtain a permit before covering police activities. The government controls all content of radio and television broadcasts whether the outlet is privately or publicly owned, although residents can receive private broadcasts from the mainland, and opposition politicians did have access to state media outlets. One of the two newspapers is privately owned and the other is government owned. Anyone publishing information accusing a Zanzibar lawmaker of involvement in illegal activities is subject to a fine of at least 250,000 Tanzanian shillings (US$280) or three years’ imprisonment. There were reports of journalists being arrested arbitrarily under the slander laws.

There are numerous media outlets throughout Tanzania, including 47 FM radio stations, 537 registered newspapers, and a dozen television stations. Only four radio stations have a national reach—state-run Radio Tanzania and privately owned Radio One, Radio Free Africa, and Radio Uhuru—and all are viewed as sympathetic to the ruling party.

The government reportedly continues to withhold advertising from critical newspapers and those that favor the opposition. Private firms that are keen to remain on good terms with the government allegedly follow suit, making it difficult for critical media outlets to remain financially viable.

Although there were no explicit government restrictions on the internet, there were reports that officials monitored internet content and activity. In February, Maxence Mello and Mike Mushi, editors of Jambo Forums, a popular online discussion site, were arrested and detained overnight for the “dissemination of wrong information” about a government corruption scandal. The website was closed for five days. Only 1 percent of the population accessed the

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internet in 2008, though a number of new internet cafes and internet service providers opened during the year.

Thailand

Status: Partly Free
Legal Environment: 16
Political Environment: 27
Economic Environment: 14
Total Score: 57

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Despite the country’s return to civilian rule in early 2008, press freedom declined during the year as the newly elected government grappled with massive opposition protests and a series of adverse court rulings. The year’s developments illustrated the extent to which the Thai news media have become embroiled in the persistent political divide between the allies and enemies of Thaksin Shinawatra, a populist prime minister who was ousted in a 2006 military coup.

The 2007 constitution, which replaced an interim charter imposed by the military government that had failed to explicitly protect freedom of expression, restores and even extends the 1997 constitution’s freedom of expression guarantees. Moreover, the legislature in August 2007 had replaced the draconian 1941 Printing and Publishing Act, which reserved the government’s right to shut down media outlets, with a new Printing Act that bears fewer restrictions and lighter penalties for violations. However, other new legislation imposed by the military government is considered a potential menace to press freedom. An amended Internal Security Act, passed just before the December 2007 elections that returned Thaksin’s allies to power, allows the Internal Security Operations Command to use sweeping emergency powers in the face of vaguely defined security threats. Press freedom watchdog groups feared that the declaration of a state of emergency by the beleaguered pro-Thaksin prime minister in September 2008 would bring strong restrictions on the media, but the military declined to enforce the move, and the political conflict itself remained the greater source of pressure. Meanwhile, several older laws that allow the government to restrict the media to preserve public order—and the particularly harsh lese majeste legislation, which assigns penalties of three to 15 years in prison for criticism of the king, the royal family, or Buddhism—remain in force. In 2008, three separate lese majeste charges were filed against British Broadcasting Corporation (BBC) correspondent Jonathan Head for political reporting and public statements that allegedly insulted the monarchy.

Defamation legislation under the penal code is harsh, and Thaksin used it routinely to silence critical voices during his administration. The use of libel suits has declined since his ouster, but defamation charges were filed against journalists by the military government for insulting coup leader Sonthi Boonyaratglin in 2007, and then by the elected government, led by the pro-Thaksin People’s Power Party (PPP), in 2008. One of the biggest defamation suits in 2008 was launched not by the government, however, but by a retailer, Tesco Lotus, which sued a columnist for roughly US$3 million for criticizing its aggressive expansion strategies and weak social responsibility. Access to information is guaranteed under the new constitution “unless the
disclosure of such information shall affect the security of State, public safety, interests of other persons which shall be protected, or personal data of other persons as provided by law.” A new Broadcasting Act that took effect in March governs the licensing of radio and television in three categories—public, private, and community media. In June, however, proposed implementing legislation was criticized as “regressive” by AMARC, an international NGO serving the community radio movement. By year’s end, the required broadcast licensing body had yet to be set up.

The country’s print media had remained largely unaffected by military rule and continued to present a variety of viewpoints on controversial topics. The broadcasting sector and online media were obstructed much more significantly, with the military authorities taking stringent action against any coverage of Thaksin in particular. In 2008, Prime Minister Samak Sundaravej repeatedly complained of media bias against his PPP-led coalition government and issued numerous threats to close various publishing houses and jail critical columnists. The first half of the year was marked by a back and forth between Samak’s government and the anti-Thaksin protest movement known as the People’s Alliance for Democracy (PAD). Both the PAD-affiliated Asia Satellite Television (ASTV) and the government-controlled national broadcaster, NBT, exhibited one-sided reporting on national events.

Just as the military government had sought to influence the country’s political trajectory through a tight grip on the broadcasting sector in 2007, the PPP government issued directives in August 2008 that called on broadcasters to “take the side” of the government in their coverage of the PAD protests. This followed the prime minister’s February announcement of a news-monitoring taskforce and the cancellation of a popular radio program a few days later. In June, the interior minister issued a directive to all cable operators to pull ASTV from their services or face possible prison terms. Also in June, the minister tried to ban ASTV altogether to prevent its live coverage of the antigovernment demonstrations, but he ultimately refrained from doing so.

Press freedom declined more dramatically during the latter part of the year. In late August, 2,000 PAD protesters forced NBT off the air by storming their offices and holding staff members hostage. They tried to force the broadcaster to air coverage of the PAD’s takeover of Government House, but were unsuccessful. As noted above, the prime minister’s declaration of a state of emergency in September raised concerns that more press restrictions were imminent, but the military refused to enforce the declaration, and it was lifted after less than two weeks. Attacks on the press peaked along with the PAD protests in November, as demonstrators laid siege to Thailand’s main airports. Media outlets were targeted by protesters from both sides of the political divide late in the month: ASTV offices in the capital were attacked with grenades, while progovernment demonstrators attacked the Chiang Mai offices of Vihok Radio, and beat and shot the father of the station operator. The progovernment Taxi Radio was then assaulted by the PAD, and two people were injured. Tit-for-tat attacks continued until the Constitutional Court ended the political crisis on December 2, dissolving the PPP and paving the way for the formation of a new government later that month.

Violence against journalists also occurred in Thailand’s volatile south, where the government has been battling an insurgency by members of the region’s ethnic Malay Muslim population. In August, reporter Chalee Boonsawat of Thai Rath, the largest Thai-language daily, was killed while covering an explosion in the south. Athiwat Chaiyanurat, a reporter with the Thai-language daily Matichon, was shot the same month, seemingly in response to his coverage of local corruption.
Radio and television remain under the control of the state or formerly state-affiliated private businesses, and many radio stations were closed after the 2006 coup. Government control of the media increased in March 2007 when the Public Relations Department took over Thailand’s only independent broadcast television station, iTV; officials claimed that the station, previously run by one of Thaksin’s former companies, had illegally changed its operating concession with the former prime minister’s office and thus owed crippling fines. A new public broadcaster, the Thai Public Broadcasting Corporation, was established in January 2008. Press freedom groups welcomed the development but reiterated concerns about iTV’s closure. The government’s failure to set up the regulating and licensing commission in 2008, as required by the new Broadcasting Act, meant that the country’s 2,000 to 3,000 community radio stations continued to operate outside the law.

The internet is accessed by approximately 20.5 percent of the Thai population. Government censorship of the internet has occurred since 2003, largely to prevent the circulation of pornography and illegal products. However, since the 2006 coup internet censorship has increasingly been used against potentially disruptive political messages and sites that are considered a threat to national security, including those of Muslim separatist groups. The Computer Crime Act, imposed by the military government in 2007, assigns prison terms of up to five years for the publication of forged or false content that endangers individuals, the public, or national security, as well as for the use of proxy servers to access government-restricted material. The legislation was first invoked against a blogger in 2007, and watchdog groups have expressed fears that the law was having a chilling effect on free online discussion. Of some 400 websites closed down in September 2008, 344 were shuttered for “offending the monarchy.” In October, the communications minister announced ambitious plans to create an internet firewall that would block access to websites considered insulting to the king.

Togo

Status: Not Free
Legal Environment: 23
Political Environment: 27
Economic Environment: 22
Total Score: 72

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- While pervasive impunity for crimes against journalists has created a tense and illiberal media environment, there were no reports of journalists being attacked or harassed in 2008—a marked improvement from previous years.
- Freedom of speech and freedom of the press are legally guaranteed, but these rights are often ignored by the government.
- The High Authority for Audiovisual Communications (HAAC), which was intended as an independent body to protect press freedom and ensure ethical standards, is now used as the government’s censorship arm and is closely affiliated with the presidency.
● In February, the HAAC suspended award-winning journalist Daniel Lawson-Drackey of the private radio station Nana FM, allegedly because his reporting violated ethical standards. Lawson-Drackey is the director of the Maison du Journalisme, an organization that helps to protect local journalists. He had been suspended by the HAAC in 2007 for a report that was critical of the minister of territorial administration.

● In an improvement from 2007, foreign journalists were able to operate freely throughout the country in 2008, and were not banned for critical reporting as they had been in the past.

● However, domestic journalists still found it difficult to report without restraint, and many engaged in self-censorship, in part because of the government’s refusal to punish those who have committed serious crimes against media workers in recent years.

● Despite the rapid growth of private media since the late 1990s, the government owns the only daily newspaper and national television station, as well as several radio stations. The size of the private media sector is impressive for a relatively small country, with 25 regularly published private newspapers, eight private television stations, and approximately 100 private radio stations. However, many of these outlets suffer from precarious finances and a low degree of professionalism. The official media strongly support the government, while private media are largely aligned with political parties.

● Access to the internet was generally unrestricted during the year, despite reports that its content has been monitored. Less than 6 percent of the population was able to access this medium in 2008.

Tonga

Status: Partly Free
Legal Environment: 11
Political Environment: 11
Economic Environment: 10
Total Score: 32

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Trinidad and Tobago

Status: Free
Legal Environment: 6
Political Environment: 10
Economic Environment: 7
Total Score: 23

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Tunisia

Status: Not Free
Legal Environment: 27
Political Environment: 31
Economic Environment: 24
Total Score: 82

The constitution guarantees freedom of the press except under “conditions laid down by law,” but the government did not respect this right in practice. The Press Law criminalizes defamation, and those who violate the law can be imprisoned and fined; offensive statements about the president carry prison sentences of up to five years. Tunisia does not have a freedom of information law.

Government censorship is still routine, as is self-censorship among journalists. In April 2008, the government censored Al-Mawkif, an opposition weekly, and the Committee to Protect Journalists reported that four successive issues of the paper were barred from circulation. Some of the harassment against Al-Mawkif likely stems from the fact that Ahmed Nejib Chebbi, the managing editor, has announced his plans to run for president in 2009 against the incumbent, Zine el-Abidine Ben Ali. In November, the authorities censored the French weekly L’Express for reportedly attacking Islam in an article on religion.

Journalists who cross the government’s red lines face harassment, beatings, and potential imprisonment. Interrogation and detention of members of the media is also common. In July, journalist Slim Boukhdir was released early from a prison sentence, having been held in harsh conditions and denied medical care. On September 20, plainclothes police officers abducted him, threatened him with physical assault, and seized his passport in retaliation for an article in which he called on President Ben Ali to take action on human rights and press freedom reforms.

There are eight major dailies, including two owned by the government and two owned by the ruling party. Broadcast media are regulated by the Tunisian Frequencies Agency, which tightly controls the allocation of licenses and frequencies. Many foreign satellite stations can be viewed in Tunisia, although the government has been known to block transmissions from time to time.

According to the Tunisian Ministry of Communication Technologies, there were 2.8 million internet users in 2008. Internet cafes are state run and under police surveillance, and users must register their names and other personal information before accessing the internet. Opposition websites and social-networking sites are routinely blocked by the government. In October, the French-hosted website of the online magazine Kalima was hacked, destroying eight years of archives. Sites such as Facebook, YouTube, and Dailymotion are frequently blocked. Punishments for online dissidents are severe and remain similar to those for print and broadcast journalists who publish information deemed objectionable by the government.
Turkey

Status: Partly Free
Legal Environment: 21
Political Environment: 18
Economic Environment: 11
Total Score: 50

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Heightened political polarization in 2008—including the threat of a ban on the ruling Justice and Development Party (AKP) and ongoing fears of Kurdish separatism—continued to inhibit genuine freedom of expression reforms and, according to local watchdog groups, contributed to a spike in press-related prosecutions. Over the last few years, the European Union (EU) accession process and perceptions that the AKP intends to undermine the country’s secular traditions have fueled resistance in the form of a nationalist movement and a related legalistic crackdown on free expression. In 2008, both the AKP and the pro-Kurdish Democratic Society Party faced possible closure by the Constitutional Court for antisecular activity and separatism, respectively, and journalists covering these issues encountered a number of obstacles.

Constitutional guarantees of freedom of the press and of expression are undermined by other provisions, and in practice they are only partially upheld. Despite some minor amendments in 2008, the restrictive new penal code, which came into force in 2005, continued to overshadow positive reforms that had been achieved as part of the country’s bid for EU membership, including a 2004 Press Law that replaced prison sentences with fines. According to Bianet, a Turkish press freedom organization, the number of prosecuted journalists, publishers, and activists climbed from 254 in 2007 to 435 in 2008, continuing a trend that had seen the figure increase from just 157 in 2005.

Bianet also reports that 82 individuals were tried during the year under the penal code’s controversial Article 301 alone, up from 55 in 2007. This jump came despite amendments to the article in May following intense pressure from the EU. Article 301 had assigned prison terms of six months to three years for “the denigration of Turkishness” and has been used to punish journalists for stating that genocide was committed against the Armenians in 1915, discussing the division of Cyprus, or writing critically about the security forces. The May amendments—which substituted “Turkish nation” for “Turkishness” and “State of the Turkish Republic” for “Turkish Republic,” and reduced the maximum prison sentence from three years to two—were deemed largely cosmetic. Nationalist lawyers’ groups such as the Great Lawyers’ Union, credited by many human rights groups with leading the push for prosecutions, continued to file insult suits throughout the year. Very few of those who are prosecuted under Article 301 receive convictions, but the trials are time-consuming and expensive. A total of five convictions were obtained in 2008.

Article 277 of the penal code, which prohibits “attempting to influence court decisions,” was also invoked during the year. Alper Turgut, a journalist with the Cumhuriyet newspaper, was fined 20,000 liras (US$15,000) for reporting that a torture case was thrown out because too much time had elapsed. In January, the Constitutional Court ruled against the closure of the pro-Kurdish Rights and Freedoms Party, and the decision was seen as a precedent that could place
statements about the Kurdish problem within the boundaries of free speech. However, Article 216 of the penal code, which penalizes “inflaming hatred and hostility among peoples,” continued to be used frequently against journalists who wrote about the Kurdish population, in addition to those who allegedly degraded the armed forces. Twenty-three people were charged under this article in 2008, and in late October, two journalists at a pro-Kurdish paper were sentenced to a year in jail for publishing a declaration by the Kurdish Workers’ Party (PKK) militant group calling for recognition of the Kurdish language and other rights. Amendments to the Antiterrorism Law in 2006 allow journalists to be imprisoned for up to three years for the dissemination of statements and propaganda by terrorist organizations. The legislation raises concerns that the broad definition of terrorism could lead to arbitrary prosecutions, particularly of members of the pro-Kurdish press who are sometimes accused of collaborating with the PKK.

Prime Minister Recep Tayyip Erdogan continued to launch defamation suits against members of the media. He filed his fifth suit against satirical magazines for an unflattering cover image, and in September he threatened the Dogan Media Group for covering a corruption scandal involving a Turkish charity that had allegedly channeled funds to certain individuals and companies. The newspaper *Hurriyet* reported that the prime minister’s office had revoked the accreditation of seven senior reporters without explanation in November.

Threats against and harassment of the press remain significantly more common than acts of violence. The murder of journalists is relatively rare, and reporters’ work is not regularly compromised by the fear of physical attacks, although instability in the southeastern part of the country does infringe upon journalists’ freedom to work. The January 2007 assassination of Hrant Dink—the editor in chief of the Armenian weekly *Agos* who was prosecuted for a second time under Article 301 in July 2006 for confirming his recognition of Armenian genocide allegations—marked the culmination of a plot believed to have been developed by nationalist forces or the “deep state,” an alleged network consisting of members of the state bureaucracy, the military, and the intelligence apparatus. As of the end of 2008, 20 suspects accused of complicity in planning or carrying out the murder had been brought to trial, but no convictions were secured. Eight members of the gendarmerie are also facing charges for failing to act on warnings that Dink was being targeted, but no police officers have been prosecuted yet.

The Supreme Council of Radio and Television, whose members are elected by the parliament, has the authority to sanction broadcasters if they are not in compliance with the law or its expansive broadcasting principles. The council is frequently subject to political pressure. Some editors and journalists practice self-censorship out of fear of violating legal restrictions, and Turkish press freedom advocates contend that self-censorship has become more prevalent as a result of the onslaught of prosecutions under the new penal code.

Turkey’s broadcast media are well developed, with hundreds of private television channels, including cable and satellite, as well as more than 1,000 commercial radio stations. State television and radio provide limited broadcasting in minority languages, now including four local radio and television stations in Kurdish. The introduction of Kurdish-language stations marks a major step forward for freedom of expression, although critics say that the broadcasts are too restricted and quality is poor. Several hundred private newspapers operate across the country in a very competitive print environment. Media ownership is highly concentrated in four major conglomerates, which subtly pressure their editors and journalists to refrain from reporting that will harm their business interests. This can include avoiding criticism of the government or potential advertisers, as both could have contracts with the conglomerates. The quality of Turkish media is poor, with an emphasis on columns and opinion articles rather than pure news,
but independent domestic and foreign print media are able to provide diverse views, including criticism of the government and its policies.

An estimated 35 percent of the population accessed the internet in 2008. The video-sharing website YouTube was blocked again in 2008 (including twice in January) for airing videos deemed insulting to the founder of the Turkish republic, Mustafa Kemal Ataturk, and two pro-Kurdish websites were suspended indefinitely in April. Also during the year, Google’s blog services were shut down by a magistrate’s court based on a complaint by the television station Digiturk that some bloggers were illegally posting video content owned by the station.

Turkmenistan

Status: Not Free
Legal Environment: 30
Political Environment: 37
Economic Environment: 29
Total Score: 96

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President Gurbanguly Berdymukhamedov failed to implement substantive reforms during 2008, and the media environment in Turkmenistan remained one of the most repressive in the world. During a public address in January, the president told journalists to focus on reporting “the stability which prevails in all spheres of life, including state governance.” A new constitution adopted in September strengthened the country’s already autocratic presidency. Though libel remains a criminal offense, the law is rarely invoked given the intensity of self-censorship in the country and the extreme scarcity of independent and critical reporting.

Throughout the year, authorities aggressively harassed local correspondents working for Radio Free Europe/Radio Liberty (RFE/RL), essentially the country’s only remaining source of independent news. It also barred four RFE/RL correspondents from traveling abroad. The campaign of intimidation escalated in June, even as Turkmenistan hosted a formal Human Rights Dialogue with the European Union. Security officers detained RFE/RL correspondent Sazak Durdymuradov and held him in a psychiatric facility for two weeks, where he was beaten and tortured. That same month, correspondent Osman Halliyev was placed under aggressive surveillance by state security. Correspondent Gurbansultan Achilova was detained and threatened by security officers on three separate occasions during the year. In January, she was interrogated for two days after being accused of publishing articles that were critical of the government. She was only released after signing an agreement promising to stop working for RFE/RL until she gained formal press accreditation. The government also continued to obstruct any meaningful investigation of the September 2006 death of RFE/RL correspondent Ogulsapar Muradova while in police custody, despite credible reports that she died under torture. A small number of foreign correspondents who avoided reporting on politically sensitive issues maintained bureaus in Ashgabad. Other foreign reporters continued to encounter insurmountable obstacles to accreditation, forcing them to work unofficially if at all. The government rarely gives accreditation to foreign outlets and only for coverage of specific events where their work
can be heavily monitored. Moreover, many local journalists are fearful of working with foreign correspondents, and many citizens avoid being interviewed by them, as such contact has often led to punishment.

The government retained its absolute monopoly over domestic media in 2008, directly controlling not only all domestic media outlets, but also the printing presses, broadcasting facilities, and other infrastructure on which they depended. Printing presses are prevented from publishing material that is unpopular with the government, including all fiction. Authorities also maintained a ban on foreign newspapers and periodical subscriptions, although copies of some politically benign newspapers like the Russian tabloid *Argumenty i Fakty* were sometimes available in bazaars. President Berdymukhammedov continued firing state media officials—including Minister of Culture and Broadcasting Kakageldy Chariyardudivyev in January and state television director Annamukhammed Akmedov in October—as he demanded improved media content. In October, authorities also continued their crackdown on the popular use of satellite dishes in Ashgabad in what was justified as a bid to “beautify the city.” The dishes have been one of the only means of accessing information about the outside world, and are used extensively across the country. Twice before, in 2002 and 2007, authorities ordered the removal of satellite dishes, but were forced to back down due to popular resistance and international condemnation.

Continued government restrictions and prohibitive costs kept internet access extremely limited in 2008, with an estimated 1.4 percent of the population using the medium. The government controlled the dominant internet service provider, TurkmenTeleCom, and restricted access to critical sites including regional news sources located outside Turkmenistan, opposition websites operated by Turkmen living abroad, and foreign outlets like the British Broadcasting Corporation. In June, the Russian mobile telephone operator MTS began offering internet access to its customers on the condition that they not visit websites that were critical of the government.

**Tuvalu**

**Status:** Free  
**Legal Environment:** 3  
**Political Environment:** 11  
**Economic Environment:** 12  
**Total Score:** 26

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**Uganda**

**Status:** Partly Free  
**Legal Environment:** 20  
**Political Environment:** 20  
**Economic Environment:** 13  
**Total Score:** 53
Although the constitution provides for freedom of expression, laws enacted in the name of national security—including the Antiterrorism Act of 2002—have often negated such constitutional provisions in practice, and the government continues to harass journalists.

Several statutes, most notably the Press and Media Law of 1995, require journalists to be licensed and meet certain standards like the possession of a diploma in journalism. Journalists must renew their licenses each year, though this provision is frequently overlooked.

Uganda is one of only three countries on the continent with a freedom of information law.

The government’s aggressive application of several repressive laws to control the media has led to widespread self-censorship.

The government regularly uses security agents to harass, intimidate, and detain journalists who are critical of the government or the president. Andrew Mwenda—a veteran political journalist, government critic, and editor of the private bimonthly magazine the Independent—had several run-ins with the government during the year. In April, the Independent was raided and Mwenda was arrested, then released on bail, for being in possession of “seditious materials.” Also in April, security agents arrested him for alleging on a popular talk show that the president was not paying taxes on his businesses. By the end of 2008, Mwenda was fighting 21 criminal charges.

Independent media outlets, including more than two dozen daily and weekly newspapers as well as about 100 private radio and television stations, have mushroomed since the government loosened controls on new outlets in 1993. They are often highly critical of the government and offer a range of opposition views. However, high annual licensing fees for radio and television stations place some financial restraints on the broadcast media. A 2008 study by the East African Media Institute alleged that most private radio stations were owned by government supporters or people affiliated with the government.

A ban on new radio stations, which was imposed in 2003 and widely disregarded in practice without penalty, was lifted in 2007 for upcountry radio stations. It remains in place for the capital, Kampala. The state broadcasters, including Radio Uganda, the only national radio station, wield considerable clout and are generally viewed as sympathetic to the government.

The state-run print media have gained a reputation for editorial independence despite the fact that many of their top editors are selected by government officials. In fact, the state-owned New Vision has reported critically about the government so regularly that the president has on occasion threatened to fire the paper’s editors.

There are no official restrictions on access to international broadcasting services or the internet. Internet use became more popular during the year, but only 2.4 percent of the population could access the medium.

Ukraine

Status: Partly Free
Legal Environment: 15  
Political Environment: 20  
Economic Environment: 20  
Total Score: 55

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Much of 2008 was consumed by political conflict among the country’s three dominant politicians—President Viktor Yushchenko, Prime Minister Yulia Tymoshenko, and pro-Russian opposition leader Viktor Yanukovich—which stalled reforms and left journalists working in chaotic and highly polarized conditions. The legal framework generally provides for media freedom and is one of the most progressive in Eastern Europe, but respect for these laws has remained poor since the 2004 Orange Revolution, a popular protest movement that thwarted electoral fraud by Yanukovich and secured the presidency for Yushchenko. Criminal libel was eliminated in 2001, but officials are increasingly using civil libel lawsuits filed in the country’s politicized court system to silence critical news reporting. In March, a court in the eastern city of Slavyansk fined the television company Sat-Plus 80,000 hryvna (US$16,000) for insulting mayor Valentin Rybachuk by reporting that he used city funds for public works to buy himself a luxury car. Freedom of information legislation has yet to be formally adopted, and requests for official information are often ignored, particularly at the local level. For example, a press freedom group waited seven months to get a response from the office of the president regarding a controversial award for a judge who had allegedly obstructed the inquiry into the 2000 murder of journalist Heorhiy Gongadze.

Political infighting distracted the government from reforming politicized state media outlets and the state bureaucracy, where secrecy and corruption remain widespread. During a meeting with lawmakers in May, for instance, private cable television operators complained that the National Council on Television and Radio Broadcasting, a state media regulator, was issuing informal instructions on which television channels should be included or excluded from cable networks. In September, Cherkasy regional governor Oleksandr Cherevko fired the entire staff of the municipal youth newspaper Molod Cherkashchyny in retaliation for their critical coverage of his party and policies. Many major outlets are owned by regional business magnates with close ties to the government, while others are dependent on state subsidies, making self-censorship widespread and slanting news coverage in favor of specific economic or political interests. In January, the private Kyiv-based Channel 5 television station canceled the news program Chas and fired its host, Yehor Sobolev, over his independent-minded coverage of the September 2007 parliamentary elections and criticism of politicized editorial interference in the work of journalists.

In 2008, threats, harassment, and attacks against the media continued as the country’s weak and politicized criminal justice system failed to protect journalists from regional politicians, businessmen, and criminal groups. A majority of journalists reported receiving some form of threat related to their work. Prosecutors and police regularly failed to take action against suspects identified in previous attacks, leading to a culture of impunity. In June, a security guard threatened and briefly strangled journalist Andriy Dvoretsky of the Nash Gorod newspaper in the southern city of Mykolaiv because he was taking photographs of an illegal construction site. In September, police officers in the eastern city of Donetsk beat journalists Maksym Abramovskiy
and Olena Mykhailova of the newspaper *Ostriv* as they videotaped police officers pulling cars over for roadside inspections, but prosecutors failed to open an investigation. Similarly, despite President Yushchenko’s promise to solve the 2000 abduction and murder of journalist Heorhiy Gongadze, his government has made little progress in the case. Three police officers were convicted for the slaying in March, but Gongadze’s family and press freedom advocates question why prosecutors are ignoring evidence that former president Leonid Kuchma ordered the murder, and have expressed suspicions that Yushchenko’s administration is protecting him.

With hundreds of state and private television and radio stations and numerous print outlets, Ukraine’s media sector is diverse but faces many challenges. Throughout the year, hidden political advertising—locally referred to as *dzhynsa*—was widespread in the media and weakened the public credibility of journalists. Transparency of media ownership remains poor because businessmen and politicians often prefer to hide their influence over news programs, but it improved somewhat due to research conducted by nongovernmental organizations. Ukraine’s print distribution system also remains problematic and dependent on the national postal service. Some of these deficiencies had been offset by strong economic growth, which increased advertising revenues and the popularity of business reporting, but the economy suffered severely from the global downturn in late 2008. The government does not restrict access to foreign outlets or to the internet, which is used by approximately 15 percent of the population. Although internet publications are not required to register with the authorities, the government retains the ability to monitor websites and e-mail.

**United Arab Emirates**

**Status:** Not Free  
**Legal Environment:** 23  
**Political Environment:** 23  
**Economic Environment:** 23  
**Total Score:** 69

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**United Kingdom**

**Status:** Free  
**Legal Environment:** 6  
**Political Environment:** 8  
**Economic Environment:** 5  
**Total Score:** 19

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With a history of aggressive reporting and an editorially independent public broadcasting system, the United Kingdom maintained its open media environment in 2008. The law provides for freedom of the press, and the government generally respects this right in practice. In March 2008 the House of Lords voted to abolish antiquated laws criminalizing blasphemy and blasphemous libel. However, there remain several laws that weaken press freedom. Legislation from the 1980s states that journalists deemed to have information vital to a police investigation can be forced to give evidence at trial. In the aftermath of the July 2005 terrorist bombings on London’s mass transit system, the government passed the Prevention of Terrorism Act, which took effect in 2006 and includes provisions that criminalize speech considered to encourage terrorism, even in the absence of a direct, proven link to a terrorist act. A religious hatred law introduced in 2006 criminalized incitement of religious hatred or violence. Libel laws heavily favor the plaintiff in the United Kingdom, with the defendant bearing the burden of proof. As a result, the country has become an increasingly popular destination for “libel tourism” in which foreign plaintiffs bring libel actions against foreign defendants in British courts. Members of Parliament have recently pushed for reform of the libel laws, but none had passed by year’s end. In February, Israeli art history professor Gannit Ankori threatened the College Art Association (CAA), a New York–based scholarly organization, with a libel suit in the United Kingdom, alleging that a review of his book on Palestinian art in the CAA’s Art Journal had been defamatory. In May, citing the high risk and cost of contesting libel suits in Britain, the CAA apologized to Ankori and agreed to a settlement.

Physical attacks on the media are rare. However, in September 2008 four men were arrested for an arson attack on the office of the London publishing house Gibson Square. Authorities speculated that the arson was due to the publisher’s decision to release the controversial novel The Jewel of Medina, a fictionalized account of the relationship between the prophet Muhammad and one of his wives. The U.S. publisher Random House had already dropped plans to release the book for fear of reprisals. Separately, in a May letter to the London Times, several journalists voiced their opposition to police requiring British and American reporters to reveal details of their interviews with former Islamist militant Hassan Butt. They claimed the police demands were “a serious risk to the future of investigative journalism.”

Journalists reporting on sensitive political issues regularly face intimidation in Northern Ireland. However, in a positive development, continuing investigations into the 2001 murder of journalist Martin O’Hagan made some progress in 2008. Four suspects were arrested in September, with two charged for the murder and two charged as accomplices. The trial was ongoing at year’s end. It is believed that O’Hagan was killed for his investigations into cooperation among Northern Ireland police, military intelligence, illegal armed groups, and drug gangs.

British media are free and largely independent from government interference. The United Kingdom has a strong tradition of public broadcasting, and the British Broadcasting Corporation, although funded by the government, is editorially independent. Ownership of independent media outlets is concentrated in the hands of a few large companies, including Rupert Murdoch’s News Corporation, and many of the private national papers remain aligned with political parties. Few commercial radio news stations exist, and the handful currently operating are reportedly struggling to stay financially viable. However, there are several independent news television channels, including ITV and British Sky Broadcasting. Authorities may monitor internet messages and e-mail without judicial permission in the name of national security and “well-being.” However, surveillance must be approved by the home secretary, and there are
departments in place to handle public complaints of abuse. Nearly 71 percent of the population was able to access the internet without restriction in 2008.

**United States**

- **Status:** Free
- **Legal Environment:** 5
- **Political Environment:** 8
- **Economic Environment:** 5
- **Total Score:** 18

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Press freedom was robust in the United States during 2008, with extensive coverage of the presidential campaign from a variety of perspectives. There were also in-depth investigations of controversial counterterrorism policies, the conduct of the Iraq and Afghanistan wars, and corruption scandals. At the same time, the year featured a major decline in the American newspaper industry, with leading outlets cutting news staff, shrinking in size, closing national and foreign bureaus, and reducing the scope of investigative reporting and foreign coverage. By year’s end, a number of the country’s most fabled newspapers were reported to be facing possible closure.

Press freedom has strong foundations in American law. The federal constitution explicitly protects freedom of the press and expression, and this protection has been reinforced by numerous state laws and court decisions. The Supreme Court has on many occasions ruled in favor of press freedom, and courts have given broad protection to the press from libel and defamation suits that involve commentary on public figures, although libel remains a criminal offense in a number of states. In May, New York State adopted legislation giving writers protection from libel judgments in countries whose laws are inconsistent with America’s free speech tradition. The measure, known as Rachel’s Law, was passed after an American author, Rachel Ehrenfeld, was sued in a British court by an individual she discussed in her book on terrorism funding. A similar bill has been introduced in the U.S. Congress. The administration of President George W. Bush had come under criticism for a 2003 executive order that enabled the executive branch to delay the release of documents under the Freedom of Information Act and to reclassify previously released information. At the end of 2007, however, Bush signed into law a revised Freedom of Information Act that is intended to expedite the document request process and provide mediation in cases where a federal agency is reluctant to release material.

An exception to judicial support for press freedom involves demands by prosecutors for information gathered by reporters in the course of their journalistic investigations, including material from confidential sources. Journalists have resisted revealing sources and providing prosecutors with research materials on a number of occasions in recent years, but they have usually been directed to comply with court requests by federal judges. Several journalists have gone to jail on contempt of court charges for refusing to hand over material, and several others were spared jail time when the cases ended in settlements and the legal proceedings were dropped. Contempt charges against Toni Locy, a former reporter for *USA Today*, were dropped.
in federal court after the plaintiff in a civil suit reached a settlement with the government. A judge had ordered Locy to turn over her notes and had found her in contempt when she refused. As a result of the growing number of journalist source cases, Congress took up a bill that would grant journalists a qualified right not to reveal news sources in federal cases. The measure, called the Free Flow of Information Act, passed the House of Representatives by an overwhelming margin in 2007. However, on July 30, 2008, Republicans blocked its passage in the Senate. The bill would have allowed journalists to withhold sources except in cases where the testimony would be critical to the outcome of a trial, in cases of potential terrorism, or where the testimony or information would fulfill a “compelling public interest.” The measure did not extend protections to amateur bloggers or journalism students. Some 37 of the 50 states already have such “shield laws.”

There was a relatively low level of violence against journalists in 2008. Threats were made against the editors of two ethnic newspapers—an Urdu-language publication in Houston, Texas, and a South Asian weekly in New York. The publisher of the Oakland Post, a weekly newspaper in California that covers the African American community, was given police protection after receiving threats. In 2007, the editor of that newspaper, Chauncey Bailey, was murdered, apparently in reprisal for investigative reports on criminal gangs in the city. The murder investigation is ongoing, and the publisher, Paul Cobb, has received repeated threats since Bailey’s death. A news producer for the television network ABC was arrested and charged for three “violations of Denver municipal ordinance” while covering the August Democratic National Convention in Denver, Colorado. In September, police in St. Paul, Minnesota, arrested a number of journalists who were covering protests at the Republican National Convention. The arrested journalists were eventually released without charge. In May, federal authorities freed Sami al-Haj, a Sudanese cameraman for the Qatar-based satellite television station Al-Jazeera who had been held for six years without charge by U.S. forces at Guantanamo Bay. He was originally arrested in Pakistan in 2001.

Media coverage of political affairs is aggressive and in some cases partisan. The press itself is frequently a source of controversy, with conservatives and supporters of the Bush administration accusing the media of anti-administration bias, and liberals accusing the press of timidity in its coverage of hot-button issues like torture and the war in Iraq. The appearance of enhanced polarization is driven to some degree by the growing influence of blogs, many of which are aggressively partisan. Nonetheless, most American newspapers make a serious effort to keep a wall of separation between news reporting, commentary, and editorials. Ironically, the trend toward fewer family-owned newspapers and more newspapers under corporate control has contributed to a less partisan, if blander, editorial tone. In recent years, cable television stations that focus on news and public affairs have gained substantial viewership. These outlets are more openly partisan than the three major television networks. In recent years, reporters from several prominent newspapers, including the New York Times, the Washington Post, and the Wall Street Journal, have published investigative articles that called into question various aspects of the Bush administration’s counterterrorism policies and its conduct of the Iraq war. Articles have included details of prisoner abuse in Iraq, extraordinary renditions and “ghost prisoners,” allegations of prisoner abuse at Guantanamo, and similar issues related to national security policy.

The media in the United States are overwhelmingly under private ownership. Nevertheless, National Public Radio (NPR), an entity funded partly by the government and partly by private contributions, enjoys a substantial audience. By law, radio and television
airwaves are considered public property and are leased to private stations, which determine content. The Federal Communications Commission (FCC) is charged with administering licenses and reviewing content to ensure that it complies with federal limits on indecent or offensive material. On several occasions, the FCC has issued fines against radio and television outlets for what the agency deemed acts of indecency.

The newspaper industry in the United States is undergoing a period of profound decline and readjustment. There are more than 1,400 daily newspapers geared primarily toward local readerships. But many of the largest and most prestigious papers are on shaky financial legs, due principally to the increasing popularity of the internet as a source of news. Circulations have fallen substantially, as have revenues from advertising. One of the country’s largest newspaper organizations, the Tribune Corporation, declared bankruptcy in 2008, though its papers—which include the Chicago Tribune and the Los Angeles Times—continued to publish. Many predict a major transformation of the newspaper business in the coming years, with some newspapers closing altogether, some publishing only online, and many focusing exclusively on local issues. However, the primary form of news dissemination in the country is through television networks like Cable News Network (CNN), Fox News, NBC, ABC, and CBS, which maintain a consistent audience. Media ownership concentration is an ongoing concern in the United States. This problem has intensified in recent years following the purchase of media entities, especially television networks, by large corporations with no previous experience in journalism. The FCC regularly considers policies that would lift restrictions on the monopolization of national or local media markets by a limited number of entities, with a particular focus on policies that limit a single corporation’s ownership of both television stations and newspapers in a single local market.

At the same time, diversity of the U.S. media has expanded with the mushrooming of cable television and the internet. Nearly 73 percent of Americans are internet users, placing the country among the world leaders in internet penetration. The number and influence of internet sites and blogs have expanded greatly in recent years, and blogs have proven to be an important source of information in many incidents. As noted above, blogs devoted to public policy questions are often highly partisan, and though their proliferation adds to the richness of press diversity, it also contributes to ideological polarization.

Uruguay

Status: Free
Legal Environment: 8
Political Environment: 9
Economic Environment: 9
Total Score: 26

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Uzbekistan
Status: Not Free
Legal Environment: 29
Political Environment: 38
Economic Environment: 26
Total Score: 93

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In the aftermath of an intense government crackdown, the media landscape remained desolate in 2008. President Islam Karimov secured a third term in a flawed December 2007 election, despite a constitutional limit of two consecutive terms. His government reached out to the European Union (EU) in an effort to reduce the country’s international isolation, staging human rights and press freedom conferences in June and October while refusing to allow local journalists or press freedom activists to participate in the events.

Uzbek authorities show no respect for nominal constitutional guarantees of freedom of the press and restrictions on prepublication censorship, and criticism of the president is a crime punishable by up to five years in prison. Libel is also criminal offense, but very few journalists have been prosecuted under this law, as most independent reporters have either fled the country or censored themselves. After a new media resolution tightened controls in 2006, President Karimov approved legislation in January 2007 that holds the media accountable for “objectivity” and defines websites as media outlets, thereby requiring them to register annually with the Ministry of Information and submit regular content reports to the authorities.

The government used aggressive harassment and intimidation to influence the media. In October, a court in the western city of Nukus sentenced reporter Solijon Abdurakhmanov of the independent website Uznews.net to 10 years in prison on drug charges after he reported on environmental abuses in the Aral Sea and allegations of widespread local government corruption. In an effort to improve the country’s poor relations with the EU, the authorities in February pardoned independent journalist Umida Niyazova, who had been jailed the previous year in retaliation for reporting on a 2005 massacre of civilians by security forces in the city of Andijon. Five other journalists remained behind bars for political reasons, including Dzhamsad Karimov, an independent journalist who has been held in a psychiatric hospital since 2006. Authorities also failed to investigate credible allegations that Uzbek security officers were involved in the 2007 assassination in Kyrgyzstan of Alisher Saipov, an ethnic Uzbek who edited the Uzbek-language newspaper Siosat, which was critical of President Karimov.

International journalists were also subject to government pressure. Uzbek authorities have undertaken a concerted campaign against foreign-funded media since the outbreak of domestic unrest in 2005, and local reporters are formally forbidden from working for international outlets. In 2008, the British Broadcasting Corporation, Radio Free Europe/Radio Liberty (RFE/RL), and Voice of America remained unable to broadcast from within Uzbekistan. In a bid to intimidate journalists working for foreign media, several government-controlled television stations in June broadcast documentary-style programs that depicted local RFE/RL journalists as criminals conspiring against the country. Authorities also tried denying accreditation to the few remaining local journalists working for foreign media and then threatened to prosecute them for working without proper accreditation.
The government in 2008 continued to control most national dailies and television stations, as well as the publishing houses and printing presses that are responsible for the majority of the country’s print media. A few private printing presses produced independent publications that avoided politically sensitive topics and had a very limited circulation. Virtually all media were linked either directly or indirectly to the state and were manipulated by the government to present a carefully constructed image of the country, with occasional forays into limited criticism. Security officers regularly visited editorial offices to distribute lists of approved topics. While it is relatively straightforward to enter the media business, as taxes and licensing fees are not exorbitant, outlets with 30 percent or more foreign ownership are prohibited from operating at all, and the need to pay reregistration fees each year is a constant disincentive.

The authorities appeared to step up their efforts to squelch freedom of speech online in 2008. While exiled Uzbek journalists were able to operate news sites from abroad with a focus on human rights issues, authorities blocked access to these sites, especially if they reported on the Andijon massacre or the murder of Alisher Saipov. Blocking efforts extended beyond websites with materials that were critical of the government to include tools with which users could retain their privacy online, including proxies and anonymizers. Although 8.8 percent of the Uzbek population is estimated to use the internet (a relatively high percentage by regional standards), many users access the medium in institutional settings where state controls and the possibility of surveillance cripple their ability to obtain independent perspectives on events inside the country.

Vanuatu

Status: Free
Legal Environment: 6
Political Environment: 9
Economic Environment: 8
Total Score: 23

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Venezuela

Status: Not Free
Legal Environment: 26
Political Environment: 28
Economic Environment: 19
Total Score: 73

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Press freedom in Venezuela suffered from a host of problems in 2008, including the politicization of the judiciary, widespread corruption, harassment of the opposition, extensive self-censorship, and reprisals orchestrated by public officials. While freedoms of speech and the press are constitutionally guaranteed, the 2004 Law of Social Responsibility in Radio and Television contains vaguely worded restrictions that can be used to severely limit these freedoms. Criminal statutes assign hefty fines and long prison terms for “offending” or “denigrating” the authorities. Legal defenses in insult cases are complicated by the unpredictability of courts’ rationale, often resulting in a more cautious approach on the part of the press. Since 2005, defamation of the president has been punishable by 6 to 30 months in prison. Insults against lower-ranking officials can result in lighter punishments. Individuals can also sue the press for “public disdain” or “hatred.” Public officials, from the president to local administrators, frequently denounce members of the opposition press as “fascists,” “terrorists,” and “enemies of the people.” Under pressure, President Hugo Chavez revoked a controversial Espionage Law that would have forced Venezuelans to cooperate with intelligence services or face jail time. The law also would have imposed civil and criminal penalties for diffusing information classified as secret or confidential. In general, independent journalists complained that a lack of access impeded their reporting in 2008; they were often denied entry to military ceremonies and other official events that state media were allowed to attend.

Media watchdogs reported a wide array of attacks on press freedom during the year. In August, the National Telecommunications Commission (CONATEL) closed two FM radio stations for operating without proper licenses. The closures were condemned in Venezuela and abroad as politically motivated. In September, Jose Miguel Vivanco and Daniel Wilkinson, respectively the Americas director and deputy director for Human Rights Watch, were expelled from the country after releasing a critical report entitled A Decade Under Chavez. Also during the year, the National Journalists’ Guild accused Chavez of violating the rights of the press, while the Inter-American Court of Human Rights heard similar grievances from broadcast journalists.

Violent attacks against the media such as shootings and assaults occur regularly. In July, reporter Dayana Fernandez and photographer Luis Torres of the newspaper La Verdad were assaulted by Maracaibo city officials while covering waste disposal practices. The journalists’ equipment was confiscated and they were allegedly beaten and held for more than two hours. The murder of journalists is fairly rare. However, Pierre Fould Gerges, vice president of the Caracas daily Reporte Diario de la Economia, was gunned down in the capital on June 2. Two weeks later, news anchor Javier Garcia of Radio Caracas Television Internacional (RCTV Internacional) was found stabbed to death in his apartment, supposedly after being robbed. The case was still being investigated at year’s end.

Free-to-air broadcast media are largely owned by the government, which operates seven channels with nationwide coverage. However, Venezuela’s leading newspapers are privately owned, and most identify with the opposition. As a result, they are subject to threats and violence by the government and its supporters, sometimes leading to self-censorship. Local and regional media are particularly dependent on government advertising revenue, leaving them vulnerable to economic retaliation for criticism. According to a study by the regional watchdog group Instituto Prensa y Sociedad, fear of offending the government and a reluctance to antagonize ad buyers were the two primary reasons for a high level of editorial self-censorship. The president has a weekly television show and exercises his power to preempt regular programming to ensure extensive coverage of government cadenas (announcements) in private media.
The launching of the first Venezuelan satellite (the Simon Bolivar 1) in October was not covered by the nation’s private networks, highlighting the partisan nature of the media. In July 2008, the Supreme Tribunal of Justice once again declined to give the opposition-aligned RCTV Internacional—which is available via cable, satellite, and the internet—a license to operate as a terrestrial station, which would enable it to reach a considerably larger segment of the population. There are currently no government restrictions on the internet, which was used by roughly 25 percent of the population in 2008. However, a controversial bill that would give the government the power to censor telecommunication services, including the internet, was pending in late 2008. The government denied that internet censorship was the purpose of the measure.

**Vietnam**

**Status: Not Free**  
**Legal Environment: 28**  
**Political Environment: 33**  
**Economic Environment: 22**  
**Total Score: 83**

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The Vietnamese authorities in 2008 continued the previous year’s crackdown on journalists and other dissidents, which had followed a relative easing of restrictions in 2006 as the country prepared for accession to the World Trade Organization. At least 10 journalists were detained during 2008, including two who had exposed a high-level corruption scandal in 2006. Their imprisonment in October caused a public outcry and increased pressure on investigative journalism, despite the government’s rhetorical commitment to fight corruption.

Although the 1992 constitution recognizes the rights to freedom of opinion, of expression, and of association for all citizens, the propaganda and training departments of the ruling Communist Party of Vietnam (CPV) control all media and set press guidelines. In addition, a 1999 law requires journalists to pay damages to individuals or groups found to have been harmed by press articles, even if they are accurate. Reporting that is considered threatening to the CPV’s legitimacy can bring charges under antidefamation provisions and the criminal code, including the commonly used Article 88, which punishes the dissemination of “antigovernment propaganda.” The judiciary is not independent, and many trials related to free expression last only a few hours. In July 2006, in response to increasingly vibrant reporting by both the traditional and internet-based news media, the government issued a decree that defined over 2,000 additional violations of the law in the areas of culture and information and imposed hefty fines for offenders, with a particular focus on protecting “national security.” Among the topics most often targeted for censorship or repression are criticism of government leaders, advocacy of political reforms or the creation of a multiparty democracy, discussion of national security issues, and the questioning of government policy on sensitive issues such as human rights, religious freedom, and border disputes with neighboring China.

The CPV generally views the media as a tool for the dissemination of party and state policy. Although journalists cannot cover sensitive political and economic matters or openly
question the CPV’s single-party rule without fear of reprisal, they are sometimes allowed to report on crime and official corruption at the local level; such reports have become increasingly common in recent years. Nevertheless, several media outlets suffered retribution in 2008 for testing the limits of permissible coverage, particularly by reporting on corruption among high-ranking officials. In the year’s most high-profile case, journalists Nguyen Viet Chien of the newspaper Thanh Nien and Nguyen Van Hai of the newspaper Tuoi Tre were sentenced in October to two years in prison and reeducation without detention, respectively, for exposing a corruption scandal in 2006 in which senior officials used development funds to gamble on European soccer matches. Two police officers were charged for leaking information to the journalists; one was given a one-year jail sentence and the other received an official warning. In a rare instance of direct defiance among the state-controlled media, the arrested reporters’ newspapers published editorials denouncing the government’s actions in the case and describing the outraged reaction of the public. Subsequently, the editors of both newspapers were removed from their positions. Their press credentials, along with those of five other journalists from four newspapers, were confiscated in August, essentially barring them from the profession.

In another case of retaliation for investigative reporting on corruption, Truong Minh Duc, a veteran freelance journalist known for his reporting about unauthorized property seizures and other abuses of power by local authorities, was sentenced in March to five years in prison. He was charged with “taking advantage of the people’s liberty and democratic rights to harm the interests of the country,” and while in custody he reportedly sustained injuries and was denied proper medical treatment. Tran Khai Thanh Thuy, a prominent female journalist and writer who had been detained in April 2007, was tried and sentenced in January on charges of “disturbing social order,” though she was immediately released after being credited with time served.

Foreign reporters continued to be monitored closely, and their movements within the country were restricted. In several instances during the year, foreign journalists faced arrest or physical violence when seeking to cover sensitive topics. Le Hong Thien, a U.S. citizen and reporter for the Viet Times Weekly, was placed under house arrest in May after covering the Olympic torch relay and the anti-China protests associated with it. He was interrogated for two weeks before being released. Also in May, Somsak Khunmi (also known by his Vietnamese name, Nguyen Quoc Hai), a Thai citizen and journalist working for the Japan- and U.S.-based Radio Chan Troi Moi, was sentenced to nine months in prison on terrorism charges, after distributing literature calling for peaceful democratic change. In September, police briefly detained and beat Associated Press correspondent Ben Stocking while he attempted to cover peaceful protests by Catholic groups over confiscated land.

There is only one national television station in the country, state-owned Vietnam Television, although cable services do carry some foreign channels. Vietnam launched its first telecommunications satellite in April 2008, indicating that access to television, telephone service, and the internet may increase in rural areas in the coming years. While satellite television is officially restricted to senior officials, international hotels, and foreign businesses, many homes and businesses in urban areas have satellite dishes, in some cases allowing them access to foreign programming. Radio is controlled by the government-run Voice of Vietnam or other state entities. Though all print media outlets are owned by or under the effective control of the CPV, government organs, or the army, several newspapers—including Thanh Nien, Nguoi Lao Dong, and Tuoi Tre (owned by the Youth Union of the CPV)—have attempted to become financially self-sustaining and end their reliance on state subsidies. Several underground publications have been launched in recent years, including Tu Do Ngon Luan, To Quoc, and Tu Do Dan Chu; they
reportedly continue to circulate despite recent arrests of staff members. Foreign periodicals, although widely available, are sometimes censored, and the broadcasts of stations such as Radio Free Asia are periodically jammed.

Access to the internet is growing, especially in urban areas, and more than 24 percent of Vietnamese reportedly had internet access at the end of 2008. Website operators continue to use internet service providers (ISPs) that are either publicly or semipublicly owned, like Vietnam Data Communications, which is controlled by the Ministry of Post and Telecommunications and caters to nearly a third of all internet users. ISPs are required by law to block access to websites that the government considers politically unacceptable, though many foreign news sites remain accessible. Internet cafes are required by law to record the personal information and browsing activities of users. In an effort to tighten government control over an increasingly vibrant blogosphere, the Ministry of Information and Communications issued a decree in December 2008 that instructed bloggers not to discuss subjects deemed sensitive by the government. According to the new regulations, blogging platforms operating in Vietnam would also be required to remove harmful content, report to the government every six months, and provide information about individual bloggers as requested. It remained unclear at year’s end whether the U.S.-based firm Yahoo!, whose blogging platform was used by a majority of Vietnamese bloggers, would be required to comply. Ho Thi Bich Khuong, a leading internet writer who advocated farmers’ rights, was sentenced in April 2008 to two years in prison and three years of administrative detention for publishing reports on foreign websites about human rights violations in Vietnam. Intellasia, an online news and investment site whose offices were raided in 2007, continues to operate from outside the country due to repeated threats from authorities.

Yemen

Status: Not Free
Legal Environment: 26
Political Environment: 31
Economic Environment: 22
Total Score: 79

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- The rights to freedom of expression and a free press are guaranteed under Article 41 of the constitution, but only “within the limits of the law.” These rights are not respected in practice. Article 103 of the 1990 Press and Publications Law prohibits journalists from criticizing the head of state or publishing material that undermines public morality, prejudices the dignity of individuals by smears and defamation, or distorts the image of Yemeni, Arab, or Islamic heritage. In June, journalist Adbel Karim al-Khaiwani was sentenced to six years in prison for critical writings against the government, though he received a presidential pardon in September.
- The government tightly controls licensing for newspapers and magazines. Newspapers must apply annually for license renewal, and preferential treatment is given to progovernment
outlets. The Ministry of Information (MOI) cancelled the license of the newspaper *Al-Wasat* in April for allegedly publishing “materials prohibited by law and against national unity.”

- The government exerts editorial influence over broadcast media by selecting items that are to be covered during newscasts.
- Despite the government’s denials, official censorship does occur. Moreover, fear and intimidation serves to perpetuate the widespread practice of self-censorship among journalists and media owners.
- Throughout the year, journalists were fined, arrested, imprisoned, abducted, threatened, subjected to home and office raids, and prevented from reporting on a spectrum of issues and events. The pattern of impunity for crimes committed against journalists continued, as there was no progress in several high-profile cases from previous years.
- There are nine government-controlled, 50 independent, and 30 party-affiliated newspapers in Yemen. The government maintained its monopoly on broadcast media, with two television channels and two national and four regional radio channels.
- The MOI exerts further influence over the print media by controlling nearly all printing presses within the country and manipulating advertising subsidies.
- Approximately 1.4 percent of the population regularly accessed the internet during 2008. The government carries out extensive blocking and filtering of the internet within the country. Websites with religious, “immoral,” or opposition political content are blocked most frequently. The country’s two internet service providers are government controlled and use commercially available filtering technology. In June, Lu’ai al-Mu’ayyad, editor of the website yemenhurr.net, was arrested for publishing critical reports on the conflict between government forces and Zaydi Muslim insurgents in the northern region of Saada.

**Zambia**

**Status: Not Free**

**Legal Environment:** 20  
**Political Environment:** 25  
**Economic Environment:** 20  
**Total Score:** 65

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- Press freedom in Zambia lost ground in 2008 as the Media Institute of Southern Africa (MISA), a watchdog organization, reported a sharp rise in the number of abuses surrounding the October presidential by-election and criticized the slow pace of media law reforms.
- Freedom of speech is guaranteed in the constitution, but the relevant language can be broadly interpreted.
- Libel cases can be pursued in either a civil or a criminal court, and defamation of the president is explicitly a criminal offense. A 2007 defamation case filed by a cabinet official against a private newspaper, the *Zambian Watchdog*, was still unresolved at the end of 2008.
Government officials continued to harass journalists in 2008. In August, Zambia’s ambassador to Libya threatened journalists from the government-controlled Zambia Daily Mail with dismissal for refusing to publish his articles. In November, radio announcer Father Frank Bwalya was arrested for questioning the fairness of the presidential by-election.

In addition to the Zambia Daily Mail, the government controls the Times of Zambia, and several private newspapers operate freely.

A number of private radio and television stations broadcast alongside state-owned stations, and international outlets are not restricted. The local private stations carry little political coverage, as the government uses the libel and security laws to discourage it.

The government does not restrict internet access, though only 4.3 percent of the population used the medium in 2008.

Zimbabwe

Status: Not Free
Legal Environment: 29
Political Environment: 32
Economic Environment: 27
Total Score: 88

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Press freedom in Zimbabwe remained tightly restricted in 2008, as President Robert Mugabe’s government, faced with elections in March, attempted to retain near-total control over domestic media and prevent foreign news outlets from covering political developments within the country. Despite constitutional provisions for freedom of expression, officials display an openly hostile attitude toward media freedom, and a draconian legal framework continues to inhibit the activities of journalists and media outlets. The 2002 Access to Information and Protection of Privacy Act (AIPPA) requires all journalists and media companies to register with the government-controlled Media and Information Commission (MIC) and gives the information minister sweeping powers to decide who is able to work as a journalist. A number of private newspapers have been denied licenses since the AIPPA came into force, most notoriously the Daily News, Zimbabwe’s only independent daily, which was shuttered in 2003. Repeated constitutional challenges to the law by the Associated Newspapers of Zimbabwe (ANZ), publisher of the Daily News, have proven unsuccessful; a fresh request for a license submitted in February 2008 remained pending at year’s end.

Authorities continue to employ a range of restrictive laws—including the Official Secrets Act, the AIPPA, the Public Order and Security Act (POSA), and criminal defamation laws—to harass and punish journalists. The AIPPA was amended in January 2008, but many restrictive aspects of the law remained in force, and authorities continued to apply outdated sections of the law to harass journalists. Local media groups were preparing legal challenges to the authority of the MIC, which under the January legislation was to have been disbanded and replaced by a new Zimbabwe Media Council (ZMC). By year’s end the ZMC had yet to be appointed. Both local and foreign journalists are regularly arrested on charges of practicing journalism without a
license, or for “insult” or “communication of falsehoods,” but in most cases such charges are eventually dismissed by the courts. Professional and media monitoring organizations—such as the Zimbabwe Union of Journalists, the Media Monitoring Project of Zimbabwe, and the local chapter of the Media Institute of Southern Africa (MISA)—are subjected to official harassment.

Journalists routinely face verbal intimidation, physical attacks, arrest and detention, and financial pressure at the hands of the police, government officials, and supporters of the ruling party. Instances of arbitrary arrest and detention occur primarily when reporters are trying to cover politically charged stories, and perpetrators are rarely if ever punished, leading to a culture of impunity. Reporting became considerably more difficult during and after the two rounds of elections in March and June 2008, with at least 16 journalists and other media workers jailed and several dozen others harassed or obstructed from doing their jobs, according to the Committee to Protect Journalists (CPJ). While foreign correspondents and those affiliated with private outlets were targeted, employees of state-run outlets such as the Zimbabwe Broadcasting Corporation (ZBC) also faced repercussions if they failed to toe the official line. On May 24, a truck carrying approximately 60,000 copies of the *Zimbabwean* was bombed by unknown attackers.

In general, foreign journalists are not allowed to reside full-time in the country and are regularly denied visas to file stories from Zimbabwe, though a very small number were accredited to cover the 2008 elections. Locally based correspondents for foreign publications, particularly those whose reporting has portrayed the regime in an unfavorable light, have been refused accreditation or threatened with lawsuits and deportation. In a high-profile case in April, Barry Bearak, the South Africa–based correspondent for the *New York Times*, was arrested in Harare along with two other foreign reporters for violating AIPPA and held in prison before a judge ruled that his detention was illegal. During the past several years, dozens of Zimbabwean journalists have fled the country, mostly to South Africa and the United Kingdom; according to a report by CPJ, Zimbabwe has one of the highest number of exiled journalists in the world.

The government, through the Mass Media Trust holding company, controls the two main daily newspapers, the *Chronicle* and the *Herald*. Coverage in these papers consists of favorable portrayals of Mugabe and the ruling party and attacks on perceived critics of the regime. Several independent weeklies such as the *Standard* and the *Zimbabwe Independent* continue to publish, although many of their journalists practice extensive self-censorship. The *Zimbabwean* is produced in South Africa for the Zimbabwean market, and some foreign newspapers, most of them also from South Africa, are available. In general, newspapers have poor distribution networks outside urban areas, and they have been buffeted by soaring prices for newsprint and paper. In June, the government reclassified imported newspapers as luxury goods and slapped them with an import tax of 40 percent, leading many imported newspapers to dramatically reduce their print runs. According to MISA’s African Media Barometer, state-run companies do not advertise in private papers, and state-run media outlets do not accept advertising from companies known to be aligned with the opposition. Owing to poor economic conditions and salaries that do not keep pace with inflation, corruption and cash incentives for coverage have become rampant.

The state-controlled ZBC runs all broadcast media, which are subject to overt political interference and censorship. Coverage during the election period overwhelmingly favored the ruling party, and in June the ZBC refused to broadcast campaign advertisements from the opposition. The Broadcasting Services Act bans foreign funding and investment in this capital-intensive sector, making it very difficult for private players to enter the market. Broadcasting licenses have been consistently denied to independently owned radio stations, despite calls by a
parliamentary committee for the broadcast sector to be opened up. Access to broadcast media in rural areas is hampered by deteriorating equipment and a lack of transmission sites; according to MISA, only 30 percent of the country enjoys radio and television reception, although the government has reached an agreement with China to help upgrade this infrastructure. Meanwhile, officials are also using Chinese technology in attempts to jam the signals of the increasingly popular foreign-based radio stations that broadcast into Zimbabwe, including SW Radio Africa, a London-based station run by exiled Zimbabwean journalists; the Voice of America’s Studio 7 service; and the Voice of the People. Although satellite television services that provide international news programming remain largely uncensored, their cost places them out of reach for most of the population.

Access to the internet is limited by the high costs at internet cafes and service disruptions caused by frequent power outages. Nonetheless, Zimbabwe has a relatively high rate of internet access for Africa, at almost 12 percent of the population. Online newspapers, news portals, and blogs run by Zimbabweans living abroad are popular among those with internet access. The 2007 Interception of Communications Act allows officials to intercept telephonic and electronic communications and to monitor content to prevent a “serious offense” or a “threat to national security.” In a case that emerged in 2008, a media owner reportedly monitored the e-mail accounts of editors at various newspapers controlled by the Zimpapers group and terminated one editor who had written critical comments of Mugabe in private e-mails.