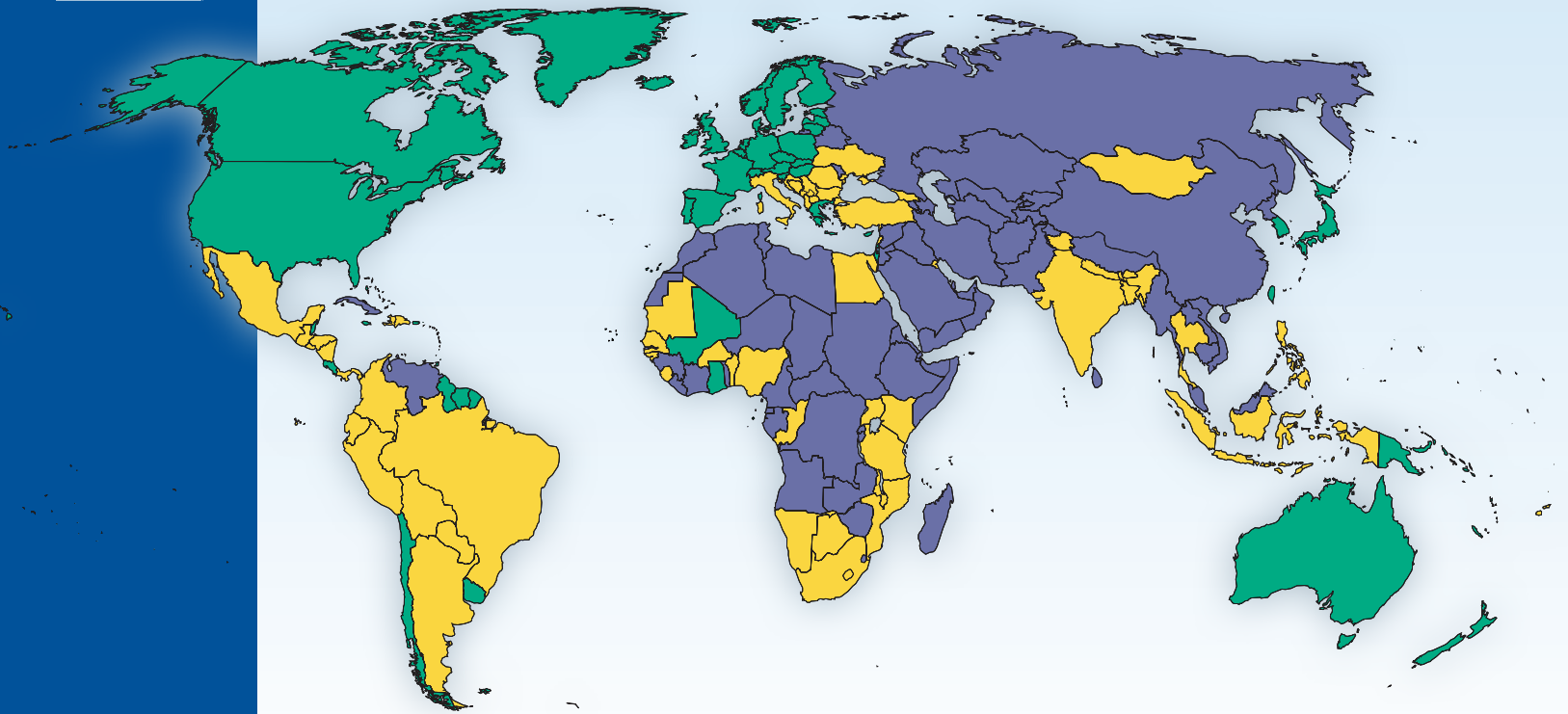




Freedom of the Press 2010



BROAD SETBACKS TO GLOBAL MEDIA FREEDOM

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

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Karin Deutsch Karlekar, a senior researcher at Freedom House, served as managing editor of this year’s index. Extensive research, editorial, and administrative assistance was provided by Eliza Young, Tyler Roylance, Eva Hoier Greene, and Nuray Inal, as well as by Charles Liebling, Timothy Shenk, Katherine Haggans, Patrick Gilroy, Emily Schloss, and Joshua Siegel. Overall guidance for the project was provided by Arch Puddington, director of research, and by Christopher Walker, director of studies. We would also like to thank our consultant writers and advisors and other members of the survey team for their contributions.

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Freedom of the Press 2010

Methodology

The 2010 index, which provides analytical reports and numerical ratings for 196 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 2010* cover events that took place between January 1, 2009, and December 31, 2009.

Criteria

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

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

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

Research and Ratings Review Process

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

The research and ratings process involved several dozen analysts—including members of the core research team headquartered in New York, along with outside 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 30-year span or the comparative ratings of all countries over that period.

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

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

The **legal environment** category encompasses an examination of both the laws and regulations that could influence media content and the government's inclination to

use these laws and legal institutions to restrict the media's ability to operate. We assess the positive impact of legal and constitutional guarantees for freedom of expression; the potentially negative aspects of security legislation, the penal code, and other criminal statutes; penalties for libel and defamation; the existence of and ability to use freedom of information legislation; the independence of the judiciary and of official media regulatory bodies; registration requirements for both media outlets and journalists; and the ability of journalists' groups to operate freely.

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

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

CHECKLIST OF METHODOLOGY QUESTIONS 2010

- 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 2009: Broad setbacks to global media freedom

Karin Deutsch Karlekar

Global press freedom declined in 2009, with setbacks registered in nearly every region of the world. This marked the eighth straight year of overall deterioration, and produced a global landscape in which only one in six people live in countries with a Free press. These largely negative developments constitute the principal findings of *Freedom of the Press 2010: A Global Survey of Media Independence*, the latest edition of an annual index published by Freedom House since 1980.

The year was notable for intensified efforts by authoritarian regimes to place restrictions on all conduits for news and information. The trend included repression of print and broadcast journalism, but a growing focus on the internet and other new media was also apparent. While there were some positive developments, particularly in South Asia, significant declines were recorded in Latin America, sub-Saharan Africa, and the Middle East. Countries with largest downgrades included South Africa, Iran, Mexico, the Philippines, Senegal, and Guinea.

Threats have emerged both within and across state borders. China's government introduced several new methods of internet censorship, and it remained a global leader in the jailing of journalists. Moreover, the Chinese authorities attempted to control expressions of dissent overseas, demanding that the organizers of foreign cultural gatherings remove speakers or works of art that they found objectionable. In another attempt to globalize censorship, the Organization of the Islamic Conference spearheaded a campaign aimed at embedding onerous anti-blasphemy language into international law.

In a year when significant declines outnumbered gains by a two-to-one margin, press freedom suffered setbacks even in Free media environments. In southern Africa, both Namibia and South Africa were reduced from Free to Partly Free status. Mexico and Senegal also showed notable deterioration, and substantial negative trends were apparent elsewhere in the Americas (Ecuador and Honduras) and in Asia (Fiji and the Philippines). Conditions for journalists in strategically important authoritarian states such as China and Russia remained extremely repressive, while Iran's already highly controlled media space contracted further due to a crackdown on both old and new media in the wake of the flawed presidential election. By contrast, South Asia provided a glimmer of hope, with substantive improvements in several countries.

The Historical Context

In the 30 years since *Freedom of the Press* began publishing, the overarching trend has consisted, until recently, of gradual and occasionally dramatic improvement in the level of media freedom worldwide. In 1980 the survey showed a grim global landscape in which 38 (25 percent) of 154 countries had fully Free media, while 34 (22 percent) had Partly Free media and 82 (53 percent) had Not Free media. Western Europe was the only region where a Free press prevailed. While there were positive developments in the

Americas, the majority of countries in Asia and sub-Saharan Africa were rated Not Free, almost all countries in the Middle East and North Africa were Not Free, and the Soviet sphere, including the countries of Central and Eastern Europe, was entirely Not Free.

By 1990, these figures had shown a modest improvement. Of 159 countries, 56 (35 percent) had Free media; 29 (18 percent) had Partly Free media; and 74 (47 percent) had Not Free media. These gains were largely driven by openings in Latin America, where a number of countries shifted from Partly Free to Free status, and by smaller improvements in Asia and Central and Eastern Europe.

By 2000, the survey reflected a genuine blossoming of press freedom. Of 186 countries and territories, 69 (37 percent) were rated Free; 51 (27 percent) were rated Partly Free; and 66 (35 percent) were rated Not Free. A number of countries where media repression was the order of the day registered significant progress in facilitating the free flow of information. There had been a dramatic opening in Central and Eastern Europe and the former Soviet Union in the early 1990s, and significant improvements in sub-Saharan Africa had propelled a number of countries from the Not Free to the Partly Free range. Meanwhile, smaller gains in Asia led to several shifts from Partly Free to Free.

Over the past decade, the positive momentum that followed the fall of the Berlin Wall has stalled, and in some cases has been reversed. For the past eight years, there have been gradual declines on a global scale, with the most pronounced setbacks taking place in Latin America and the former Soviet Union. Globally and within several regions, there appears to be a shift toward the middle, including a worrying trend in which societies that previously boasted robust press freedom are suffering declines significant enough to place them in the Partly Free category.

During this time period, dramatic structural changes have occurred in the overall media landscape. Much of the world has benefited from a significant diversification of information driven by the development of online media, the expansion of cable and satellite television, and the breakup of state monopolies. In some regions—South Asia and the Middle East in particular—these changes have meant that governments no longer can wield total control over news and information. At the same time, new restrictions on broadcast media have been imposed by several large authoritarian governments—Russia and Venezuela are especially notable in this respect. And while the Chinese government has allowed a dramatic increase in citizens' abilities to receive information and transmit their views in certain areas, political reform and human rights and other topics remain taboo. Indeed, the Chinese regime has become a world leader in the development of new and more sophisticated methods of information control. Finally, in the developed world, the growth of the internet and the decline of newspapers are driving a major restructuring of the news industry—the consequences of which are still being hotly debated

The Global Picture in 2009

Of the 196 countries and territories assessed during calendar year 2009, 69 (35 percent) were rated Free, 64 (33 percent) were rated Partly Free, and 63 (32 percent) were rated Not Free. This represents a move toward the center compared with the survey covering 2008, which featured 70 Free, 61 Partly Free, and 64 Not Free countries and territories.

The survey found that only 16 percent of the world's inhabitants live in countries with a Free press, while 44 percent have a Partly Free press and 40 percent live in Not Free environments. The population figures are significantly affected by two countries—China, with a Not Free status, and India, with a Partly Free status—that together account for more than two billion of the world's roughly six billion people. The percentage of those enjoying Free media in 2009 declined to the lowest level since 1996, when Freedom House began incorporating population data into the findings of the survey.

The overall level of press freedom worldwide, as measured by the global average score, worsened slightly in 2009, contributing to an eight-year negative trend. The averages for the legal, political, and economic categories all worsened as well, with the political and economic categories showing the largest declines.

The most significant regionwide declines were seen in the Americas and sub-Saharan Africa, while smaller negative trends were apparent in Central and Eastern Europe and the former Soviet Union, the Middle East and North Africa, and Western Europe. The Asia-Pacific region represented the only bright spot, with parts of the South Asia subregion driving an improvement in the average regional score.

Trends in 2009

- **Continued declines in important emerging democracies demonstrate the fragility of press freedom in such environments.** Over the past five years, steady declines have been recorded in countries such as Mexico in the Americas; Thailand, the Philippines, and Sri Lanka in Asia; and Senegal and Uganda in sub-Saharan Africa. Overall, declines of 10 or more points have outnumbered gains of a similar scale by a two-to-one margin. Mexico's loss of 18 points over the past five years is unusual, as it has not been accompanied by political upheaval (as in Thailand) or civil war (as in Sri Lanka). Instead, violence associated with drug trafficking has led to a dramatic increase in attacks on journalists who try to cover drug-related corruption or gang activities, as well as rising levels of self-censorship and impunity. Senegal's drop of 20 points is the world's largest in the past five years, and also took place in the context of a fairly democratic political environment. Government support for media freedom and tolerance for critical or opposing viewpoints has declined considerably, and official rhetoric against members of the press has increased. More importantly, the incidence of both legal and extralegal forms of harassment—including physical attacks against journalists and the closure of media outlets—has risen sharply, leading to a much more restrictive environment for the press.
- **Governments with an authoritarian bent have moved to consolidate control over traditional media while also encroaching on the comparatively free environment of the internet.** The space for independent media in Russia has been steadily reduced 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 is brought firmly under the control of the state. Russian authorities are also moving to restrict internet freedom through manipulation of online content and legal actions against bloggers. In Venezuela, the government has increased its control over the broadcast

sector through the arbitrary application of licensing and other regulatory procedures, and it is increasingly threatening to extend such measures to new media. In both Ethiopia and The Gambia, independent outlets have faced growing pressure, journalists have been forced into exile, and internet-based news sites run by citizens living abroad have been censored.

- **A positive attitude on the part of governments or ruling parties has proven critical for gains in media freedom.** During 2009, this was primarily apparent in South Asia, the subregion that made the year's greatest gains. Newly elected and reform-minded governments in Bangladesh, Bhutan, and the Maldives have enacted positive constitutional or other legal changes that have improved protections for press freedom, and there have been fewer cases of legal or physical harassment. These governments have also allowed the establishment of independent print and broadcast outlets, increasing the diversity of voices available and improving access to news and information. The trend is also apparent in the countries that have shown the greatest numerical improvement over the past five years, with changes in government representing a key factor behind gains in countries such as Haiti, Liberia, and Nepal.
- **Threats to media freedom remain a concern even in stronger democracies.** While Israel regained its Free status in 2009, some curbs on media freedom, primarily concerning travel restrictions and military censorship, remain in place. In Italy, a country with a Partly Free ranking, conditions worsened as Prime Minister Silvio Berlusconi clashed with the press over coverage of his personal life, leading to lawsuits against both local and foreign news outlets as well as the censorship of critical content by the state-owned broadcaster. In a worrying development, two countries in southern Africa slipped into the Partly Free category. Namibia was tested during an election year, suffering from biased campaign coverage and an increase in negative official rhetoric and verbal threats against certain outlets. Official rhetoric against independent or critical voices has also increased in South Africa in recent years, as have legal threats to the print media and a lack of independence at the dominant state-run broadcaster, pushing the country into the Partly Free category.

Key Reasons for Declines

Despite some promising positive movements in 2009, the overall trend remained negative in terms of numerical declines. Behind this deterioration lie a number of themes that help to place the global findings in context:

- **Most governments appear unwilling to reform or eliminate the array of laws used to punish journalists and news outlets, and some have been applying them with greater determination.** Both governments and private individuals continue to restrict media freedom through the broad or disproportionate application 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 muzzle the independent media.

- **In countries experiencing political upheaval and conflict, media are caught in the crossfire and become a prime target for threats and restrictions.** In a variety of countries in 2009, press freedom suffered declines due to coups or other dramatic political changes. The largest numerical decline of the year took place in Fiji, where the abrogation of the constitution and the imposition of censorship by the government led to a slew of practical impairments. Similarly sharp declines took place in Madagascar, which moved to the Not Free category, as well as in Guinea, Niger, and Honduras.
- **Continuing impunity for past cases of murder and other crimes against journalists is encouraging new attacks, significantly hampering media freedom.** The level of violence and physical harassment directed at the press by both government and nonstate actors remains a key concern in a number of countries, contributing to many score declines. In conflict zones such as Iraq, Pakistan, and Somalia, the press is in constant danger. Other countries with high murder rates among journalists are Mexico, Russia, the Philippines, Afghanistan, and Sri Lanka. 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. Countries with high murder rates are not necessarily those with the world's most repressive media environments, but are generally places where private or independent voices do exist and some journalists are willing to pursue potentially dangerous stories. The attacks go unpunished due to a lack of political will coupled with weak rule of law and judicial institutions.
- **Because they provide a relatively open forum for the exchange of information in otherwise restrictive environments, the internet and other new media have become sites of contestation between citizens attempting to provide and access news and governments attempting to maintain control.** In most of the world, the internet is freer than traditional media, providing an essential conduit for the relatively unfettered flow of information and dissenting viewpoints. However, governments are employing traditional means of repression to restrict internet freedom, from lawsuits and direct censorship to content manipulation and the physical harassment of bloggers. Authorities in some countries, such as Kazakhstan, have drafted new legislation specifically to extend state control over internet-based content, while others have simply applied existing, broadly written laws. Bloggers and internet-based journalists now account for more cases of imprisonment than their counterparts in traditional media, according to research conducted by the Committee to Protect Journalists. In 2009, the Chinese government attempted to expand internet filtering by requiring the installation of its Green Dam software on all computers, a plan that was later partially retracted following a domestic and international outcry. More dramatically, Iranian authorities responded with remarkable aggression to citizens' attempts to disseminate information through new media following the postelection crackdown on traditional journalism.
- **The globalization of censorship represents a growing threat to freedoms of expression and the press.** Although there has been discussion of a legislative remedy

to the practice, libel tourism remains a serious problem in Britain. Foreign business magnates, princes, and other powerful individuals have increasingly turned to the British court system to quash critical research or commentary, a phenomenon that has had a global impact on investigative journalists and scholars. Meanwhile, Muslim-majority countries have banded together under the umbrella of the Organization of the Islamic Conference in a bid to restrict speech by inserting an antiblasphemy provision into an international human rights covenant. And China has issued threats against book fairs, film festivals, and other cultural and scholarly venues around the world if they plan to feature content that is interpreted as critical of Beijing's internal policies.

Worst of the Worst

The world's 10 worst-rated countries are Belarus, Burma, Cuba, Equatorial Guinea, Eritrea, Iran, Libya, North Korea, Turkmenistan, and Uzbekistan. 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, citizens' access to unbiased information is severely limited, and dissent is crushed through imprisonment, torture, and other forms of repression. Despite hope in recent years that the impact of the internet and other new media would lead to improvements in these countries, most of their scores remained stagnant. In one notable development, however, Iran replaced Zimbabwe in the worst-performing group. Zimbabwe's score improved slightly as the establishment of a new "government of national unity" led to small openings in media coverage and editorial bias, as well as less stringent application of harsh media laws, whereas Iran suffered a dramatic deterioration as both official and unofficial avenues for news and information sharing were severely curtailed following the flawed presidential election, and journalists were arrested, imprisoned, and tortured.

Regional Findings

Americas: 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 2009. 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 were no status changes during the year, but overall numerical declines outweighed gains. The average regional score worsened significantly compared with 2008, with the bulk of the decline occurring in the political category.

The only two countries in the region with a status of 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. In 2009, Venezuela's score declined by two points, to 75, to reflect increased violence against journalists, including the murder of Orel Sambrano, director of the political weekly *ABC de la Semana* and the radio station Radio America. In addition, regulators' use of the Law of Social Responsibility in Radio and Television to launch probes against television and radio stations forced over 30 of them to shut down, and the effort placed a special emphasis on outlets that were critical of the government. Media conditions also remained

worrying in **Colombia** and **Guatemala**, which suffered from high levels of intimidation and self-censorship.

Following declines in 2008, further significant slippage was seen in both Ecuador and Mexico in 2009. **Ecuador**'s score fell three points, to 47, due to increased government controls and threats to punish outlets for "irresponsible content." This reportedly led Ecuadorian journalists to practice more self-censorship on controversial topics. An even more worrying decline was noted in **Mexico**, due to a significant rise in violence against journalists and continued impunity for their attackers. Journalists were targeted by drug traffickers, state security forces, and local officials, and were accused of aiding drug traffickers if they addressed problems with the government's anticrime efforts in their reporting. Self-censorship has markedly increased, with negative implications for diversity of news coverage and independent reporting. A score of 60 for 2009 places Mexico on the cusp of the Not Free category, and represents a dramatic slide from 2004, when the country was placed at the top of the Partly Free category.

Press freedom in **Honduras** was severely tested in 2009 following the ouster of President Manuel Zelaya in June. In the aftermath of the coup, the de facto government imposed a news blackout and shut down several broadcast stations. Constitutional protections for press freedom were suspended, and journalists found it increasingly difficult to carry out their professional duties safely, facing threats, aggression, and intimidation by the supporters of both sides in the political standoff. After years of relative stability, the score for Honduras tumbled from 52 to 59 points, placing the country at the bottom edge of the Partly Free category. In addition, a smaller numerical decline was noted for **Nicaragua**, which slipped by two points, to 47, due to increased criticism of media outlets by the president and taxes levied on community radio stations in an effort to curtail their operations.

The only significant positive movement in the Americas during 2009 took place in **Haiti**, which made a four-point jump, to 49, due to expanded space for diverse and independent views, as well as fewer attacks on journalists and press freedom advocates.

The **United States** remains one of the better performers in the survey, but it faces several challenges, including the lack of protection-of-sources legislation at the federal level and a threat to diversity stemming from poor economic conditions for the news industry. In 2009, improvements in access to government information and sources were balanced by a negative trend of increased polarization regarding news content, leaving the country's score unchanged at 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, 13 (32.5 percent) rated Partly Free, and 12 (30 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 in the world, 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 equal shares of 47 percent live in Partly Free and Not Free media environments. However, the movement of Bangladesh to the Partly Free category in 2009 led to a four-point jump in the percentage of people living in Partly Free media environments. The

improvement in the overall level of press freedom in the Asia-Pacific region, in terms of the average regional score, was led by gains in the political category.

Asia includes the two worst-rated countries in the world, Burma and North Korea, as well as 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**, remained highly repressive in 2009. Authorities increased censorship and Communist Party propaganda in traditional and online media in the periods surrounding high-profile events, such as politically sensitive anniversaries and a visit by U.S. President Barack Obama. Dozens of detailed party directives curbed coverage related to public health, environmental accidents, deaths in police custody, and foreign policy. Journalists investigating corruption or environmental pollution faced a growing threat from physical attacks and politicized charges of bribery, while several activists were sentenced to long prison terms for their online writings. Nevertheless, journalists, bloggers, grassroots activists, and religious believers scored several victories as they continued to push the limits of permissible expression, including the exposure of corruption, the circulation of underground political publications, and the government's retraction of orders to install Green Dam monitoring and censorship software on all personal computers.

South Asia featured two of the year's six status changes, and both were positive despite the overall global downward trend. Following numerical improvements in 2008, **Bangladesh** moved from Not Free to Partly Free in 2009 as its score jumped to 56 from 63. The generally freer media environment, which followed the lifting of emergency regulations just prior to December 2008 elections that returned a civilian government to power, included some adherence to constitutional protections for press freedom, fewer instances of censorship, and a lower incidence of attacks and harassment. The country also benefited from a recent trend of diversification and growth in private television stations. Meanwhile, **Bhutan**'s score moved from 61 to 57, and its status improved from Not Free to Partly Free, to reflect increased media diversity, the expression of more critical opinions by both print and online outlets, and official attempts to uphold press freedom provisions in the 2008 constitution.

A significant numerical improvement, from 56 to 50, was noted in the **Maldives**, where the new, democratically elected government presided over the decriminalization of libel, efforts to increase official openness and access to government information, few instances of censorship, and fewer instances of physical attacks or harassment against journalists. Moreover, a new journalists' association was able to comment openly on media freedom issues and help protect reporters' interests. Also in 2009, **India**, the freest media environment in South Asia, improved by three points, to 33, due to reforms allowing foreign ownership of print publications as well as a decline in violent attacks against journalists, both in Kashmir and across the country.

Elsewhere in Asia, improvements were noted in **East Timor**, due to a lower level of violence against journalists and the passage of a new penal code that decriminalized defamation; **Indonesia**, due to a drop in physical attacks and harassment and less self-censorship by the media; **Papua New Guinea**, to reflect fewer instances of threats and intimidation, as well as greater media diversity following the establishment of the *Sunday Chronicle* and online news outlets; and **Mongolia**, due to a more stable situation following violence and media restrictions that surrounded the 2008 elections.

Declines were noted in a number of countries, though fewer than in previous years. **Afghanistan** suffered a two-point drop, to 76, due to official attempts to control coverage of the presidential election and President Hamid Karzai's stalling of a law that would restrict his control over the state-run media. **Sri Lanka**'s score declined two points, to 72, due to increased harassment of media freedom advocates and the flawed trial of journalist J.S. Tissainayagam, which resulted in a 20-year prison sentence. In **Nepal**, increasing attacks on both the means of production and media workers, and an increased level of impunity for the perpetrators, led to a two-point decline, to 59, in 2009.

More significant numerical declines were seen in Southeast Asia. The **Philippines** slid three more points, to a score of 48, to reflect a climate of increased impunity, problems with judicial independence in media-related cases, and increased attacks on journalists covering political events. In the year's worst single incident, 29 journalists were killed in a politically motivated ambush in the southern province of Maguindanao. Meanwhile, **Fiji** experienced the year's largest score decline, falling from 40 to 54 points due to the abrogation of the 1997 constitution; the imposition of blanket prepublication censorship for both print and broadcast media; and the systematic harassment of selected media outlets, particularly the *Fiji Times*, including legal cases, the deportation of editors, and a state advertising ban.

Central and Eastern Europe/Former Soviet Union: For the CEE/FSU region, 8 countries (28 percent) remained classified as Free, 11 (38 percent) were rated Partly Free, and 10 (34 percent) were rated 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 2009, the regionwide average score showed a modest decline, with an improvement in the political category partly offsetting a drop in the economic 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 two subregions reflect a similar divergence. All of the countries of Central Europe and the three Baltic states, which have managed to overcome the legacy of Soviet media culture and control, are assessed as Free. By contrast, 10 of the 12 non-Baltic former Soviet states are ranked as Not Free. Of the 196 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. Other countries of particular concern include Azerbaijan, Kazakhstan, and Russia.

Russia, which serves as a model and patron for a number of neighboring countries, continues to have an extremely challenging media environment, marked by the consistent inability of the pliant judiciary to protect journalists; increased self-censorship by journalists seeking to avoid harassment, closure of their 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 and other physical attacks is the norm. The state's 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.

In the region as a whole, the dominant theme in 2009 was stasis, with no status changes or large numerical shifts in either direction. The most movement occurred in the

Baltic states, largely due to the effects of the global economic crisis on media sustainability, editorial independence, and diversity of coverage. **Latvia**'s score declined from 23 to 26 points to reflect a drop in advertising revenues as well as the nontransparent sale of a major newspaper. Similar economic pressures affected **Lithuania**, but its score decline, from 18 to 21 points, was also driven by a December ban on information that promotes "sexual relations" in general, and nontraditional family structures in particular.

Smaller negative movements were seen in **Estonia**, whose score declined from 15 to 17 due to adverse economic conditions that affected media sustainability and diversity; **Hungary**, whose score moved from 21 to 23 due to problems involving the allocation and registration of radio frequencies; and **Croatia**, whose score fell from 38 to 40 due to the removal of and legal action against journalists covering war crimes, organized crime, and corruption. There was also less diversity due to rising concentration of private media ownership.

Improvements were noted in several countries, including **Bulgaria** and **Ukraine**, primarily due to fewer cases of physical attacks and harassment, as well as greater editorial and ownership diversity. Meanwhile, **Armenia** and **Moldova** both saw numerical gains as a result of reduced censorship and restrictions on news coverage. The score improvement for **Serbia** in 2009 reflected the fact that **Kosovo** was scored separately for the first time in this edition of the survey.

Middle East and North Africa: The Middle East and North Africa continued to have the world's poorest regional ratings in 2009, with a single country (5 percent) rated Free, 3 (16 percent) rated Partly Free, and 15 (79 percent) rated Not Free. The regional average score continued to worsen, led by declines in the legal category.

Although transnational satellite television and internet-based platforms for information dissemination have had a positive impact, media environments in the region are generally constrained by extremely harsh laws concerning libel and defamation, the insult of monarchs and public figures, and emergency rule. Of long-standing concern are **Libya**, **Syria**, **Saudi Arabia**, and **Yemen**, where journalists and bloggers faced serious repercussions for expressing independent views during the year. Journalists in the **Israeli-Occupied Territories/Palestinian Authority** faced pressure and threats from all sides, including from Israeli forces operating in some parts of the territories.

Two countries in the bottom tier declined further in 2009. **Tunisia**'s already bad score slipped by another three points, to 85, to reflect the new progovernment composition of the National Syndicate of Journalists board as well as an increase in harassment and attacks against journalists surrounding blatantly rigged elections. **Iran** registered the region's biggest decline of the year, falling four points to a score of 89, due to a significant spike in violence and restrictions following the disputed presidential election. This included the arrest of dozens of journalists and a crackdown on access for foreign reporters. Officials also blocked satellite transmissions, raided homes and removed satellite dishes, and restricted internet and mobile-telephone communication, which had become key conduits for news and information.

In the region's middle tier, smaller numerical declines were noted in **Algeria**, which moved from 62 to 64 to reflect a prohibition on election coverage and restrictions on foreign reporters; **Morocco**, which moved from 64 to 66 due to increased scrutiny of

journalists covering the royal family and the closure of two of the country's most lively newspapers; and the **United Arab Emirates**, which moved from 69 to 71 to reflect restrictions on coverage of the economic downturn and a new press law that incited fear and self-censorship among journalists.

On the positive side, **Israel**, which had been rated Partly Free in 2008 due to restrictions associated with the outbreak of war in the Gaza Strip, regained its previous Free status. It received a score improvement, from 31 to 29, to reflect the lifting of a blanket ban on Israeli reporters visiting Gaza, as well as generally vibrant coverage of political events by the Israeli press throughout 2009. **Iraq** made continued gains, rising two points to a score of 65 due to a reduction in deadly violence against journalists as well as relatively unbiased coverage of elections.

Sub-Saharan Africa: A total of 5 countries (10 percent) were rated Free, 19 (40 percent) were rated Partly Free, and 24 (50 percent) remained Not Free in sub-Saharan Africa. The regional average score declined more than in any other region in 2009, led by a drop in the political category and a smaller reduction in the legal category.

Press freedom conditions remain dire in **Equatorial Guinea** and **Eritrea**, where authoritarian governments use legal pressure, imprisonment, and other forms of harassment to sharply curtail the operations of independent media outlets. Both countries rank among the bottom 10 performers worldwide. However, **Zimbabwe** moved out of that group in 2009 thanks to a four-point score improvement, to 84. After the formation of a government of national unity—which included the opposition Movement for Democratic Change—in February 2009, state-run media offered a slightly greater diversity of viewpoints, members of the new government promised to reform media legislation and expand media freedom, foreign broadcasters were allowed back into the country, and the authorities made less use of the restrictive Public Order and Security Act and the Access to Information and Protection of Privacy Act to charge journalists. Nevertheless, the media landscape in Zimbabwe remained extremely repressive, with near-total government control over the broadcast sector, foot-dragging on attempts to open new outlets, and continued legal and physical harassment of independent journalists.

Kenya's score moved from 60 to 57 to reflect an improvement in the media environment compared with the violent postelection period in 2008, including fewer cases of official censorship. **Sudan** saw improvements due to the end of formal prepublication censorship as well as a decrease in violence and physical harassment of journalists. And conditions in **Mauritania** improved thanks to an increase in the use of the internet by bloggers and news outlets, which enhanced the diversity of available viewpoints, as well as the government efforts to provide media outlets with financial assistance and access to printing presses in light of the economic downturn.

However, gains in sub-Saharan Africa were far outweighed by declines, many of them in key countries. There were three status changes in the region, all of them negative. Namibia and South Africa both moved to Partly Free, leaving no Free countries in southern Africa for the first time since 1990. **Namibia** fell from 30 to 34 points to reflect negative rhetoric toward the press and biased coverage in favor of the ruling party surrounding the November general elections, as well as increased threats and harassment aimed at independent outlets and editors. In **South Africa**, press freedom has faced a

growing threat from hostile rhetoric by top government officials, as well as official encroachments on the editorial independence of the South African Broadcasting Corporation, which dominates the national broadcast sector. Also in 2009, the country's legislature passed the Film and Publications Act, which legitimizes some forms of prepublication censorship and creates a legal dichotomy between government-recognized publications and others.

A much sharper deterioration was seen in **Madagascar**, which dropped by 10 points, to 61, and entered the Not Free range. The media faced severe pressures during the year, as the government was overthrown and both of the main political factions routinely ignored constitutional protections for press freedom, using harassment, intimidation, and censorship to restrict media operations. Coverage became extremely partisan and polarized, and diversity of views receded.

Significant numerical declines took place in a number of other countries, with West Africa showing particular volatility. **Senegal**'s score dropped from 53 to 57 points to reflect an increase in the prosecution and jailing of journalists under the penal code and the imposition of harsher punishments for press offenses. In **Niger**, tight official control over the main regulatory body, coupled with the government's refusal to uphold press protections and an increase in arrests of and attacks against journalists, led to a decline from 64 to 68 points. Meanwhile, **Guinea**'s score dropped from 66 to 71 due to numerous violations of media freedom by the military government, including threats against journalists, kidnappings, and control over private media.

A range of other countries experienced smaller setbacks. Problems regarding the power of regulatory bodies to suspend outlets or fine journalists contributed to declines in **Benin** and **Botswana**. Similar issues were noted in **Togo**, where authorities imposed a four-day ban on call-in broadcast programs in April and passed a law in October that granted regulators the authority to seize equipment, suspend publications for six months, and withdraw press cards. Retaliation against journalists for reporting on political conflict and sensitive topics was a factor in the score decline for **Guinea-Bissau**, where media outlets were temporarily closed following a March 2009 coup attempt, and journalists faced an increase in arrests, threats, and torture for criticizing members of the military. In **Gabon**, journalists' attempts to cover the president's failing health led to instances of retaliation, and biased coverage of the summer presidential election and its disputed results also contributed to the score decline. Space for independent outlets shrank further in two very repressive media environments: authorities in **Ethiopia** intensified their harassment of journalists in the run-up to the 2010 elections, while in **The Gambia** official intolerance for dissent intensified, leaving the internet as the primary forum for expressing critical views.

Western Europe: Western Europe has consistently boasted the highest level of press freedom worldwide; in 2009, 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 small deteriorations in both the legal and political categories.

The region registered no status changes or significant numerical shifts in 2009, reflecting a well-entrenched tradition of media freedom in most countries. The **United Kingdom** continues to be a concern primarily due to its expansive libel laws, which in

the past several years have increasingly been used by both foreign and British litigants to stifle criticism from news outlets, book authors, and civil society groups within the country and abroad. **Italy** remained an outlier in the Partly Free category, registering a small score decline due to increased government attempts to interfere with editorial policy at state-run broadcast outlets. In **Turkey**, the continued use of restrictive press laws—particularly Article 301 of the penal code—to intimidate journalists and writers, and the campaign of harassment against the Dogan media group, raised concern during the year.

FREEDOM OF THE PRESS 2010

TABLE OF GLOBAL PRESS FREEDOM RANKINGS

Rank 2010	Country	Rating	Status
1	Finland	10	Free
	Iceland	10	Free
	Norway	10	Free
	Sweden	10	Free
5	Denmark	11	Free
6	Belgium	12	Free
	Luxembourg	12	Free
8	Andorra	13	Free
	Switzerland	13	Free
10	Liechtenstein	14	Free
11	Netherlands	14	Free
	New Zealand	14	Free
	Palau	14	Free
14	Ireland	15	Free
	St. Lucia	15	Free
16	Jamaica	16	Free
	Monaco	16	Free
	Portugal	16	Free
19	Estonia	17	Free
	Germany	17	Free
21	Marshall Islands	17	Free
	San Marino	17	Free
	St. Vincent and Grenadines	17	Free
24	Czech Republic	18	Free
	United States of America	18	Free
26	Barbados	19	Free
	Canada	19	Free
	Costa Rica	19	Free
	United Kingdom	19	Free
30	Bahamas	20	Free
	St. Kitts and Nevis	20	Free
32	Austria	21	Free
	Belize	21	Free
	Japan	21	Free
	Lithuania	21	Free
	Micronesia	21	Free

Rank 2010	Country	Rating	Status
37	Australia	22	Free
	Cyprus	22	Free
	Malta	22	Free
40	Dominica	23	Free
	France	23	Free
	Hungary	23	Free
43	Slovakia	23	Free
	Suriname	23	Free
	Trinidad and Tobago	23	Free
	Vanuatu	23	Free
47	Grenada	24	Free
	Papua New Guinea	24	Free
	Poland	24	Free
	Spain	24	Free
	Taiwan	24	Free
52	Mali	25	Free
	Slovenia	25	Free
	Uruguay	25	Free
55	Ghana	26	Free
	Latvia	26	Free
	Tuvalu	26	Free
58	Kiribati	27	Free
	Mauritius	27	Free
60	Cape Verde	28	Free
	Nauru	28	Free
	Sao Tome and Principe	28	Free
63	Greece	29	Free
	Israel	29	Free
	Samoa	29	Free
	Solomon Islands	29	Free
67	Chile	30	Free
	Guyana	30	Free
	South Korea	30	Free
70	South Africa	32	Partly Free
	Tonga	32	Partly Free
72	Benin	33	Partly Free
	Hong Kong	33	Partly Free
	India	33	Partly Free
	Italy	33	Partly Free

Rank 2010	Country	Rating	Status
76	Bulgaria	34	Partly Free
	Namibia	34	Partly Free
78	East Timor	35	Partly Free
	Serbia	35	Partly Free
80	Montenegro	37	Partly Free
81	Antigua and Barbuda	38	Partly Free
82	Botswana	39	Partly Free
	Dominican Republic	39	Partly Free
	Mongolia	39	Partly Free
85	Croatia	40	Partly Free
86	Burkina Faso	41	Partly Free
87	Mozambique	42	Partly Free
88	Bolivia	43	Partly Free
	Brazil	43	Partly Free
	El Salvador	43	Partly Free
	Romania	43	Partly Free
92	Panama	44	Partly Free
	Peru	44	Partly Free
94	Macedonia	46	Partly Free
95	Ecuador	47	Partly Free
	Nicaragua	47	Partly Free
97	Bosnia-Herzegovina	48	Partly Free
	Lesotho	48	Partly Free
	Philippines	48	Partly Free
100	Argentina	49	Partly Free
	Haiti	49	Partly Free
102	Albania	50	Partly Free
	Comoros	50	Partly Free
	Maldives	50	Partly Free
	Tanzania	50	Partly Free
106	Turkey	51	Partly Free
107	Indonesia	52	Partly Free
108	Kosovo	53	Partly Free
	Ukraine	53	Partly Free
110	Congo (Brazzaville)	54	Partly Free
	Fiji	54	Partly Free
	Guinea-Bissau	54	Partly Free
	Nigeria	54	Partly Free
	Uganda	54	Partly Free

Rank 2010	Country	Rating	Status
115	Kuwait	55	Partly Free
	Lebanon	55	Partly Free
	Sierra Leone	55	Partly Free
118	Bangladesh	56	Partly Free
	Malawi	56	Partly Free
	Mauritania	56	Partly Free
121	Bhutan	57	Partly Free
	Kenya	57	Partly Free
	Senegal	57	Partly Free
124	Seychelles	58	Partly Free
	Thailand	58	Partly Free
126	Georgia	59	Partly Free
	Honduras	59	Partly Free
	Nepal	59	Partly Free
	Paraguay	59	Partly Free
130	Colombia	60	Partly Free
	Egypt	60	Partly Free
	Guatemala	60	Partly Free
	Mexico	60	Partly Free
134	Cambodia	61	Not Free
	Central African Republic	61	Not Free
	Liberia	61	Not Free
	Madagascar	61	Not Free
	Pakistan	61	Not Free
139	Angola	62	Not Free
140	Jordan	63	Not Free
141	Algeria	64	Not Free
	Malaysia	64	Not Free
	Zambia	64	Not Free
144	Iraq	65	Not Free
	Moldova	65	Not Free
146	Armenia	66	Not Free
	Cameroon	66	Not Free
	Cote d'Ivoire	66	Not Free
	Morocco	66	Not Free
	Qatar	66	Not Free
151	Niger	68	Not Free
	Singapore	68	Not Free
153	Bahrain	71	Not Free

Rank 2010	Country	Rating	Status
	Gabon	71	Not Free
	Guinea	71	Not Free
	Oman	71	Not Free
	United Arab Emirates	71	Not Free
158	Sri Lanka	72	Not Free
159	Burundi	73	Not Free
	Djibouti	73	Not Free
	Kyrgyzstan	73	Not Free
162	Togo	74	Not Free
163	Brunei	75	Not Free
	Venezuela	75	Not Free
165	Afghanistan	76	Not Free
	Sudan	76	Not Free
	Swaziland	76	Not Free
168	Chad	77	Not Free
169	Ethiopia	78	Not Free
	Kazakhstan	78	Not Free
	Tajikistan	78	Not Free
172	Azerbaijan	79	Not Free
173	Yemen	80	Not Free
174	Congo (Kinshasa)	81	Not Free
175	Russia	81	Not Free
	The Gambia	81	Not Free
177	Vietnam	82	Not Free
178	Rwanda	83	Not Free
	Saudi Arabia	83	Not Free
	Syria	83	Not Free
181	China	84	Not Free
	IOT/PA*	84	Not Free
	Laos	84	Not Free
	Somalia	84	Not Free
	Zimbabwe	84	Not Free
186	Tunisia	85	Not Free
187	Iran	89	Not Free
188	Equatorial Guinea	90	Not Free
189	Belarus	92	Not Free
	Uzbekistan	92	Not Free
191	Cuba	93	Not Free
192	Eritrea	94	Not Free

Rank 2010	Country	Rating	Status
	Libya	94	Not Free
194	Burma	95	Not Free
	Turkmenistan	95	Not Free
196	North Korea	99	Not Free

*ISRAELI-OCCUPIED TERRITORIES/PALESTINIAN AUTHORITY

Status	Number	Percentage
Free	69	35%
Partly Free	64	33%
Not Free	63	32%
<i>TOTAL</i>	196	100%

AMERICAS

Rank 2010	Country	Rating	Status
1	St. Lucia	15	Free
2	Jamaica	16	Free
3	St. Vincent and Grenadines	17	Free
4	United States of America	18	Free
5	Barbados	19	Free
	Canada	19	Free
	Costa Rica	19	Free
8	Bahamas	20	Free
	St. Kitts and Nevis	20	Free
10	Belize	21	Free
11	Dominica	23	Free
	Suriname	23	Free
	Trinidad and Tobago	23	Free
14	Grenada	24	Free
15	Uruguay	25	Free
16	Chile	30	Free
	Guyana	30	Free
18	Antigua and Barbuda	38	Partly Free
19	Dominican Republic	39	Partly Free
20	Bolivia	43	Partly Free
	Brazil	43	Partly Free
	El Salvador	43	Partly Free
23	Panama	44	Partly Free
	Peru	44	Partly Free
25	Ecuador	47	Partly Free
	Nicaragua	47	Partly Free
27	Argentina	49	Partly Free
	Haiti	49	Partly Free
29	Honduras	59	Partly Free
	Paraguay	59	Partly Free
31	Colombia	60	Partly Free
	Guatemala	60	Partly Free
	Mexico	60	Partly Free
34	Venezuela	75	Not Free
35	Cuba	93	Not Free

Status	Number	Percentage
Free	17	48%
Partly Free	16	46%
Not Free	2	6%
<i>TOTAL</i>	35	100%

ASIA-PACIFIC

Rank 2010	Country	Rating	Status
1	New Zealand	14	Free
	Palau	14	Free
3	Marshall Islands	17	Free
4	Japan	21	Free
	Micronesia	21	Free
6	Australia	22	Free
7	Vanuatu	23	Free
8	Papua New Guinea	24	Free
	Taiwan	24	Free
10	Tuvalu	26	Free
11	Kiribati	27	Free
12	Nauru	28	Free
13	Samoa	29	Free
	Solomon Islands	29	Free
15	South Korea	30	Free
16	Tonga	32	Partly Free
17	Hong Kong	33	Partly Free
	India	33	Partly Free
19	East Timor	35	Partly Free
20	Mongolia	39	Partly Free
21	Philippines	48	Partly Free
22	Maldives	50	Partly Free
23	Indonesia	52	Partly Free
24	Fiji	54	Partly Free
25	Bangladesh	56	Partly Free
26	Bhutan	57	Partly Free
27	Thailand	58	Partly Free
	Nepal	59	Partly Free
29	Cambodia	61	Not Free
	Pakistan	61	Not Free
31	Malaysia	64	Not Free
32	Singapore	68	Not Free
33	Sri Lanka	72	Not Free
34	Brunei	75	Not Free
35	Afghanistan	76	Not Free
36	Vietnam	82	Not Free

Rank 2010	Country	Rating	Status
37	China	84	Not Free
	Laos	84	Not Free
39	Burma	95	Not Free
40	North Korea	99	Not Free

Status	Number	Percentage
Free	15	37.5%
Partly Free	13	32.5%
Not Free	12	30%
<i>TOTAL</i>	40	100%

CENTRAL AND EASTERN EUROPE / FORMER SOVIET UNION

Rank 2010	Country	Rating	Status
1	Estonia	17	Free
2	Czech Republic	18	Free
3	Lithuania	21	Free
4	Hungary	23	Free
	Slovakia	23	Free
6	Poland	24	Free
7	Slovenia	25	Free
8	Latvia	26	Free
9	Bulgaria	34	Partly Free
10	Serbia	35	Partly Free
11	Montenegro	37	Partly Free
12	Croatia	40	Partly Free
13	Romania	43	Partly Free
14	Macedonia	46	Partly Free
15	Bosnia-Herzegovina	48	Partly Free
16	Albania	50	Partly Free
17	Kosovo	53	Partly Free
	Ukraine	53	Partly Free
19	Georgia	59	Partly Free
20	Moldova	65	Not Free
21	Armenia	66	Not Free
22	Kyrgyzstan	73	Not Free
23	Kazakhstan	78	Not Free
	Tajikistan	78	Not Free
25	Azerbaijan	79	Not Free
26	Russia	81	Not Free
27	Belarus	92	Not Free
	Uzbekistan	92	Not Free
29	Turkmenistan	95	Not Free

Status	Number	Percentage
Free	8	28%
Partly Free	11	38%
Not Free	10	34%
TOTAL	29	100%

MIDDLE EAST AND NORTH AFRICA

Rank 2010	Country	Rating	Status
1	Israel	29	Free
2	Kuwait	55	Partly Free
	Lebanon	55	Partly Free
4	Egypt	60	Partly Free
5	Jordan	63	Not Free
6	Algeria	64	Not Free
7	Iraq	65	Not Free
8	Morocco	66	Not Free
	Qatar	66	Not Free
10	Bahrain	71	Not Free
	Oman	71	Not Free
	United Arab Emirates	71	Not Free
13	Yemen	80	Not Free
14	Saudi Arabia	83	Not Free
	Syria	83	Not Free
16	IOT/PA*	84	Not Free
17	Tunisia	85	Not Free
18	Iran	89	Not Free
19	Libya	94	Not Free

*ISRAELI-OCCUPIED TERRITORIES/PALESTINIAN AUTHORITY

Status	Number	Percentage
Free	1	5%
Partly Free	3	16%
Not Free	15	79%
TOTAL	19	100%

SUB-SAHARAN AFRICA

Rank 2010	Country	Rating	Status
1	Mali	25	Free
2	Ghana	26	Free
3	Mauritius	27	Free
4	Cape Verde	28	Free
	Sao Tome and Principe	28	Free
6	South Africa	32	Partly Free
7	Benin	33	Partly Free
8	Namibia	34	Partly Free
9	Botswana	39	Partly Free
10	Burkina Faso	41	Partly Free
11	Mozambique	42	Partly Free
12	Lesotho	48	Partly Free
13	Comoros	50	Partly Free
	Tanzania	50	Partly Free
15	Congo (Brazzaville)	54	Partly Free
	Guinea-Bissau	54	Partly Free
	Nigeria	54	Partly Free
	Uganda	54	Partly Free
19	Sierra Leone	55	Partly Free
20	Malawi	56	Partly Free
	Mauritania	56	Partly Free
22	Kenya	57	Partly Free
	Senegal	57	Partly Free
24	Seychelles	58	Partly Free
25	Central African Republic	61	Not Free
	Liberia	61	Not Free
	Madagascar	61	Not Free
28	Angola	62	Not Free
29	Zambia	64	Not Free
30	Cameroon	66	Not Free
	Cote d'Ivoire	66	Not Free
32	Niger	68	Not Free
33	Gabon	71	Not Free
	Guinea	71	Not Free
35	Burundi	73	Not Free
	Djibouti	73	Not Free

Rank 2010	Country	Rating	Status
37	Togo	74	Not Free
38	Sudan	76	Not Free
	Swaziland	76	Not Free
40	Chad	77	Not Free
41	Ethiopia	78	Not Free
42	Congo (Kinshasa)	81	Not Free
	The Gambia	81	Not Free
44	Rwanda	83	Not Free
45	Somalia	84	Not Free
	Zimbabwe	84	Not Free
47	Equatorial Guinea	90	Not Free
48	Eritrea	94	Not Free

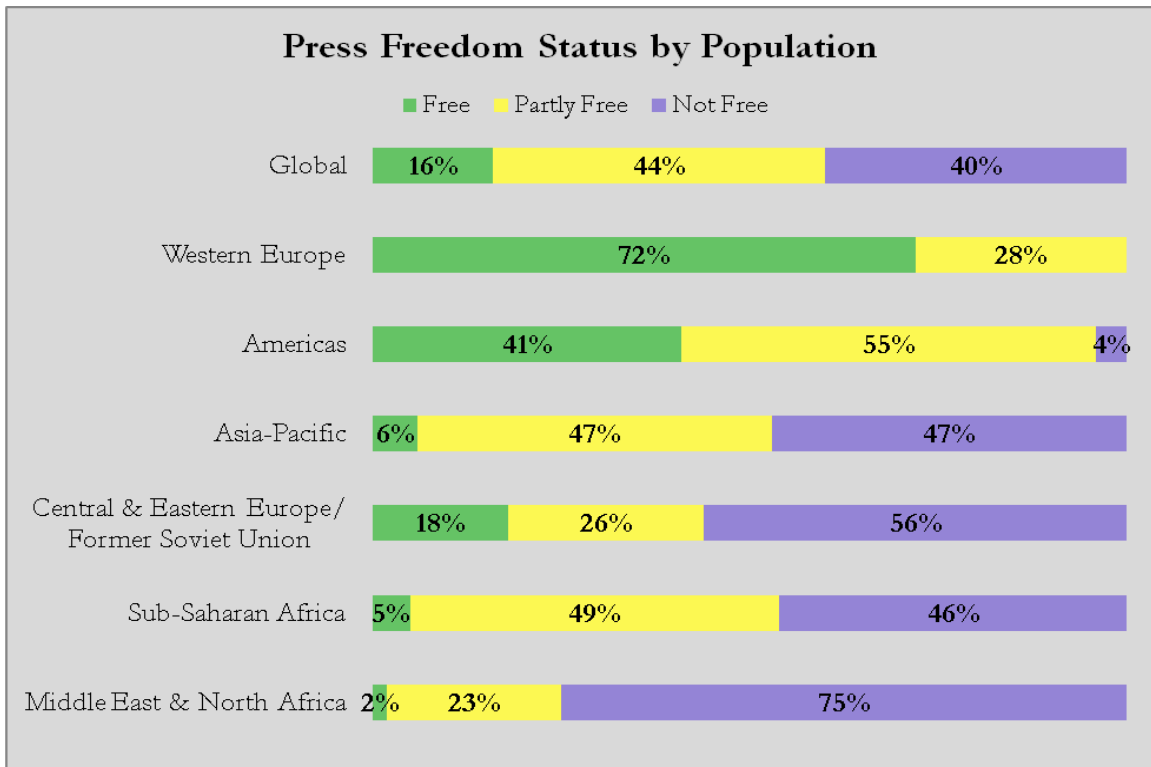
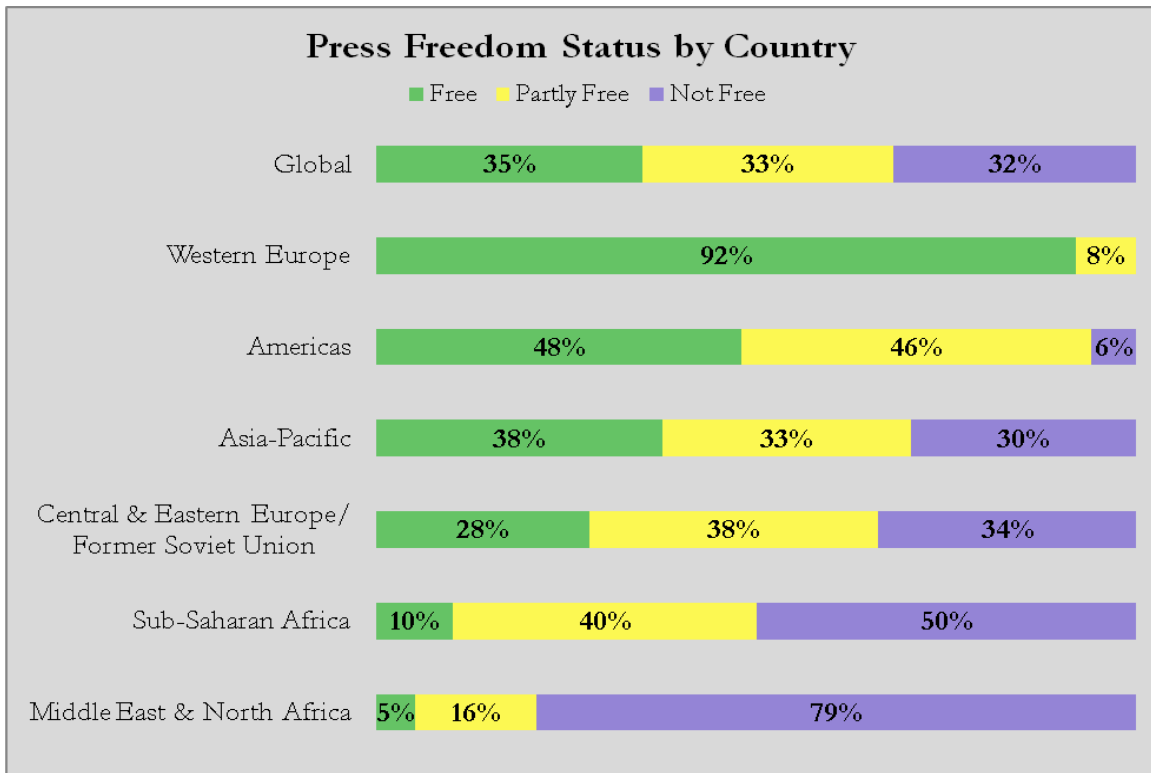
Status	Number	Percentage
Free	5	10%
Partly Free	19	40%
Not Free	24	50%
TOTAL	48	100%

WESTERN EUROPE

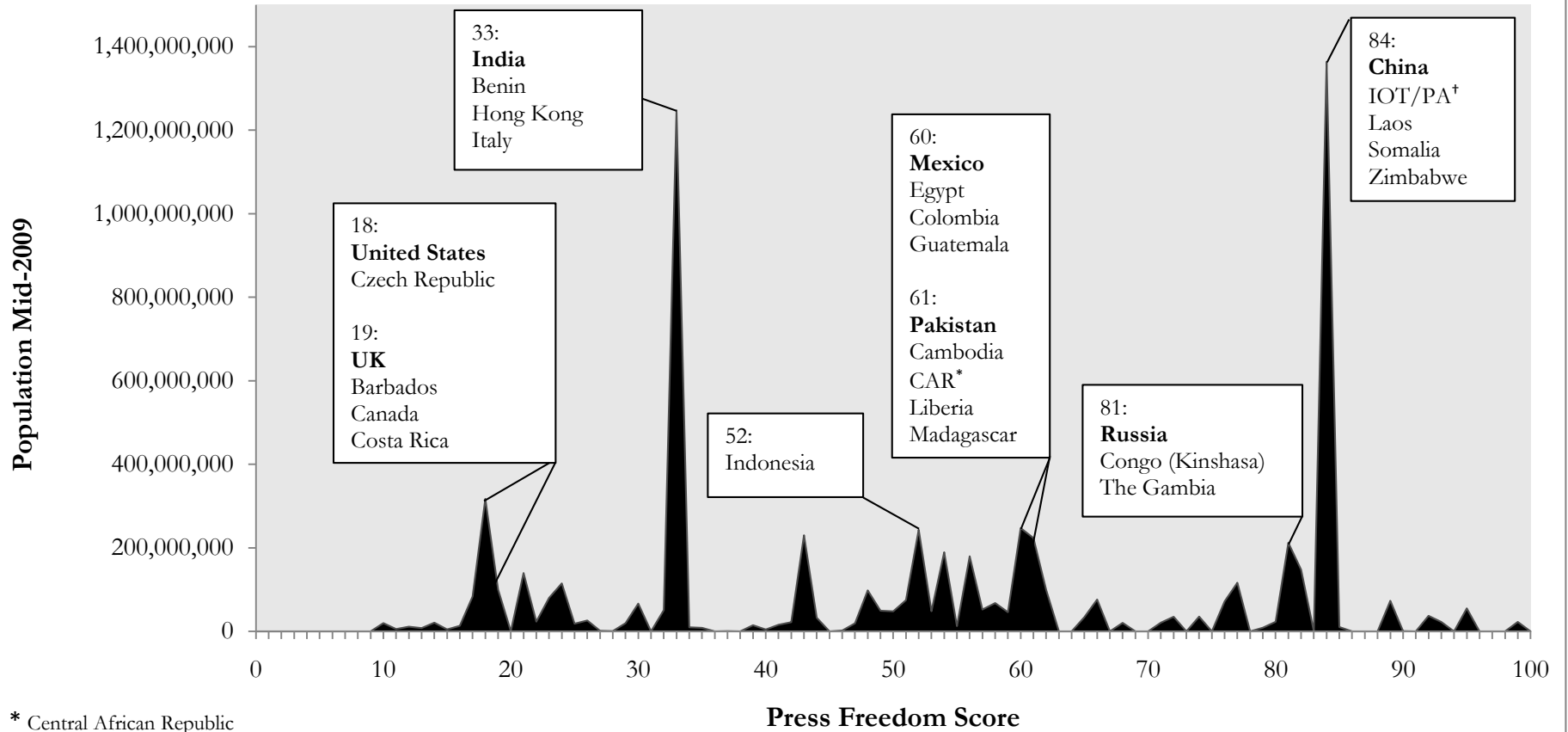
Rank 2010	Country	Rating	Status
1	Finland	10	Free
	Iceland	10	Free
	Norway	10	Free
	Sweden	10	Free
5	Denmark	11	Free
6	Belgium	12	Free
	Luxembourg	12	Free
8	Andorra	13	Free
	Switzerland	13	Free
10	Liechtenstein	14	Free
	Netherlands	14	Free
12	Ireland	15	Free
13	Monaco	16	Free
	Portugal	16	Free
15	Germany	17	Free
	San Marino	17	Free
17	United Kingdom	19	Free
18	Austria	21	Free
19	Cyprus	22	Free
	Malta	22	Free
21	France	23	Free
22	Spain	24	Free
23	Greece	29	Free
24	Italy	33	Partly Free
25	Turkey	51	Partly Free

Status	Number	Percentage
Free	23	92%
Partly Free	2	8%
Not Free	0	0%
TOTAL	25	100%

Freedom of the Press 2010



Press Freedom by Population



* Central African Republic

† Israeli-Occupied Territories/Palestinian Authority

Freedom of the Press 2010

Country Header Data and Narrative Reports/Bullets for Selected Countries

Afghanistan

Status: Not Free

Legal Environment: 22

Political Environment: 33

Economic Environment: 21

Total Score: 76

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	68,NF	69,NF	69,NF	71,NF	74,NF

- Article 34 of the constitution allows for freedom of the press and of expression, but Article 130 stipulates that courts and Islamic jurists can rule on a case “in a way that attains justice in the best manner.” Several journalists have been arrested under this arbitrary clause.
- 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, but President Hamid Karzai has delayed its implementation, since the law would limit the executive’s control over state-run media. Because of the delay, many journalists do not know which law is in effect, causing them to practice self-censorship.
- Media outlets are occasionally fined or warned for broadcasting “un-Islamic material,” resulting in self-censorship. In some cases during the year, journalists were arrested for such violations.
- Parvez Kambaksh was sentenced to death for blasphemy in January 2008 after he 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, and the Supreme Court upheld this sentence in February 2009. Karzai quietly pardoned Kambaksh in August 2009, allegedly due to international pressure, and he left the country shortly thereafter.
- The country’s Security Council closed an Afghan newspaper, *Payman Daily*, in February 2009, and the editor was briefly jailed in January, after the paper published an allegedly blasphemous article on prophecies and Islam that was taken from an Afghan website. The paper suggested that Karzai ordered its closure because it had frequently criticized the government.
- The government banned journalists, both Afghan and foreign, from reporting on violence surrounding the August presidential election for national security reasons. This decree led authorities to detain, arrest, or beat a number of journalists, at times destroying their equipment. Some journalists were held without charges for days.

- A growing number of journalists are threatened or harassed by government officials, police, or security services, especially in Kandahar province.
- The security situation remains threatening as insurgents increasingly target journalists, and abductions and murders are a particular concern. In March 2009, Jawad Ahmad, a local stringer for a Canadian network, was shot to death, possibly by the Taliban. Canadian journalist Michelle Lang was killed on December 30 when her vehicle was struck by a roadside bomb.
- After being held in captivity by the Taliban for seven months, *New York Times* reporter David Rohde and an Afghan colleague were able to escape in June. Two French television journalists were kidnapped on December 29.
- Stephen Farrell, a *New York Times* journalist, and his Afghan interpreter, Sultan Munadi, were kidnapped in September. Coalition forces freed Farrell in a raid, but Munadi was killed. It is unclear whether he was slain by the soldiers or his Taliban captors, and an investigation into his death has made little progress, prompting criticism from many journalists.
- According to *Media Watch*, a locally produced newsletter, there have been 85 cases of violence against journalists since March 2009, and little protection from the Ministry of Information and Culture.
- Registration requirements remain in place; authorities have granted more than 400 publication licenses, and over 60 radio channels and eight television stations are now broadcasting. However, many outlets are tied to important political or tribal leaders who exert considerable influence over content.
- Foreign governments, particularly that of Iran, as well as private citizens from Iran, Pakistan, and the Gulf states exert influence over media outlets through outright ownership, financial support, or bribes and intimidation.
- Private broadcast media, particularly those that are commercially viable, such as Tolo TV, exercise the greatest amount of independence in their reporting.
- International radio broadcasts in Dari or Pashto—such as those from the British Broadcasting Corporation, Voice of America, and Radio Free Europe/Radio Liberty—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 3.55 percent of the population had access to the internet in 2009. Because of high illiteracy levels in the country, broadcast media remain far more popular than print or online media.

Albania

Status: Partly Free

Legal Environment: 16

Political Environment: 16

Economic Environment: 18

Total Score: 50

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	51,PF	50,PF	50,PF	50,PF	50,PF

- The constitution guarantees freedom of the press, and the media are vigorous and fairly diverse. However, outlets often display a political bias, and reporting is influenced by the economic or political interests of media owners.
- Libel remains a criminal offense, punishable by fines and up to two years in prison, though there were no cases brought against journalists in 2009.
- The government of Prime Minister Sali Berisha has used administrative mechanisms to disrupt the operations of media outlets it perceives as hostile. In January, the Ministry of Interior carried out the eviction of the daily *Tema* from a state-owned building, ignoring a court order suspending the action. The paper had obtained a 20-year lease in 2007, but the government cited national security concerns, noting that a company hired to produce identity documents would be housed in the same office complex. *Tema*, which has investigated corruption by government officials, continued publishing from a new location during 2009. In September, the Ministry of Economy instructed the private television station Top Channel, which has a history of critical reporting, to vacate state-owned facilities that were being privatized.
- The Organization for Security and Cooperation in Europe (OSCE) reported that virtually all monitored outlets demonstrated an alignment with one political party or another during the campaign for the June 2009 parliamentary elections. All monitored television broadcasts favored the ruling Democratic Party or the opposition Socialist Party, and smaller parties were reportedly denied their legally guaranteed share of coverage. The election commission's Media Monitoring Board was also allegedly politicized.
- Journalists sometimes face intimidation and assaults in response to critical reporting. In February 2009, an editorial in the generally pro-Berisha private daily *Koha Jone* explicitly called for the murder of Mero Baze, the owner of *Tema* and host of a talk show on the independent television station Vision Plus. Separately, Baze was allegedly assaulted by businessman Rezart Taci and at least two of his bodyguards in November 2009. Through his media outlets, Baze had accused Taci of tax evasion and irregularities in his acquisition of a state-owned oil refinery. Taci, who had close ties to Berisha, was arrested along with the two bodyguards, and at year's end they were free on bail pending trial.
- Albanian Radio and Television, the public broadcaster, is financially dependent on the state and typically shows a strong progovernment bias. Three private television stations have national reach, and dozens of smaller television and radio outlets also operate in a poorly regulated environment. Albanians have access to foreign radio content and television broadcasts from neighboring Greece and Italy. There are a variety of daily and weekly newspapers, but circulation is low. Media outlets typically rely on financial support from owners and a few major advertisers, and self-censorship to suit their interests is common. Journalists are especially vulnerable to editorial pressure due to a lack of employment contracts and irregular pay.
- There were no government restrictions on the internet, which was accessed by 41.2 percent of the population in 2009. Penetration has been increasing in recent years, but access in rural areas remains limited.

Algeria

Status: Not Free

Legal Environment: 22

Political Environment: 25

Economic Environment: 17

Total Score: 64

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	64,NF	61,NF	62,NF	62,NF	62,NF

- The constitution guarantees freedom of expression. However, the 1992 state of emergency remained in effect throughout 2009, 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 hinder their ability to cover the news. A number of sentences for defamation were handed down during the year, involving both fines and prison time. For example, Nedjar Hadj Daoud, managing director of the news website *El-Waha*, was arrested in March 2009 in connection with a 2005 defamation case involving a municipal government employee. Hadj Daoud has been the target of more than 25 defamation lawsuits, and the weekly print version of *El-Waha* has been banned since 2006. In May, he was sentenced to six months in prison in connection with a separate 2006 case.
- State agencies regularly engaged in both direct and indirect censorship. Self-censorship also remained widespread, largely out of fear of defamation accusations or other forms of government retaliation.
- On March 7, *Afrique Magazine*, a Paris-based monthly, was confiscated due to an article titled “Algeria, the Twilight of the Generals” that allegedly violated “national values.” Issues of three French publications—*L’Express*, *Marianne*, and *Journal du Dimanche*—were banned on April 8, one day before the presidential election. *Sirry Lelghaya*, a licensed supplement of the newspaper *Al-Monaqsa*, was banned under the false claim that it was unlicensed. This ban was issued based on the 1990 Information Act and the penal code, both of which granted the judiciary the authority to ban and fine newspapers as well as prosecute staff and journalists.
- International media faced challenges entering the country to cover the April 9 elections. Reporters stated that they waited for months to get their visas issued. Journalists such as Florence Beauge from the French daily *Le Monde*, Sihem Bensedrine, a Tunisian journalist and human rights activist, and Yahya Bentahar, a Moroccan journalist from the weekly *Assahrae al-Ousbouiya*, were either denied entry or had significant difficulty obtaining a visa during the elections.
- Coverage of issues related to “national security and terrorism” by international media outlets continues to be restricted. Al-Jazeera’s Algeria office remains closed, though Agence France-Presse (AFP) and Reuters were reaccredited in February 2009 and were able to operate for the remainder of the year.
- 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.

- Television and radio, both of which are entirely state owned, broadcast biased information, displaying favoritism towards the president and generally refraining from coverage of dissenting views, such as a call to boycott the 2009 elections. Access to broadcast media for opposition political parties is generally limited except during election campaign periods. However, more than 60 percent of households have satellite dishes that provide access to alternate sources of information.
- The government has tremendous economic influence over print media, as most newspapers are printed on state-owned presses. In January 2008 the government placed six state-owned printing presses under the direct control of the Communications Ministry, threatening the editorial autonomy of half of Algeria’s privately owned newspapers. The state-owned advertising agency controls the placement of ads by state entities and companies, which form the largest source of income for most papers.
- About 13.5 percent of the population accessed the internet during 2009. While access is generally unrestricted, the government does monitor e-mail and internet chat rooms, and internet-service providers 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 of legal or physical harassment against bloggers or online journalists during 2009.

Andorra

Status: Free

Legal Environment: 1

Political Environment: 4

Economic Environment: 8

Total Score: 13

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	14,F	14,F	13,F	13,F	13,F

Angola

Status: Not Free

Legal Environment: 18

Political Environment: 23

Economic Environment: 21

Total Score: 62

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	66,NF	65,NF	62,NF	63,NF	61, NF

- Despite constitutional guarantees, freedom of the press is restricted in Angola.

- Defamation 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. In July 2009, journalist Eugenio Mateus of the weekly *O Pais* was sentenced to a suspended three-month jail term for alleged “abuse of the media,” according to the Media Institute of Southern Africa.
- Private media are often denied access to official information and events. Foreign journalists are generally able to operate with fewer government restrictions than their local counterparts, but are occasionally subject to some harassment. In December 2009, Benoit Faucon, a reporter for Dow Jones, was detained for several hours and questioned after photographing a new soccer stadium.
- There are some instances of official censorship and interference with editorial content. In 2008, the state-run Angola Public Television (TPA) suspended a leading anchorman without pay for four months after he publicly denounced censorship at the station, and three journalists for the state broadcaster Angola National Radio (RNA) were suspended indefinitely in October after questioning President Jose dos Santos’s ministerial choices.
- While less common than in previous years, arbitrary detention, harassment, and attacks on journalists continue to occur. In May 2009, William Tonet, editor of the private biweekly *Folha 8*, had his passport seized when he tried to travel to neighboring Namibia.
- Many journalists practice self-censorship to avoid reprisals, especially outside of Luanda, the capital. Conditions are particularly restrictive in the exclave of Cabinda.
- The government continues to dominate both print and broadcast media, controlling TPA, RNA, and the country’s only national daily, *Jornal de Angola*. In 2008, the implementation of a 2006 press law ended the state monopoly on television and partially opened the airwaves to independent radio broadcasts. TV Zimbo, the country’s first private television station, began broadcasting in late 2008. Although a number of privately owned radio stations operate, they are only allowed to broadcast within the province in which they are located. Independent print and broadcast media provide some diversity of views and criticism of the government, but they are largely limited to urban areas.
- Internet access is generally unrestricted and 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. Some reports indicate that the government may monitor chat rooms, websites, and e-mail.

Antigua and Barbuda

Status: Partly Free

Legal Environment: 10

Political Environment: 15

Economic Environment: 13

Total Score: 38

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	40,PF	38,PF	38,PF	39,PF	38,PF

Argentina

Status: Partly Free

Legal Environment: 13

Political Environment: 21

Economic Environment: 15

Total Score: 49

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	41,PF	45,PF	49,PF	47,PF	49,PF

Argentina took steps to diversify broadcast media ownership and decriminalize libel in 2009. However, the overall level of press freedom remained unchanged, as observers warned that the new media regulation regime unfairly targeted critics of the government. Freedom of speech and of the media is guaranteed under the constitution, but press freedom is occasionally restricted in practice. In 2009 the legislature approved a law to eliminate imprisonment as a punishment for libel and slander by journalists. The law brought Argentina into compliance with an agreement it had signed with the Inter-American Court of Human Rights 10 years earlier. In cases of “real malice,” journalists accused of slander could still face fines.

Other media regulations have proved politically divisive. In October, the legislature approved a controversial broadcast media law drafted by the government. It would break up monopolies, reduce the number of broadcast licenses one company can hold, and reserve a third of the television and radio spectrum for nonprofit organizations, labor unions, and other elements of civil society. The other two-thirds of the spectrum are to be divided between private companies and state broadcasters. In addition, the new law forces companies that own both broadcast networks and cable channels to choose only one type of holding, and sets quotas for locally produced music, films, and programs. The law was immediately challenged in court by Argentina’s largest media group, Grupo Clarin, and at year’s end it remained suspended due to several judicial injunctions. While some experts hailed the new law as a significant step toward the democratization of broadcasting and pluralistic access to information, others pointed to provisions that could be manipulated for political purposes, such as an article that creates a new broadcast regulatory body. The seven-member commission would have two members appointed by the president, three by Congress, and two by a federal council made up mostly of governors and some representatives of civil society. Critics argued that the regulator’s lack of autonomy could allow the government to control content and revoke broadcast licenses based on vague definitions in the legislation. By December 2009, several civil society groups had challenged four of the nominees to the regulatory body, all of whom were considered close government allies.

The Argentine Association of Journalistic Entities (AEPA) claimed that the new media law was an attempt to silence dissenting voices and break up Grupo Clarin, with which President Cristina Fernandez de Kirchner had sustained a bitter feud for over a year. The company operates a variety of broadcast and cable television channels, newspapers, magazines, a textbook publisher, broadband internet services, websites, and online portals. In September, 200 tax agents raided the offices of the newspaper *Clarín* after it ran a cover story alleging that the government improperly granted a farm subsidy. When the newspaper called the raid a government intimidation tactic, the tax agency claimed that it was a mistake and promised to fire the officials

responsible after an investigation. However, the government did not disclose the results of any investigation, and no officials were fired. In November, a teamsters' union led by government ally Hugo Moyano temporarily blocked the distribution of *Clarín* and other papers, demanding to organize the papers' truck drivers. AEPA complained that the move was politically motivated. A final episode in 2009 ended in a lawsuit by Grupo Clarín against Commerce Secretary Guillermo Moreno for alleged threats of a government takeover of Papel Prensa, which supplies paper to most of the country's print media. Currently, Papel Prensa's ownership is divided among Grupo Clarín (49 percent), *La Nación* (22 percent), and the government (27 percent).

Throughout the year, journalists and news organizations were targeted in several acts of violence. The Argentine Journalism Forum (FOPEA) counted 147 cases of aggression against journalists and threats to freedom of expression in 2009, including pressures imposed by advertisers, media owners, directors, and employees of public agencies. In an interactive map, FOPEA found that the 147 incidents included 52 cases of physical aggression, 19 attempts against private property and against the broadcast or publication of information, 15 cases of censorship, and 12 death threats. The most frequent perpetrators were public officials.

Argentina has a large private media sector, with more than 150 daily newspapers, hundreds of commercial radio stations, and dozens of television stations. The dominant television networks are privately owned. Many radio stations operate on temporary licenses pending regulatory reform. As in past years, the government was accused of manipulating the distribution of official advertising to limit free speech, 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, and this continued to be a tactic employed by the government in 2009. The problem has persisted 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." A February 2009 federal court ruling ordered the government to allocate advertising to the newspaper *Perfil* within 15 days and to refrain from "discriminatory behavior."

About 30 percent of Argentines use the internet, one of the highest usage rates in Latin America. While Argentina has sometimes censored search results to protect the privacy of celebrities, there were no new reports of government restrictions on the internet in 2009.

Armenia

Status: Not Free

Legal Environment: 21

Political Environment: 25

Economic Environment: 20

Total Score: 66

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	64,NF	64,NF	64,NF	66,NF	68,NF

The constitution protects freedom of the media, but in practice Armenia remains a difficult operating environment. Authorities continued to pressure and harass the media throughout 2009 in the wake of the controversial March 2008 presidential election. The government particularly sought to restrict independent and opposition media before the Yerevan mayoral election in May. Libel is a criminal offense, although no cases were brought against journalists during 2009. Access to public information is frequently curtailed.

In April, the parliament amended the broadcasting law, ostensibly aiming to improve the transparency of the process for awarding broadcast licenses. The revised legislation more effectively details the criteria on which the National Commission on Television and Radio (NCTR) is to base its licensing decisions. However, it failed to improve the independence of the Council on Public Radio and Television, which is composed entirely of presidential appointees. The NCTR is also dominated by the ruling party, and the politicization of the licensing process is evident in the continued suspension of the license for independent broadcaster A1+, which has been off the air since 2002. Despite repeated appeals and a 2008 ruling in the station's favor by the European Court of Human Rights, the suspension remained in place at year's end. A 2008 amendment to the Law on Television and Radio that placed a moratorium on the issuing of television licenses is set to remain in effect until July 2010.

In August, the parliament adopted new media accreditation rules that will further limit journalists' independence. The rules allow for suspensions of journalists whose reports "do not correspond with reality" or violate the "interests, honor, and dignity" of parliament members. The trial of Nikol Pashinyan, editor in chief of the daily *Haykakan Zhamanak*, was ongoing at year's end. He is accused of assaulting a police officer and inciting protests following the 2008 presidential election, which left 10 people dead. The editor, who is known for his critical reporting on the government, was arrested despite an amnesty pardoning all who were involved in the 2008 protests.

The media environment remains nearly as politicized as it was leading up the 2008 presidential election. In 2009, the government continued to stifle reporting on politically sensitive topics, including economic contraction, unemployment, and poverty. Throughout the year, journalists were prohibited from covering controversial trials and were frequently harassed while covering—or banned from attending—protests and opposition events. Violent attacks against journalists took place on several occasions. The authorities failed to properly investigate the attacks and at times suggested that the journalists were at fault. In April, the editor of the independent news website *Armenia Today* was beaten outside his home by unknown assailants. His colleagues said he was likely attacked due to his investigative journalism. The website has also been harassed by authorities and taken offline on several occasions. A freelance photographer was beaten while covering a protest rally in March, and a commentator for Shant TV was attacked in May, forcing him to cancel his show for two days. The period leading up to the May mayoral election in Yerevan was particularly difficult for the media; attacks and threats against journalists at polling stations were reported, as were confiscations of equipment. Arman Babadzhanian, editor of the opposition daily *Zhamanak Yerevan*, was released from prison in August following a public outcry over his untreated brain tumor. Babadzhanian had been sentenced to four years in prison in 2006 for forging documents to avoid military service, though his arrest and sentence have generally been viewed as punishment for an article criticizing the prosecutor's office.

Television is the country's dominant medium, and the government controls most of the broadcast media. The state-run Armenian Public Television and Armenian Public Radio are the

only stations with nationwide coverage. Many of the private television stations are owned by government-friendly business elites, and broadcasters engage in a high degree of self-censorship to avoid having their licenses revoked. Few private newspapers are able to support themselves financially or effectively distribute their editions outside major cities. Regional newspapers sometimes fail to reach the streets if authorities dislike the content. The media struggled financially in 2009, particularly independent and privately owned outlets that are not connected to powerful elites and do not benefit from formal and informal subsidies.

Less than seven percent of the population uses the internet due to poor service, high prices for access, and lack of infrastructure, which leads to extremely slow connection speeds. In recent years, bloggers have played an important role in providing political information, such as after the 2008 presidential elections. The government had restricted access to websites supporting the opposition in March 2008, but there were no reports of such restrictions in 2009, according to the U.S. State Department.

Australia

Status: Free

Legal Environment: 6

Political Environment: 9

Economic Environment: 7

Total Score: 22

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	18,F	19,F	21,F	21,F	22,F

Austria

Status: Free

Legal Environment: 8

Political Environment: 8

Economic Environment: 5

Total Score: 21

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	21,F	21,F	21,F	21,F	21,F

Azerbaijan

Status: Not Free

Legal Environment: 25

Political Environment: 32

Economic Environment: 22

Total Score: 79

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	72,NF	73,NF	75,NF	77,NF	78,NF

Media freedom in Azerbaijan continued to deteriorate as President Ilham Aliyev clamped down on the opposition, independent journalists, and civil society. Azerbaijan remained a leading jailer of journalists, and the authorities used the threat of arrest and imprisonment to censor the media. At year's end, six journalists remained in custody.

The government aggressively uses legislation to stifle media freedom. In March 2009, referendum voters approved constitutional changes that banned the audio recording, videotaping, or photographing of individuals without their consent. The law on mass media was also amended to allow the government to more easily and quickly close down media houses. The parliament considered but ultimately rejected a measure that would have allowed the government to disband media organizations convicted of publishing "biased articles" three times within two years. Azerbaijan adopted a Law on the Right to Obtain Information in 2005, but the authorities have failed to properly implement it; access to information is routinely blocked, requests for information are rarely granted, and there is little regard for the applicable procedures and deadlines.

Libel is a criminal offense. Journalists who criticize the government are frequently prosecuted and imprisoned, and the number of libel cases increased in 2009. In April, Asif Merzili, editor of *Tezadlar*, was sentenced to one year in prison on defamation charges, and his colleague Zumrud Mammadov was sentenced to six months of corrective labor, though their convictions were overturned by a higher court later that month. Nazim Guliyev of *Ideal* was convicted of defamation in May and sentenced to six months in prison. In October, three *Nota* staff members were convicted of defamation; editor in chief Sardar Alibeili and correspondent Faramaz Allahverdiyev were sentenced to several months in prison, while another employee, Ramiz Tagiyev, received a six-month suspended sentence. Also that month, chief editor Zahir Azamat of the sports website *Fanat.az* and a writer, Natig Mukhtarli, were sentenced to six months and one year of corrective labor, respectively, for insulting the local soccer club's president.

The authorities filed new charges against jailed journalist Eynulla Fatullayev in late December after they allegedly found heroin in his jacket. He had been imprisoned since 2007 for defamation, incitement of ethnic hatred, terrorism, and tax evasion, and the new charges came as the European Court of Human Rights considered Fatullayev's lawsuit accusing the government of unjust prosecution. Mushfig Huseynov of the opposition daily *Bizim Yol*, who began a five-year prison sentence for extortion in January 2008, also remained in custody at year's end. In August, Novruzali Mamedov, the editor of a small newspaper, died in prison two years into a 10-year term for treason. His family and colleagues said he had been suffering from a number of ailments, and that the authorities had failed to provide proper medical attention. The government does not meaningfully investigate attacks and threats against journalists, and several were attacked during the year. The period leading up to the March constitutional referendum, which also removed presidential term limits, was particularly difficult.

The political environment in Azerbaijan is oppressive and the media environment highly politicized. Journalists overwhelmingly practice self-censorship. Reporting on the Nakhchivan Autonomous Republic, an exclave separated from the rest of Azerbaijan by Armenian territory,

is nearly off-limits. Journalists who operate in Nakhchivan are harassed, and few outside the region comment on its political developments.

Television stations, largely controlled by the government or government-friendly elites, are the dominant source of news, and broadcast media almost exclusively promote the government line. Although the print media continue to express diverse views despite the repressive climate in which they operate, these views are highly politicized, as most print outlets are tied to either the ruling party or the opposition. In January, foreign services such as the British Broadcasting Corporation, Radio Free Europe/Radio Liberty, and Voice of America were forced off the local airwaves after the National Television and Radio Council barred domestic frequencies from carrying international transmissions. This significantly curtailed the news and information available to the public. Most print media are published in government-owned publishing houses, and the private printing presses are owned by individuals connected to the government. Independent and opposition newspapers struggle financially. State businesses are prohibited from buying advertising in opposition newspapers, and private businesses are pressured to do the same. Some libraries were barred from subscribing to opposition newspapers.

About 42 percent of the population uses the internet. The government does not legally restrict internet access, but internet providers must be licensed and have a formal agreement with the Ministry of Communication and Information Technologies. On occasion, the government has blocked access to websites. Two video bloggers, Emin Milli and Adnan Hajizade, were arrested for hooliganism in July 2009. Prior to their arrest, they had posted a series of videos and sketches criticizing government policies. In November, Milli was sentenced to two and a half years and Hajizade to two years in prison.

Bahamas

Status: Free

Legal Environment: 3

Political Environment: 10

Economic Environment: 7

Total Score: 20

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	14,F	16,F	17,F	20,F	20,F

Bahrain

Status: Not Free

Legal Environment: 24

Political Environment: 27

Economic Environment: 20

Total Score: 71

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	71,NF	72,NF	71,NF	71,NF	71,NF

- Despite constitutional protections guaranteeing freedom of expression and of the press, the government continued to restrict the rights of the media.
- Bahrain's 2002 Press Law outlines a range of offenses that can result in up to five years' imprisonment, such as publishing material that criticizes Islam or the king, inciting actions that undermine state security, or advocating a change in government. Other offenses include publishing articles that might affect the dinar's value, negative press regarding a head of state who maintains diplomatic relations with Bahrain, and offensive remarks about representatives of foreign countries regarding acts in connection with their positions. There is no law guaranteeing freedom of information.
- In April 2009, the Constitutional Court struck down a portion of the press law that held publishers responsible for the content of the items they publish.
- The government continues to exert pressure on journalists who write controversial articles. In September 2009, *Al-Wasat* reporter Maryam al-Shrooqi was convicted on insult charges for a 2008 article alleging religious discrimination in government hiring practices. After publishing a series of articles in February detailing the legal bias against women in family courts, *Al-Waqt* columnist Lamees Dhaif was charged with insulting the judiciary and summoned before the court. The charges were suspended at year's end.
- Government censorship is widespread. The Ministry of Culture and Information (MOCI) 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. The MOCI temporarily banned the Arabic daily *Akhbar al-Khaleej* and shut down its website without a court order in June 2009 after the paper published an article criticizing Iranian president Mahmoud Ahmadinejad and the Iranian leadership's response to mass protests that followed the disputed presidential election that month.
- Self-censorship is common, stemming largely from a fear of legal battles over slander or false reporting. In December, employees of the newspaper *Al-Bilaad* were instructed to cease criticism of specific government bodies and any projects governed by the king or crown prince.
- Print media in Bahrain are all privately owned. Some of the six daily newspapers—four in Arabic and two in English—are critical of the government. While there are no state-owned papers, the MOCI maintains significant control over the private publications. Journalist Ali Saleh was suspended from *Al-Bilaad* by the royal court in November 2009 after he wrote an article calling for democratic reform.
- The government maintains a monopoly on all broadcast media, and private operating licenses are not awarded despite continued interest from media owners. Broadcast news coverage is not independent of the state, and coverage of the opposition on official programming is less than proportionate. However, there has been some room for free expression on television call-in shows. Radio and television broadcasts are generally received without interference, and approximately 99 percent of households have access to satellite stations. Al-Jazeera and Al-Arabiya, based in Qatar and the United Arab Emirates, respectively, remain Bahraini citizens' main sources of news.
- Some 82 percent of Bahrain's population had regular access to the internet in 2009, and unlike in previous years, e-mail use was reportedly not monitored. However, there is concern over the government's growing restrictions on and interference with the internet. All websites are required to register with the MOCI, and religious and political content is heavily

censored. Website administrators are responsible for all content posted on their websites and are subject to the same libel laws as print journalists. Online news sources are generally viewed as unreliable and highly politicized. Over 1,000 websites were filtered in 2009 under the official guise of protecting citizens from pornography and other offensive material. However, the OpenNet Initiative found that many of the censored sites were actually political blogs and online news sources.

Bangladesh

Status: Partly Free

Legal Environment: 18

Political Environment: 22

Economic Environment: 16

Total Score: 56

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	68,NF	68,NF	66,NF	68,NF	63,NF

Status change explanation: Bangladesh improved from Not Free to Partly Free due to a significant opening of the general political environment and media space following the December 2008 elections, which returned a civilian government to power. State of emergency restrictions were lifted, directives regarding content were loosened, and media outlets reported more freely during 2009.

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. The Emergency Powers Rules imposed after the military takeover in January 2007 were lifted in December 2008 ahead of national elections held at the end of that year. They had restricted coverage of sensitive topics, allowed censorship of print and broadcast outlets, criminalized “provocative” criticism of the government, and stipulated penalties including hefty fines and up to five years in prison for violations. However, journalists can still be charged with contempt of court or defamation or be arrested under the 1974 Special Powers Act—which allows detentions of up to 90 days without trial—for stories that are critical of government officials or policies. In an encouraging step, draft amendments to the criminal code approved by the cabinet in December 2009 would outlaw the arrest of editors, publishers, journalists, or writers in connection with cases of defamation filed against them. Meanwhile, arrests stemming from defamation cases continued to occur in 2009.

In a positive development, Mohammad Atiqullah Khan Masud, editor of the national daily *Janakantha*, was released in January 2009 after being arrested in March 2007 and facing considerable jail time for fraud and other charges. Journalist and writer Salah Uddin Shoaib Choudhury, who was first arrested in 2003 and still faces sedition, treason, and blasphemy charges, has been allowed to travel while his case is pending.

Parliament in March 2009 replaced the Right to Information (RTI) Ordinance promulgated by the previous government with a similar RTI Act, which took effect in July. The law, intended to improve transparency, applies to all information held by public bodies,

simplifies the fees required to access information, overrides existing secrecy legislation, and grants greater independence to the Information Commission tasked with overseeing and promoting the law, according to the press freedom group Article 19. Although a three-member Information Commission was appointed in July, advocacy groups noted ongoing concerns that the broadly worded provisions of the law would lead to inadequate implementation. A draft Broadcasting Act, which would allow nonprofit entities to operate radio and television stations, remains under discussion.

The European Union Election Observation Mission noted that media coverage during the December 2008 election period was reasonably equitable and free, with “no reported instances of intimidation or violence against journalists.” However, in January 2009, a group of journalists was reportedly blocked from entering Parliament to cover the proceedings of two special committees, despite having produced the relevant credentials. The print media were generally allowed more leeway than broadcasters and new media, particularly private television channels that provide 24-hour news coverage. In December 2009, authorities reportedly drafted guidelines for media houses regarding television talk shows, noting that “provocative statements” could lead to the banning of a show. Military intelligence and public relations officials monitor media content, and while they no longer issued regular guidance to media outlets regarding content in 2009, they did occasionally caution specific journalists on coverage of particular stories or topics. A number of journalists reported receiving threatening telephone calls and other forms of intimidation from intelligence agencies, and some practiced self-censorship when covering sensitive topics.

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. However, the overall level of violence has declined, and according to figures compiled by the Committee to Protect Journalists, no journalists have been killed since 2005. Local rights group Odhikar noted a number of instances of attacks or other intimidation by political party activists against members of the media in its 2009 human rights report. In February, journalist Farid Alam received death threats from the banned Jamaat-ul Mujahideen Bangladesh (JMB) militant group after the publication of his book on Islamist militancy; he fled the country in response. A newspaper employee was shot by unidentified gunmen in Savar in September. Impunity for those who perpetrate crimes against journalists remains the norm, with at least 16 murders since 1998 remaining unpunished, according to the International Press Institute. Investigations of such crimes generally proceed slowly, if at all.

A primary threat to journalists’ physical safety comes from security forces, including the police and military intelligence. Police brutality toward reporters or photographers attempting to document political protests or other sensitive events remains a concern. On a number of occasions in 2009, journalists were detained, threatened, or otherwise harassed by the authorities. A particularly severe case of arbitrary arrest and custodial torture occurred in October, when reporter F. M. Masum of *New Age* was arrested and tortured by a unit of the Rapid Action Battalion (RAB) in Dhaka, apparently in reprisal for the paper’s coverage of RAB atrocities. The authorities established a commission to investigate the incident and disciplined one of the officers responsible.

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 some pressure in 2009. Private broadcasting has expanded in recent years, with 10 satellite television

stations and three radio stations now operating. The state owns or influences several broadcast media outlets, including the public BTV, which remained the sole national terrestrial channel. Private outlets are required to air selected government-produced news segments and official speeches. With the Ministry of Information’s adoption of the “Community Radio Installation, Broadcasting, and Operation Policy 2008,” the framework for licensing community radio stations has been established, although no licenses had been issued by year’s end. Political considerations influence the distribution of government advertising revenue and subsidized newsprint, on which many publications depend.

Access to the internet, although generally unrestricted, was limited to less than 1 percent of the population in 2009. 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. In March, authorities temporarily blocked access within Bangladesh to a number of websites, including the video-sharing site YouTube, citing national security concerns in the wake of an attempted mutiny by security forces. After a public outcry, the ban was lifted within two weeks.

Barbados

Status: Free

Legal Environment: 3

Political Environment: 10

Economic Environment: 6

Total Score: 19

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	17,F	17,F	17,F	19,F	19,F

Belarus

Status: Not Free

Legal Environment: 29

Political Environment: 35

Economic Environment: 28

Total Score: 92

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	86,NF	88,NF	89,NF	91,NF	91,NF

Belarus’s level of press freedom remained extremely restricted in 2009. The global economic crisis and deteriorating relations with neighboring Russia forced President Alyaksandr Lukashenka to briefly reach out to the European Union, suggesting that he might implement domestic reforms in exchange for increased trade and visa privileges. By April, however, he made it clear that his country had “had enough” political liberalization, and the government continued suppressing the few remaining independent media outlets.

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. A draconian new media law approved in 2008 took effect in February 2009, forcing all media to register with the Information Ministry. This made it easier for the government to deny required accreditation and to shutter outlets for coverage that does not “correspond to reality” or “threatens the interests of the state.” In March, the Foreign Ministry revoked the accreditation of reporter Andrzej Poczobut of the Polish newspaper *Gazeta Wyborcza* on the grounds that his articles were “biased and insulting to the Belarusian president,” according to the Committee to Protect Journalists. Also in the spring, the Information Ministry used the new registration provisions to deny five Russian television channels—Channel One, RTR Planeta, NTV Mir, Ren TV, and TVCi—permission to broadcast on domestic cable television, the Moscow-based Center for Journalism in Extreme Situations (CJES) reported. In July, the Foreign Ministry denied registration to the Poland-based Belsat TV, claiming that one document was missing in the submitted package. In the fall, at least five prominent opposition publications, among them *Mahilyouski Chas*, *Novaya Gazeta Bobruiska*, and *Marinahorskaya Hazeta*, were denied registration on extralegal grounds, such as the outlet’s location at a private address or the editor’s lack of a university education.

The government subjected both independent and foreign media to systematic political intimidation, especially for reporting on the deteriorating economy and human rights abuses. In February 2009, Poczobut reported that the door of his apartment in Hrodna was damaged and his eight-year-old daughter received anonymous calls on her mobile telephone. He said the harassment was likely being committed by the authorities in retaliation for his journalistic activities. In April, the KGB security service in Hrodna threatened journalists Ivan Roman and Viktor Parfenenko of the Polish Radio Ratsiya with the criminal charge of “discrediting the Republic of Belarus” for reporting about the economic situation in the country, according to CJES. In September, the special police in Minsk attacked reporters from the Associated Press, Reuters, Agence France-Presse, Radio Free Europe/Radio Liberty, and the website Charter 97, as well as the independent newspapers *Nasha Niva* and *Belgazeta*, to prevent them from covering the violent dispersal of a peaceful opposition rally, the British Broadcasting Corporation reported. Throughout the year, journalists were harassed and detained for reporting on unauthorized demonstrations or working with unregistered media outlets. In April, reporter Tamara Tschepetkina of Radio Ratsiya was detained by the police for covering the anniversary of the 1986 accident at the Chernobyl nuclear plant in neighboring Ukraine. Most local independent outlets regularly practice self-censorship.

The state maintains a virtual monopoly on domestic broadcast media, which consistently glorify Lukashenka and vilify the opposition. Only state media broadcast nationwide, and the content of smaller television and radio stations is tightly restricted. Tax exemptions for state media give them a considerable advantage over private outlets. In the print sector, the government has banned most independent and opposition newspapers from being distributed by the state-owned postal and kiosk systems, from being printed by the state printer, and from any access to state advertising contracts or media subsidies. According to CJES, Information Ministry official Nina Gavrilova said in October that increasing the number of publications would not be good for the state. Independent papers are forced to sell directly from their newsrooms and use volunteers to deliver copies, but regional authorities sometimes harass and arrest the private distributors. For example, in July, police detained activists of the opposition

Communist Party in the southeastern city of Homel who were distributing the newspaper *Tovarishch*, which contained articles about the poor state of the economy. In November, the opposition activist Boris Khamaida was detained by the police in Viciebsk for distributing copies of the newspaper *Nasha Niva*.

Although internet access continued to grow, reaching about 46 percent in 2009, the government restricted and monitored internet use. The media law that was approved in 2008 and took effect in February 2009 requires domestic and international websites to register with the Information Ministry or be blocked. This has forced many independent print publications to switch to foreign domain names based in neighboring countries. The state-owned telecommunications company Beltelekom already controls all internet access and blocks some critical websites, while the KGB reportedly monitors internet communications. Charter 97 was hacked throughout the year, which interrupted access to its content, according to CJES. In August, the Prosecutor General's Office announced its intention to toughen criminal penalties for the dissemination of slanderous information through the internet. 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

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	11,F	11,F	11,F	11,F	12,F

Belize

Status: Free

Legal Environment: 8

Political Environment: 8

Economic Environment: 5

Total Score: 21

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	20,F	21,F	21,F	22,F	21,F

Benin

Status: Partly Free

Legal Environment: 11
Political Environment: 12
Economic Environment: 10
Total Score: 33

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	30,F	30,F	30,F	31,F	31,F

Bhutan

Status: Partly Free
Legal Environment: 18
Political Environment: 20
Economic Environment: 19
Total Score: 57

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	66,NF	65,NF	62,NF	61,NF	61,NF

Bolivia

Status: Partly Free
Legal Environment: 11
Political Environment: 20
Economic Environment: 12
Total Score: 43

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	35,PF	33,PF	37,PF	39,PF	42,PF

Press freedom deteriorated in 2009 due to increased political polarization of the news media, as intimidation and attacks affected journalists across the political spectrum. Bolivia's new constitution, adopted in February, protects freedom of expression with some potential for limitations. While Article 21 lays out an expansive right to communicate freely, Article 107 imposes a duty to communicate with "truth and responsibility." Article 107 also creates the opportunity for content-based restrictions by stipulating that the media must contribute to the promotion of the ethical, moral, and civic values of the nation's multiple cultures. Concern was raised regarding the National Press Association's Ethics Court, established in October, because two of the five members are former chief justices, not journalists. Observers also expressed doubts about the fairness of frequency allocations for broadcast media and the right to access public information. A freedom of information bill was pending in the legislature at year's end.

The political environment is characterized by intolerance between government supporters and opponents. In the midst of increased violence and polarization, politicians and news media

owners are often called on to act responsibly, with limited success. There is an ongoing “media war” between state-owned and privately owned outlets, and journalists on both sides have fallen victim to violence.

An international tally counted 111 physical and verbal assaults on journalists in Bolivia in the second half of 2009, and the majority of the attacks targeted reporters affiliated with nongovernmental media. A total of 32 outlets were attacked in the same period. In one case, the daily *La Razon* decided not to publish an article because of physical and legal threats, and in a different episode one of the paper’s journalists was threatened with rape by a person described as the head of La Paz’s Popular Civic Committee. The perpetrator, Adolfo Cerrudo, was sentenced to house arrest in November, making the case one of the few to be resolved. In March, President Evo Morales sued a leading newspaper, *La Prensa*, for publishing a story linking him to a smuggling operation. On April 12, an anonymous caller threatened to kill *La Prensa* editor Raphael Ramirez if he refused to stop publishing “lies.” Twenty-four hours later, Carlos Morales, the paper’s director, also received a death threat via telephone; he was warned against publishing any further reports on a corruption scandal involving high-ranking officials. Also that day, news director Andres Rojas of El Alto’s Canal de Television Virgen de Copacabana decided to quit his job after receiving threats against himself and his family. In July, cameraman Marcelo Lobo of La Paz–based television network Gigavision was seriously injured in a beating outside the station that was caught on security cameras. Lobo covered crime and had recently worked on stories of state corruption and antigovernment protests in the city of Santa Cruz. Another cameraman and a journalist working for the UNITEL television network were arrested and beaten by police officers while reporting on an arrest in Santa Cruz in September, according to Human Rights Watch. In November, two reporters for the PAT television network were also assaulted by police, and their driver was shot in the leg, while they were reporting on the abduction of a minor in Santa Cruz.

Impunity has grown as threats and attacks occur with increasing regularity. Inquiries into past cases of murder—such as those of freelancer Juan Carlos Encinas in 2001 and Radio Municipal journalist Carlos Quispe Quispe in 2008—have not progressed despite pressure from the Inter-American Commission on Human Rights.

Journalists have also been accused of fomenting hatred. In October, authorities arrested Jorge Melgar Quete of the Canal 18 television station after he apparently disparaged the indigenous origins of many Bolivians and of the country’s president. Similar concerns revolved around Luis Arturo Mendivil’s program *Nuestra Palabra* on Radio Oriental in Santa Cruz. Mendivil repeatedly glorified the Union Juvenil Crucenista, an extreme-right youth organization in Santa Cruz that is associated with physical attacks on Morales supporters and state-owned media outlets, primarily Canal 7 television and the Red Patria Nueva radio network. Prefects in departments seeking autonomy (Santa Cruz, Chuquisaca, Tarija, and Beni) have been criticized for failing to reject the use of the media to incite hate or violence on their behalf, and for not condemning physical attacks on journalists they dislike. Meanwhile, the president and his allies continued their diatribes against the opposition press, questioning its dignity and professionalism whenever it criticizes state performance.

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-run channels and the conversion of all public media into a “proselytizing force” for the president. The television sector and Bolivia’s eight national and numerous local newspapers are for the most part privately owned. However,

newspaper readership is limited due to low literacy rates, and radio is often the principal news medium, with community radio stations playing a major role. The government news agency, Agencia Boliviana de Informacion, currently provides free news service via the internet to both public and private channels nationwide. About 11 percent of the population has access to the internet. Broadband internet connections are even more exclusive, reaching only 34,000 subscribers as of January 2009.

Bosnia and Herzegovina

Status: Partly Free

Legal Environment: 9

Political Environment: 23

Economic Environment: 16

Total Score: 48

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	45,PF	45,PF	45,PF	45,PF	47,PF

- 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. Political leaders put pressure on the media, and ethnic divisions pose an obstacle to the free flow of information. Domestic and foreign investment in the media is insufficient.
- Media outlets and journalists occasionally face lawsuits in response to their coverage. For example, the prime minister of Republika Srpska sued the BETA news agency and a journalist, Ljiljana Kovacevic, for reporting on his alleged criminal activity in relation to construction contracts.
- There are public broadcasters for each of the country's two constituent entities—the Federation of BiH, with a mostly Bosniak and Croat population, and Republika Srpska, largely populated by Serbs—and for the country as a whole, a complex and costly arrangement. Political pressure on the central broadcaster, BHRT, prevents journalists and media executives from carrying out their work independently. On December 30, Mehmed Agovic, general director of BHRT, resigned under political pressure, according to the South East Europe Media Organisation (SEEMO). This followed his resignation and reinstatement by court order more than a year earlier.
- An independent Communications Regulatory Agency licenses and monitors broadcast media. The Press Council, a self-regulatory body for print outlets, responds to alleged violations of the Press Code.
- According to the Ministry of Security, there was a 40 percent increase in verbal and physical attacks against journalists during the first nine months of 2009. Other sources reported six death threats and four physical attacks against journalists during the year. In one incident in March, Slobodan Vaskovic, an investigative journalist with a news program broadcast in the Federation, was physically and verbally assaulted in Republika Srpska while filming a story exploring links between the Orthodox Church and local politicians. In other incidents, the investigative journalist Bakir Hedziomerovic, editor in chief of the program *60 Minutes*, and

another journalist, Avdo Avdic, received death threats linked to their reporting on organized crime. Both were placed under police supervision.

- According to the U.S. State Department, some journalists based in Republika Srpska alleged that they were the targets of government surveillance, wiretaps, and pressure from tax authorities and lenders.
- In addition to the three state- and entity-wide public broadcasting systems, there are a total of 183 electronic media outlets in BiH—42 television and 141 radio stations. This remains far more than the country’s limited advertising market can support. Most radio stations are local and either limit their broadcasts to entertainment or focus on local political and ethnic interests.
- Most of the 128 registered print media are characterized by strong divisions along ethnic and ideological lines. Total circulation of the seven daily newspapers does not exceed 90,000 copies.
- The government of Republika Srpska decided in September to provide about US\$3.6 million to public and independent media organizations, raising concerns about editorial independence.
- Internet access is unrestricted, and almost 38 percent of the population uses the internet.

Botswana

Status: Partly Free

Legal Environment: 11

Political Environment: 17

Economic Environment: 11

Total Score: 39

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	30,F	35,PF	35,PF	36,PF	37,F

Brazil

Status: Partly Free

Legal Environment: 14

Political Environment: 18

Economic Environment: 11

Total Score: 43

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	40,PF	39,PF	42,PF	42,PF	42,PF

The constitution guarantees freedom of expression, and legal protections for the press were strengthened by several court rulings in 2009. However, Brazil’s overall level of press freedom declined due to censorship and political pressure on the media. In April, the Supreme Federal

Tribunal overturned the 1967 Press Law, which had imposed harsh criminal penalties for libel and slander. The decision followed a temporary ruling issued a year earlier, in which the tribunal suspended 22 articles of the law due to their incompatibility with the constitution. The Press Law, adopted under military rule, had prescribed up to three years in prison for journalists who reported on facts considered subversive, distorted, or provocative by the government, as well as those whose reporting was considered offensive to public morals or found damaging to a plaintiff's reputation or dignity. Furthermore, the Press Law had allowed authorities to censor media outlets and writers, and seize publications.

The decision to strike down the Press Law was praised by press freedom advocates. Nonetheless, under the current penal code, journalists can still be jailed for up to two years for criminal defamation, and civil defamation lawsuits sometimes impose stiff penalties. The problem is worse in small cities, where politicians have been accused of using the courts to intimidate newspapers and journalists. The threat of lawsuits has reportedly inhibited investigative journalism, as many outlets merely reproduce material provided by police and prosecutors.

In other legal developments, the Supreme Federal Tribunal in June overturned a law requiring journalists to hold a college degree in journalism. The ruling was supported by media companies and the National Association of Newspapers, but was criticized by the National Federation of Journalists and journalism schools. Professionals expressed concern that the decision would ultimately shrink salaries and lower journalism standards. More than 15 public universities reported fewer applicants to their journalism programs in 2009.

Also during the year, President Luiz Inacio "Lula" da Silva submitted draft legislation to Congress that would introduce the right to public information. Several sectors of Brazilian society, including journalists, engaged in informal online discussions seeking to improve transparency and political participation and to lobby legislators to approve the bill through websites and public campaigns. On a less positive note, an alliance of heterogeneous groups including unions, student and professional associations, nongovernmental organizations, and leftist groups sponsored by the federal government have proposed mechanisms for the "social control" of the media, including the creation of a national communication council to oversee journalistic activity. The alliance hopes to have such projects approved by the next president.

Instances of official censorship increased in 2009. In July, a federal court in Brasilia, the capital, prohibited the prominent daily newspaper *O Estado de S. Paulo* from publishing reports on a corruption scandal over questionable real-estate operations involving the family of former president Jose Sarney, who is currently president of the Senate. In addition, the court ruled that the paper would be fined US\$87,000 for every story published on the case. The ban extended to other news outlets, which were forbidden from reproducing or quoting the newspaper's stories. *O Estado de S. Paulo* was still under censorship at year's end. The case centered on technicalities related to legally obtained information and federal police wiretaps on businessman Fernando Sarney, the former president's son. The judge who issued the ban is a former Senate adviser and a personal friend of the Sarney family. Even though Fernando Sarney withdrew his lawsuit against *O Estado de S. Paulo* in December, the court left the ban in place to "protect the dignity and honor" of the Senate's president.

The Brazilian Press Association and international organizations such as the Committee to Protect Journalists (CPJ) registered a number of cases of criminal and civil defamation lawsuits, censorship, violence, and intimidation during the year. The most bizarre example involved 44 suits against 38 journalists and 13 news outlets by congressional representative Edmar Moreira,

who was apparently irritated by reports on his alleged involvement in official corruption in Brasilia and his undeclared US\$14.2 million mansion. Although Moreira was cleared of the corruption accusations by the congressional ethics body, his defamation suits against the media proceeded.

Civil suits, some involving considerable sums of money, are an increasingly common intimidation tactic. Among other cases during the year, *Debate*, the weekly newspaper of Santa Cruz do Rio Pardo, was forced to pay about US\$300,000 in damages to a local judge after revealing that he lived in a house paid for by the city and kept an illegal public telephone inside. In Para state, journalist Lucio Flavio Pinto—a past recipient of the CPJ International Press Freedom Award and the target of a dozen criminal and civil defamation lawsuits for his reporting on drug trafficking, environmental devastation, and corporate corruption—was ordered by a judge to pay US\$15,000 in libel damages to the owners of the local newspaper *O Liberal* for criticizing the media group's economic power and influence.

Physical threats and attacks against journalists were reported throughout the country, especially in the northeastern region. In January, correspondent Alex Pimentel of the *Diario do Nordeste* received a death threat after reporting fraud in the distribution of water to rural communities. Danny de Moraes, editor of a blog about local politics, received death threats in April for his reporting on corruption in Rondonia state. In August, the offices of radio station Diario FM were attacked by four unidentified assailants who tied up a security guard and sabotaged transmission equipment. In September, two sons of a former councilman assaulted reporter Rafael Dias of the *Diario de Pernambuco* over his story on the cause of their father's death. Also that month, Devanil da Silva, host of a television program about police violence, was shot and wounded in the southern state of Parana. In October, Wellington Raulino, owner of a local television station in Piaui state, was badly beaten by four men who were allegedly hired by the city's mayor. Unidentified assailants shot and killed radio host and newspaper owner Jose Givonaldo Vieira in December near Recife; his radio program had focused on local issues. Despite such attacks, Brazil made some progress during the year in addressing its long-standing record of impunity by bringing perpetrators to justice in two cases: the 2003 death of Nicanor Linhares, host of a radio show in the state of Ceara, and the 2008 kidnapping and torture of two journalists in Rio de Janeiro.

Brazil is South America's largest media market, with thousands of radio stations, hundreds of television channels, and a variety of major newspapers. Ownership is highly concentrated in the hands of media conglomerates, particularly in 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, leads Brazil's magazine market. One in every five legislators on the powerful Committee on Science, Technology, Communication, and Information has business connections to radio and television stations. Hundreds of politicians nationwide are either directors or partners in some 300 media companies, most of them radio and television stations, according to the independent media monitoring group Media Owners (Donos da Midia).

The internet is used by approximately 39 percent of the population, and access is not restricted. However, the government frequently requests information on internet users and the removal of online content, according to a preliminary report by Google. These requests may be due to the widespread use of civil defamation lawsuits.

Brunei

Status: Not Free

Legal Environment: 28

Political Environment: 25

Economic Environment: 22

Total Score: 75

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	75,NF	77,NF	76,NF	75,PF	75,NF

Bulgaria

Status: Partly Free

Legal Environment: 11

Political Environment: 13

Economic Environment: 10

Total Score: 34

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	35,PF	34,PF	34,PF	33,PF	36,PF

- The constitution provides for freedom of speech and of the press, and the government generally respects these rights in practice.
- Defamation is punishable by large fines, and government officials have filed suits against journalists, but the courts tend to favor press freedom in such cases.
- The popular state-owned Bulgarian National Television (BNT) and Bulgarian National Radio continue to air criticism of the government, but they reportedly lack sufficient legal protections against political pressure. The Organization for Security and Cooperation in Europe reported that BNT carried mostly favorable coverage of the government during the 2009 parliamentary election campaign, while private television outlets provided more balanced information or favored opposition parties. The print media offered broad and diverse views.
- 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.
- Unlike in 2008, no murders or high-profile assaults aimed at journalists were reported in 2009.
- Large foreign media firms play a major role in the private print and television markets. Each of the three main private television stations is owned by a different foreign company, and Germany's WAZ Media Group owns the two leading dailies.
- Many traditional media outlets have established a presence on the internet, which is not restricted by the government and was used by about 45 percent of the population in 2009. Access in rural areas remains limited.

Burkina Faso

Status: Partly Free

Legal Environment: 13

Political Environment: 15

Economic Environment: 13

Total Score: 41

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	40,PF	38,PF	39,PF	41,PF	41,PF

- 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. Businessmen and political elites have occasionally used these laws against journalists in court.
- The state-operated media are noticeably progovernment, and self-censorship is common. To avoid aggravating public authorities, state-run outlets generally refrain from covering controversial subjects, though programming allows for coverage of the opposition. Conversely, the private media are generally free of overt censorship, criticize the government, and investigate more sensitive topics.
- Burkina Faso's media regulatory body, the Higher Communication Council (HCC), consists of 12 members appointed by the government and has been criticized for inconsistent and mismanaged licensing procedures.
- In October 2009, the HCC ordered the suspension of the privately owned, Ouagadougou-based television station TVZ Africa. While technical reasons were given for the suspension, local media groups criticized the decision as an attack on press freedom.
- Journalists sometimes face physical harassment and threats. In February 2009, several journalists at *Le Reporter* and a writer for *L'Evenement* received an anonymous letter, threatening to harm the journalists if they continued reporting on official corruption. Pressure to reopen the highly politicized investigation into the 1998 assassination of journalist Norbert Zongo continued in 2009, though no progress had been made by year's end.
- Radio is the most popular news medium, owing to the country's literacy rate of only 26 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.
- Private media ownership lacks transparency.
- Infrastructural deficiencies and poverty limited access to the internet to just over 1 percent of the population in 2009, but there were no reported restrictions on content.

Burma (Myanmar)

Status: Not Free

Legal Environment: 30

Political Environment: 38

Economic Environment: 27

Total Score: 95

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	96,NF	96,NF	96,NF	97,NF	96,NF

- The new constitution approved in 2008 ostensibly provides for freedom of speech and the press, but the Burmese media environment remained one of the most tightly restricted in the world during 2009.
- 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 periodicals 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. In practice, however, the government tolerates virtually no media independence. In September 2009, the Rangoon-based weekly *Phoenix* was shut down indefinitely over alleged violations of censorship laws. The paper had been temporarily shut down previously for straying from a directive that it publish only entertainment news.
- 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. The comedian and blogger Zarganar, who was sentenced in late 2008 to a total of 59 years in prison on several charges, had his sentence reduced in 2009 to 35 years.
- At the beginning of the year an estimated 13 prominent journalists and writers remained in prison for expressing political views. Among those arrested in 2009 was Hla Hla Win, held in September for alleged violations of both the Electronic Act and the Export Import Act. She had supplied news information to the Oslo-based Democratic Voice of Burma radio station. Freelance journalist Zaw Tun was sentenced to two years in prison in June. He had been arrested close to opposition leader Aung San Suu Kyi’s home by a police officer who claimed the journalist had shown “hostility” toward him. Several journalists were released in September as part of a mass amnesty of 7,114 political prisoners.
- 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 monthly subscription fees to access satellite channels are high, so most Burmese viewers install the receivers illegally.

- The internet operates in a limited fashion in cities and is accessible to less than 1 percent of the population, mainly through a growing number of internet cafes. Access is expensive, tightly regulated, and censored, with the government controlling all of the several dozen domestic internet-service providers. Blogger Win Zaw Naing was arrested in 2009 for posting pictures and reporting about a series of 2007 protests led by Buddhist monks. Naing faces up to 15 years in prison if convicted. With a number of other bloggers sentenced to prison terms of several dozen years, the Committee to Protect Journalists has designated Burma as the worst place in the world to become a blogger.

Burundi

Status: Not Free

Legal Environment: 21

Political Environment: 30

Economic Environment: 22

Total Score: 73

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	74,NF	74,NF	77,NF	74,NF	75,NF

- The constitution provides for freedom of expression, but this right is rarely respected in practice.
- Burundi’s vague 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 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.
- During 2009, judges threw out two defamation suits against journalists, suggesting that defamation could be decriminalized in the future. Alexis Sinduhije, a former radio journalist who had served four months of a 30-month jail term for “insulting the president,” was released in March after appellate judges ruled that the charges against him were unsubstantiated. Also that month, the editor of the Net Press news agency, Jean-Claude Kavumbagu, was acquitted of criminal defamation charges. He had been held since September 2008 for claiming that the president spent 100 million Burundian francs on a trip to Beijing for the opening of the Olympic Games.
- In July 2009, Jean Bosco Ndayiragije, a talk-show host on the privately owned Radio Publique Afrique (RPA), was ordered to hand over audiotapes of a show that included criticism of local judicial authorities. Two other people were summoned for questioning in relation to the case: the journalist who filed the critical report and a human rights defender interviewed during the show.
- Also in July, Marc Niyonkuru of the private station Radio Isanganiro received death threats over a news item in which he claimed that a city official used a government vehicle to

undertake activities for the ruling party. He was told, over the telephone and in person, that his life would be in danger if he dared to broadcast such information again.

- In August, the National Communications Council (CNC), the country’s media regulatory body, ruled against the editing director of RPA, Eric Manirakiza, stating that he had damaged the “public persona” of the minister of planning in a report claiming that the minister’s second marriage was illegal. The CNC also ruled against an RPA report on the border conflict between Burundi and Rwanda, arguing that it could jeopardize national security.
- The Burundi Journalists’ Association in October transformed itself into a trade union in a bid to obtain more legal powers and serve its members more effectively.
- The government dominates Burundi’s media industry. It owns *Le Renouveau*, the only daily newspaper, and the public television and radio broadcaster. Two private television stations also operate. The state radio outlet is the only one with national coverage; while nearly a dozen private stations are heard in only a few parts of the country, many of them host both government and opposition politicians. Radio remains the most widely used medium for information dissemination.
- There are up to eight private newspapers, but they do not publish regularly, their readership is limited, and they are hampered by financial and infrastructural constraints. Several dozen private internet and fax-based news sources complement the traditional media landscape.
- The costs of gathering information and obtaining private media licenses remained prohibitively high.
- There were no apparent government restrictions on internet access, although the CNC barred websites from “posting documents or other statements by political organizations that disseminate hate or violence.” Less than 1 percent of Burundians had access to the internet in 2009, mainly as a result of high prices.

Cambodia

Status: Not Free

Legal Environment: 20

Political Environment: 22

Economic Environment: 19

Total Score: 61

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	62,NF	61,NF	58,PF	60,PF	61,NF

- Media freedom remained restricted in 2009 as the government continued to crack down on journalists through deliberate campaigns aimed at narrowing the space for free expression. Although violence against reporters lessened compared with 2008, when an opposition journalist and his son were killed in the run-up to national elections, the government increasingly used the courts as a means of intimidation and expanded the range of charges related to free expression punishable under the penal code.
- The constitution guarantees the right to free expression and a free press, but multiple revisions to the 1995 press law have resulted in contradictory stipulations and restrictions, which the government has used to censor stories deemed to undermine political stability. For

example, 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.

- Cambodia's courts also employ outdated provisions of the criminal code adopted under the UN Transitional Authority in Cambodia (UNTAC) to impose harsh penalties on journalists, including jail time, for defamation and disinformation.
- In October 2009, the Senate and National Assembly approved a penal code that maintains harsh penalties for defamation. While prison sentences for defamation convictions were technically eliminated in 2006, unpaid fines can lead to time behind bars. Several charges added to the new penal code—including public insult, slander, and false information—can also result in prison sentences.
- The courts continue to impose fines on media outlets. In June 2009, Hang Chakra, publisher of the opposition daily *Khmer Machas Srok*, was sentenced in absentia to one year in prison and fined nine million riels (US\$2,200) for “disinformation” and “dishonoring public officials” through articles accusing the deputy prime minister and his subordinates of corruption. The editor of the English-language *Cambodia Daily*, Kevin Doyle, and a reporter, Neou Vannarin, were each fined four million riels (US\$1,000) in September for running a story that criticized a group of senior military officers. In November, journalist Ros Sokhet was prosecuted under the 1992 UNTAC law and sentenced to two years in prison on disinformation charges for spreading corruption accusations about television anchor Soy Sopheap. In June, the Office of the UN High Commissioner for Human Rights said the lawsuits against journalists posed a “serious threat” to Cambodia's democratic development.
- Police continued to intimidate reporters through violence and armed threats. In January 2009 an officer shot at reporter Khim Lyheang while he was covering a story on the transportation of illegally procured timber. According to the Club of Cambodian Journalists (CCJ), a number of other cases of arrest and harassment at the hands of police and officials occurred during the year. CCJ reported that twice as many journalists were arrested in 2009 as in 2008, and five times as many faced lawsuits.
- The government still dominates radio and television, the main information sources for the two-thirds of the population that are functionally illiterate. All eight television channels are aligned with the ruling Cambodian People's Party, as are 11 of the main 22 Khmer-language radio stations, according to the Cambodian League for the Promotion and Defense of Human Rights (LICADHO).
- 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. The government has threatened to close outlets for reporting that it does not consider adequate.
- The print media are allowed more freedom to run politically sensitive stories, and journalists regularly expose official corruption and scrutinize the government. There is also a fair amount of access to independent broadcasts from 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.
- Owing to infrastructural and economic constraints, less than 1 percent of the population was able to access the internet in 2009, but the government has grown increasingly worried about the impact of new technology on society. The Ministry of Information was drafting a bill in 2009 that would extend print media regulations to the internet and could be used as a tool to silence government critics. A plan to create a state-run exchange point that would control all

local internet-service providers has raised concerns that the government would use it to block individual websites.

Cameroon

Status: Not Free

Legal Environment: 21

Political Environment: 24

Economic Environment: 21

Total Score: 66

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	68,NF	65,NF	67,NF	65,NF	65,NF

- The 1996 constitution provides for freedoms of the press and speech, but the government continued to restrict these rights in practice during 2009.
- There are no legal provisions guaranteeing equal access to information. Libel and defamation remain criminal offenses, and the relevant laws were regularly enforced by the state in 2009. For example, Lewis Medjo, publisher of the weekly *La Detente Libre*, was sentenced in January to three years in prison and a fine of two million CFA francs (US\$4,000) for “dissemination of false news.” In other cases, journalists accused of libel have been detained for months without standing trial.
- In August 2009, Sky One Radio, a privately owned station based in the capital, was temporarily closed by Communications Minister Issa Tchiroma Bakary because of “numerous issues concerning media professionalism.” The station’s popular call-in program *Le Tribunal* covered sensitive social problems and allowed individuals to discuss their grievances.
- Journalists covering high-profile corruption cases were harassed with legal action and extralegal threats during the year. According to *Journaliste en Danger* (JED), in June 2009 a military tribunal in Yaounde sentenced Jacques Blaise Mvie and Charles Rene Nwe of the private weekly *La Nouvelle* to five years in prison and a fine of 500,000 CFA francs (US\$1,000); the journalists were only informed of the closed-door hearing after the fact. Jean Bosco Talla, editor of the privately owned weekly *Germinal*, reported receiving anonymous threats after his paper republished a report by the Catholic Committee against Hunger and for Development that questioned the wealth of President Paul Biya. In December, Talla was sentenced to a suspended one-year prison term, as well as a fine of three million CFA francs (US\$6,000), for allegedly libeling the president. In another case, Jules Koum Koum, editor of the weekly *Le Jeune Observateur*, was repeatedly threatened for his coverage of corruption; he faced several incidents involving armed intruders who removed work-related documents from his home, as well as the hacking of his e-mail accounts.
- Journalists are occasionally physically assaulted, in some instances by police or other security forces. In September, cameraman Freddy Nkoue was attacked by police officers in a courthouse as he prepared to cover a case involving leaders of two opposing factions of the Union of the Peoples of Cameroon (UPC), a political party. Police damaged his camera and took away his belongings, while he managed to escape with a fractured left hand.

- There are about 25 regularly published newspapers, including private and state-owned papers, as well as dozens of others that publish sporadically. A number report on a range of controversial issues and criticize the government, although their reach is largely confined to urban areas.
- 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 those who can afford the requisite equipment. However, such stations are required to partner with a national station in order to broadcast.
- The government is the largest advertiser, and some private media sources noted that it used this financial heft to influence certain content. Official funding to support private media outlets was also disbursed selectively, according to the U.S. State Department.
- Access to the internet is not restricted by the government, though slow connections and high fees at internet cafes helped to limit access to less than four percent of the population in 2009.

Canada

Status: Free

Legal Environment: 5

Political Environment: 8

Economic Environment: 6

Total Score: 19

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	17,F	18,F	17,F	18,F	19,F

Cape Verde

Status: Free

Legal Environment: 6

Political Environment: 10

Economic Environment: 12

Total Score: 28

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	32,PF	32,PF	29,F	28,F	28,PF

Central African Republic

Status: Not Free

Legal Environment: 19

Political Environment: 23

Economic Environment: 19

Total Score: 61

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	63,NF	61,NF	58,PF	61,NF	61,NF

- The 2005 constitution provides for freedom of the press, though authorities have continued to use intimidation, suspension of outlets, and legal harassment to limit reporting, particularly on sensitive topics such as official corruption and rebel activity.
- A 2005 press law decriminalized many press offenses, such as libel and slander, but criminal penalties remain for some defamation charges, incitement to ethnic or religious hatred, and the publication or broadcast of false information that could “disturb the peace.”
- There were no reported cases of journalists being arrested or imprisoned in 2009, an improvement over 2008, when multiple journalists were sentenced to prison for convictions ranging from defamation to obstruction of justice.
- Reporters, particularly from privately owned outlets, continue to face difficulties in accessing government information or covering official events.
- The High Council for Communications (HCC) temporarily suspended the private dailies *Le Citoyen* and *L’Hirondelle* in 2009 for violating journalism ethics and “jeopardizing the sovereignty of the state,” respectively. The editors of other private newspapers temporarily suspended their own publications in solidarity and publicly declared a loss of faith in the independence of the HCC.
- Journalists continue to face harassment and threats from the authorities, and some practice self-censorship to avoid reprisals.
- The ability of journalists to operate safely outside of the capital improved in 2008 thanks to peace talks between the government and two main rebel groups. However, the situation regressed in 2009 due to increased activity by the Lord’s Resistance Army, a Ugandan rebel group, in the southeast.
- Several private newspapers offer competing views. While many of them have been actively providing a certain amount of diverse political coverage in preparation for the 2010 presidential election, their influence is limited due to low literacy levels, high poverty rates, and the lack of a functioning postal service to facilitate the delivery of newspapers outside the capital.
- More than 30 newspapers were published in 2009, though only a handful appeared regularly. Financial problems plagued many newspapers. Radio continues to be the most important medium for information.
- State-run media dominate the broadcast sector, but while the government monopolizes domestic television, there are a number of private radio stations that compete with the state-owned Radio Centrafrique, including Radio Ndeke Luka, which provides local and international news and commentary. International broadcasts are also available.
- Internet access is 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 2009.

Chad

Status: Not Free

Legal Environment: 24

Political Environment: 32

Economic Environment: 21

Total Score: 77

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	73,NF	73,NF	74,NF	74,NF	76,NF

- Chad's constitution allows for freedom of expression, but authorities have routinely used threats and legal provisions to censor critical reporting.
- A 2008 press law, Decree No. 5, increased the maximum penalty for false news and defamation to three years in prison, and the maximum penalty for insulting the president to five years. 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.
- Journalists faced harassment and arrest during 2009 for expressing criticism of the government. The authorities summarily expelled the Cameroon-born editor of *La Voix du Tchad*, Innocent Ebode, on October 14, a day after he wrote an op-ed in response to a government official's suggestion that the Nobel Peace Prize should have been awarded to Chadian president Idriss Deby. In another instance of official harassment of the independent weekly, authorities brought a case challenging the paper's legality, and in a questionable decision, a judge ordered the seizure of the paper's issues in early December in an attempt to prevent its publication, according to Reporters Without Borders. After Ebode returned to Chad to challenge the order, he was abducted and detained by unknown men in late December.
- 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 licenses are granted by the HCC, which is considered to be greatly influenced by the government. The licensing fee for commercial radio stations continues to be prohibitively high at five million CFA francs (US\$11,000) per year. The HCC is also said to monitor and control radio content. There are over a dozen private and community-run stations on the air.
- There are no reports that the government restricts internet access, but the internet infrastructure remains government owned, and less than 2 percent of the population had access to this resource in 2009.

Chile

Status: Free

Legal Environment: 9
Political Environment: 13
Economic Environment: 8
Total Score: 30

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	24,F	26,F	30,F	30,F	29,F

China

Status: Not Free
Legal Environment: 28
Political Environment: 34
Economic Environment: 22
Total Score: 84

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	82,NF	83,NF	84,NF	84,NF	85,NF

China's media environment remained one of the world's most restrictive in 2009. The Chinese authorities increased censorship and progovernment propaganda in traditional and online media during the periods surrounding high-profile events, such as politically sensitive anniversaries and the visit of U.S. president Barack Obama. Several activists were sentenced to long prison terms for their online writings. While central authorities tolerated, and possibly encouraged, investigative reporting on localized corruption, lower-level officials sought to repress such reports. As a result, journalists and bloggers exposing local corruption were increasingly subject to physical attacks, criminal defamation charges, and politicized charges of bribery. Despite these and other obstacles, journalists, bloggers, and ordinary internet users continued to push the limits of permissible expression. They scored several victories in 2009, including the retraction of government orders to install Green Dam monitoring and censorship software on all personal computers.

Article 35 of the constitution guarantees freedom of speech, assembly, association, and publication. However, such provisions are subordinated to the national interest as defined by the courts, and the constitution cannot be invoked in courts as a legal basis for asserting individual rights. Judges are appointed by and generally follow the directives of the ruling Chinese Communist Party (CCP), particularly in politically sensitive cases. There is no press law or additional legislative provision offering meaningful legal protection for journalists or punishment for those who attack them. Instead, 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 the CCP considers objectionable. 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 increasingly resorted to criminal defamation charges to detain and in some instances imprison whistleblowers who post corruption allegations online. Several such cases drew widespread attention inside China in 2009. In one prominent case, online activist Wu Baoquan was sentenced in September to 18 months in prison

for defamation following several rounds of appeal. Wu in 2008 had posted allegations that local officials in Inner Mongolia had forced people off their land and then reaped the profits from its sale to developers. In another case, authorities detained six bloggers in Fujian province in July after they reported that a young woman had died after being raped by individuals with ties to local officials and criminal gangs. While some of the bloggers were released by year's end, three—Fan Yonqiong, Wu Huaying, and You Jingyou—still faced charges of “false allegations with intent to harm,” which carry a prison term of three to ten years. 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.

Journalists and other media workers are required to possess government-issued press cards in order to be considered legitimate journalists. Those who violate content restrictions risk having their press-card renewal delayed or rejected, and journalists without cards are at greater risk of physical assault while covering a story. In 2009, the General Administration of Press and Publication, the government body responsible for accreditation, announced several measures aimed at tightening control over media personnel and the accreditation process, including the creation of a blacklist of journalists who violate content regulations.

The CCP maintains direct control over news media coverage through its Central Propaganda Department (CPD). This is reinforced by an elaborate system of vaguely worded regulations and laws. Routinely taboo topics include criticism of party leaders, violations of minority rights in Tibet and Xinjiang, Taiwanese independence, and the Falun Gong spiritual group. In addition, the CPD issues daily directives restricting coverage of breaking news. According to a report by the International Federation of Journalists, dozens of party directives issued to news outlets in 2009 curbed coverage of politically sensitive topics such as the 20th anniversary of the Tiananmen Square massacre, as well as vital social issues. These included a foot-and-mouth disease outbreak in Shandong, industrial contamination of drinking water in Fujian, and deaths in police custody. Restrictions on reporting of events from 2008, such as children's deaths in the Sichuan earthquake and a scandal over melamine-tainted milk, remained in place throughout the year.

CCP leaders use control of the media to propagate positive views of the party and government, while vilifying those deemed to be their enemies. During 2009, the authorities also continued to employ more subtle means to “guide” news coverage. This included proactively setting the agenda by allowing key state-run outlets to cover ostensibly negative news in a timely but selective manner, then requiring that other media and internet portals restrict their reporting to the established narrative. The aim is to preempt less favorable coverage by bloggers, foreign journalists, and more aggressive commercial news outlets.

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. According to international media freedom watchdogs, at least 30 journalists—mostly freelancers—and 68 cyberdissidents were in prison in China at the end of 2009. Following a trend from recent years, journalists at traditional media outlets were more likely to face dismissal or imprisonment on politically motivated charges of bribery, while internet and freelance writers were more frequently subjected to long prison terms on charges of “divulging state secrets” or “inciting subversion.” In December, Fu Hua of *China Business News* was sentenced to three years in prison for allegedly accepting bribes in relation to a story exposing safety problems in the construction of an airport in northeastern China. Online activist Huang Qi was sentenced in November to three years in prison for publishing criticism of

the authorities' response to the 2008 Sichuan earthquake. Tan Zuoren, an activist who had coordinated citizen efforts to document the death toll from school collapses during the quake, was put on trial in August, and several witnesses were beaten on their way to testify. At year's end, Tan remained in detention but had not been sentenced.

In the year's most highly publicized free expression case, democracy advocate Liu Xiaobo was sentenced in December 2009 to 11 years in prison, on charges of "inciting subversion of state power," for his involvement in drafting and circulating the prodemocracy manifesto Charter 08. At least 100 other signers of the manifesto were reportedly summoned for questioning following its publication, though none were imprisoned. In some instances during the year, individuals were jailed simply for possessing banned materials. Zhang Xingwu, a retired professor and Falun Gong practitioner from Shandong province, was sentenced in March to seven years in prison after security forces broke into his home and confiscated video discs and religious texts related to Falun Gong. On a positive note, Zhu Yufu, founder and editor of the China Democracy Party's magazine, was released in April after completing a two-year prison sentence. In August, blogger Guo Baofeng was released from police custody following a postcard-writing campaign on his behalf.

No journalists were killed during the year. Nevertheless, observers noted an increase in violence stemming from ongoing legal impunity and the activities of powerful political and economic actors seeking to prevent the exposure of their misdeeds. Some journalists were beaten while covering stories, but violence as retribution for investigative reporting has become a growing concern. Le Qian, deputy editor of the *Hebei Youth Daily*, was attacked outside her home in November; the unidentified assailant struck her in the face with a brick while reportedly shouting references to her reporting. The space for investigative journalism also contracted due to restrictions on "cross-regional reporting," a practice in which newspapers from one jurisdiction reveal malfeasance by officials in other regions.

Owing to technological advancements and the efforts of domestic and overseas activists, the suppression of information has become more difficult in recent years. Despite the authorities' multilayered apparatus for controlling online content, the sheer volume of internet traffic and the speed with which information can spread has created some opportunities for exposure of local corruption and open political discussions, so long as taboo keywords are avoided. A growing number of Chinese also use proxy servers to circumvent internet restrictions and receive illegal satellite transmissions. As some journalists and media outlets push the limits of permissible coverage, reporting by local commercial outlets is amplified via the internet, giving their stories a wider audience. In August, after a local newspaper in Shaanxi published a short article about lead poisoning among children due to pollution from a nearby smelting plant, the popular internet portal Netease posted the story (portals are barred from producing their own content), drawing national attention to the incident. In addition, informal religious and political texts continued to circulate during the year, via the internet and in print. According to reports by activists and references on official websites, these included the newly released memoir of ousted CCP leader Zhao Ziyang, the prodemocracy manifesto Charter 08, and the *Nine Commentaries*, a collection of editorials that are highly critical of CCP rule.

Bloggers, journalists, and activists increasingly mobilized in 2009 to protest censorship itself. Throughout the year, internet users circulated cartoons and videos of a mythical "grass-mud horse" and its struggle against the "evil river crab" in an allegory and play on words aimed at voicing discontent about internet censorship. In May, the government announced regulations that would require the installation of censorship and surveillance software called Green Dam

Youth Escort on all computers sold in China. Activists, lawyers, and ordinary users mobilized quickly to protest the directive. With added pressure from the international business community and human rights groups, the authorities withdrew the orders in June. Installation reportedly continued in schools and internet cafes, however.

In addition to the Green Dam effort, the government has taken other 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 (RFA), Sound of Hope, and the British Broadcasting Corporation (BBC). According to the U.S. State Department, the jamming of RFA and BBC broadcasts has become more frequent and effective. The signal of the Falun Gong–affiliated overseas satellite station New Tang Dynasty TV remained cut off throughout 2009, after the French company Eutelsat stopped relaying its broadcasts in June 2008, apparently under pressure from the Chinese authorities. Security forces throughout the country continued a drive to “strike down illegal publications.” According to reports on official websites, millions of copies of printed materials were confiscated.

Conditions for foreign journalists remained severely restricted and fell short of international standards. Since 2007, foreign journalists have been free of travel restrictions in most areas and allowed to conduct interviews with private individuals without prior government consent. However, the looser rules do not apply to correspondents from Hong Kong, Macau, or Taiwan, and travel to Tibet and other politically sensitive regions still requires prior approval and close supervision by authorities. In 2009, foreign journalists reported that their improved ability to access certain locations had been offset by a corresponding increase in official targeting of Chinese assistants and sources. According to the preliminary findings of a survey conducted by the Foreign Correspondents’ Club of China, half of the respondents noted an improved reporting climate under the new regulations, though two-thirds also reported some official interference in their work over the past year. Two-thirds of those working with a Chinese research assistant reported that their employee had been harassed or called in for questioning by the authorities. In February 2009, the government issued a code of conduct for Chinese citizens working as assistants for foreign correspondents; the code threatened punishment for engaging in “independent reporting.” Foreign journalists continued to occasionally encounter physical harassment and beatings.

Restrictions on the free flow of information were tighter in the ethnic minority areas of Tibet and Xinjiang than in the rest of the country. In Tibet, although the complete media blackout from the previous year was lifted in 2009, periodic restrictions limited foreign journalists’ access to the region, particularly surrounding the anniversary of the 2008 protests in March and the 60th anniversary of the CCP’s rise to power in October. Mobile-telephone networks were also suspended in March. Tibetans who transmitted information abroad often suffered repercussions, while some internet users were arrested solely for accessing banned information. In August, 19-year-old Pasang Norbu was reportedly detained at a Lhasa internet cafe after looking at online photos of the Dalai Lama and the Tibetan flag. In November, Kunchok Tsephel was sentenced to 15 years in prison, on charges of “leaking state secrets,” for writings posted on a Tibetan literary website he had founded.

In July, police in Xinjiang forcibly suppressed a peaceful demonstration in Urumqi by Uighurs, sparking an outbreak of violence between Uighurs and Han Chinese. The authorities responded with mass arrests and an almost complete shutdown of internet access, international phone service, and text messaging in the region that remained in effect for several months. Foreign journalists were allowed to enter Urumqi, the regional capital, but were denied access to

sources of information that might contradict the government's version of events; several foreign correspondents were prevented from entering the western city of Kashgar, an important center of Uighur culture. Among those detained were the managers of websites reporting on Uighur issues, including Ilham Tohti, Hailait Niyazi, and Dilixiati Paerhati; Tohti was released after six weeks, but the other two remained in custody at year's end. A state-run propaganda campaign vilifying Uighurs and U.S.-based activist Rebiya Kadeer further fueled ethnic tensions.

Media outlets are abundant in China, but the reforms of recent decades 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 revenue comes from advertisements rather than government subsidies. Some observers argue that the commercialization of the market has shifted the media's loyalty from the party to the consumer, leading to tabloid-style and sometimes more daring reporting. Others note that reforms have 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 a loss of advertising revenue should they run afoul of powerful societal actors.

The prevailing salary arrangements generally pay journalists only after their stories are published or broadcast. When a journalist writes an article that is considered too controversial, payment is withheld, and in some cases the journalist must pay for the cost of news gathering out of 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. In November, the editor in chief and key staff from one such outlet, *Caijing*, resigned, apparently due to clashes with owners over financial matters and pressure to tone down editorial content. Many observers viewed the incident as a setback for investigative journalism, though it was not immediately clear how the resignations would affect *Caijing*'s content. Official penalties can also severely compromise a newspaper's ability to compete in the market, crippling outlets that overstep the boundaries of acceptable coverage. Corruption among Chinese journalists continued in 2009, and payments from public relations firms to journalists for attending press conferences remained a fairly common phenomenon.

China is home to the largest number of internet users globally, with the figure reaching 360 million by September, or nearly 30 percent of the country's population, according to official data. 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. During 2009, sporadic shutdowns targeted both foreign and domestic video-sharing and social-networking sites like YouTube, Facebook, Twitter, and Fanfou, particularly surrounding politically sensitive anniversaries. Other efforts to tighten online censorship included removing political content and shutting down blogs in the name of antipornography campaigns, requiring users to register with their real identities when posting comments on news websites, and stepping up obstruction of circumvention technologies used to access blocked websites.

In addition to technical filtering, the Chinese authorities require private companies running a wide variety of websites to censor the content they host in accordance with official directives; firms that do not comply with official requests to remove content risk losing their business licenses. In January, Beijing authorities ordered the closure of the blog-hosting website

Bullog.cn, which was popular among political commentators and prodemocracy activists, after the site allegedly failed to comply with requests to remove large amounts of “harmful information” related to current events. Foreign internet companies have also cooperated with the Chinese government on censorship enforcement. The authorities, going beyond the blocking of content, 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 has also been known to systematically monitor personal communications, including e-mail and mobile-telephone text messages.

Colombia

Status: Partly Free

Legal Environment: 14

Political Environment: 30

Economic Environment: 16

Total Score: 60

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	63,NF	61,NF	57,PF	59,PF	59,PF

Press freedom is guaranteed by the 1991 constitution, but political pressure, armed conflict, illegal government surveillance, death threats, and violent attacks continued to limit this right in practice in 2009. Journalists are also often subject to legal harassment, including subpoenas to testify in court and violate professional secrecy, as well as criminal libel and civil liability lawsuits.

The country still lacks a comprehensive freedom of information law, though Congress has come under increasing pressure to allow greater and more transparent access to governmental information. Many legislators favor the protection of an individual’s reputation over a journalist’s right to access official records. In February 2009, the magazine *Semana* exposed six years of illegal telephone, e-mail, and personal surveillance conducted by the Administrative Department of Security (DAS) on well-known journalists, government critics, nongovernmental organization workers, politicians, and Supreme Court justices. In September, President Alvaro Uribe called for the dismantling of DAS, as dozens of DAS employees were dismissed and 10 were charged. Prominent journalists continue to be targets of various legal pressures and intimidation, including defamation lawsuits filed by public officials. In December 2009, *El Tiempo* writer Mauricio Vargas received three days in jail for failing to issue an acceptable correction to his 2008 article criticizing judges.

Colombia remains one of the world’s most dangerous countries for journalists. Reporters continue to encounter difficulties related to 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 political leaders regarding coverage of the war serves to further stigmatize journalists and put them at risk of violence. In response to verbal abuse, threats, and DAS surveillance, journalist Hollman Morris filed a complaint with the Inter-

American Commission on Human Rights in December 2009, urging the international body to sanction the Colombian government for violating his rights.

After 20 months without a journalist being killed, Jose Everardo Aguilar of Radio Super and Bolivar Estereo in the southwestern city of Patia was murdered in April 2009. Aguilar had engaged in harsh criticism of corrupt local politicians tied to right-wing paramilitaries in his community. A hit man from a drug-trafficking gang was arrested in July as a prime suspect in Aguilar's murder. Harold H. Rivas Quevedo of CNC Bugavision/Voces de Occidente and Diego de Jesus Rojas Velasquez of Supia TV were also killed in 2009 for unconfirmed reasons, stirring fears of a wave of fatal attacks against news professionals.

Nearly 88 percent of murdered journalists' cases remain unsolved, making Colombia one of the world's worst performers in prosecuting the killers of journalists. The Colombian justice system has recently made efforts to address this impunity. In January 2009, a court in the northern Santander province sentenced former Barrancabermeja mayor Julio Cesar Ardila Torres to 28 years and eight months in prison. Ardila and fellow city employees Fabio Pajon Lizcano and Abelardo Rueda Tobon were convicted on charges of planning the 2003 murder of radio commentator Jose Emeterio Rivas. Separately, a criminal court in the northwestern province of Choco in March sentenced Franklin Isnel Diaz Mosquera to 34 years in prison for the 2007 murder of journalist Elacio Murillo Mosquera. Later that month, the Colombian State Council ruled in favor of the family of murdered journalist Henry Monje Rojas. The court ordered compensation of US\$250,000 after confirming that two soldiers working for the Arauca mayor's office had gunned down the correspondent for *El Tiempo* in 1991. After the general prosecutor vowed to reopen 16 pending cases of murdered journalists across the country, observers expressed hope for progress on the cases of journalists Orlando Sierra (killed in 2002) and Jaime Garzon (killed in 1999), among others.

Instances of media self-censorship continued to occur, as journalists were targeted for critical reporting. Columnist Javier Dario Restrepo was dismissed from the Medellin daily *El Colombiano* in May 2009 after 17 years of service. His removal was officially attributed to editorial reorganization, though Restrepo had frequently been critical of Uribe's administration. In October, columnist Claudia Lopez of *El Tiempo* was dismissed after criticizing the paper for its biased coverage of a ministerial-level scandal. Threats against the media have also driven some journalists to leave the country. In May, the director of the Bogota-based Radio Diversia, Carlos Serrano, was forced to flee abroad after receiving an e-mail threatening harm to him and his employees if he did not leave Colombia. He was one of four Colombian journalists who exiled themselves in response to threats during the year.

Media ownership is highly concentrated among groups of private investors, and television is the dominant news medium. Independent and privately owned print and broadcast media are generally free to express a variety of opinions and cover sensitive issues without official restrictions. 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. Local media depend heavily on advertising by provincial and municipal government 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.

The government has made progress in expanding access to and the quality of internet coverage, especially in rural areas. With nearly 21 million users, Colombia has an internet penetration rate of approximately 45 percent, South America’s third highest. While access is unrestricted, online journalists are not immune from threats and intimidation. Online journalist Claudia Julieta Duque of the Madrid-based Radio Nizkor has been systematically persecuted. Despite being under the government’s Journalist Protection Program, she alleges that security agents have intimidated and spied on her.

Comoros

Status: Partly Free

Legal Environment: 14

Political Environment: 21

Economic Environment: 15

Total: 50

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	44,PF	47,PF	48,PF	54,PF	50,PF

Congo, Democratic Republic of (Kinshasa)

Status: Not Free

Legal Environment: 25

Political Environment: 32

Economic Environment: 24

Total Score: 81

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	81,NF	81,NF	80,NF	81,NF	81,NF

The law provides for freedom of speech and of the press, but these rights are limited in practice by President Joseph Kabila’s government and various nonstate actors. Officials used an array of regulations and laws to restrict free speech and suppress political criticism in 2009 by bringing criminal charges against journalists, shutting down broadcast operations, and seizing copies of newspapers that were critical of the authorities. No progress was reported in local journalists’ efforts to initiate reforms of the penal code and the 1996 press law, according to the Committee to Protect Journalists (CPJ). Several Congolese journalists spent time in jail in 2009. For example, Nsimba Embete Ponte, a Kinshasa-based newspaper director, was arrested in late 2008 and sentenced to 10 months in prison for “insulting the head of state” in connection with reporting on Kabila’s health. Local media outlets are also subject to regulation by the High Authority on Media (HAM). The agency’s mandate is to ensure freedom of expression, but it has the power to temporarily suspend outlets for hate speech and other serious ethical transgressions, and its decisions have at times been criticized as politically biased. In October 2009, the National

Assembly passed a bill establishing a new regulatory agency, the High Council for Broadcasting, though its independence has yet to be established.

Government officials and security agents throughout the country frequently harassed critical journalists and media outlets, often via the national intelligence agency, known as the ANR. At least 23 local journalists were detained without due process in 2009 in connection with their work, according to the press freedom group *Journaliste en Danger* (JED). Nonstate actors, including armed groups, also subjected local journalists to threats and abuse. In June, UN Special Rapporteur Margaret Sekaggya stated that in the Democratic Republic of Congo (DRC), journalists “who report on human rights abuses committed by state and nonstate actors are killed, threatened, tortured, or arbitrarily arrested and their offices raided.” JED documented fewer individual cases of press freedom abuses—such as assault, arbitrary arrest, threats, and censorship—in 2009 than in 2008; however, the organization concluded that this was attributable not to an improvement in media freedom, but to self-censorship stemming from a fear of reprisals. Journalists working in the east, where the military has launched a year-long offensive against rebels of Rwandan origin, were particularly vulnerable to threats and censorship. Three journalists have been murdered in the past three years in Bukavu, capital of the eastern province of South Kivu. The most recent victim, radio presenter Bruno Koko Chirambiza, was stabbed to death in August 2009 as he was walking home from a wedding. No arrests were reported in connection with the killing. In July 2009, the government barred FM broadcasting by Radio France Internationale (RFI), though it remained accessible on shortwave; authorities accused the French station of “demoralizing” the Congolese armed forces and “attempting to destabilize the country” in connection with its reporting on the civil conflict. Several months earlier, the government had banned RFI broadcasts in the eastern cities of Bunia and Bukavu. In September 2009, three prominent women journalists in South Kivu, where mass rape has been employed by multiple armed groups, received anonymous death threats via mobile-telephone text messages after producing a series of radio programs spotlighting women’s issues.

The population of DRC is largely illiterate and depends on radio broadcasts for the news. Nonetheless, many private newspapers are published, and although they are not always objective, they are often highly critical of the government. Private newspapers must pay a license fee of 250,000 Congolese francs (US\$280) and meet other administrative requirements before operating. There are several hundred privately owned radio and television stations, in addition to three state-owned radio stations and a state-owned television station. The state broadcasters reportedly favor Kabila’s party, though other political parties represented in the government are occasionally granted access. The UN mission in DRC (MONUC) operates the only nationwide independent radio network, Radio Okapi, which has set new standards for reporting and media objectivity in a volatile political scene. Many media outlets are reportedly owned by public figures and used for political propaganda rather than objective reporting. Journalists at major outlets are usually poorly paid and lack sufficient training, leaving them vulnerable to bribery and political manipulation. While internet access has spread in urban areas thanks to the proliferation of private internet cafes, less than 1 percent of the population was able to go online on a regular basis in 2009. The government did not engage in internet censorship.

Congo, Republic of (Brazzaville)

Status: Partly Free

Legal Environment: 16
Political Environment: 21
Economic Environment: 17
Total Score: 54

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	51,PF	51,PF	51,PF	51,PF	53,PF

Costa Rica

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

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	19,F	18,F	20,F	19,F	19,F

Cote d'Ivoire

Status: Not Free
Legal Environment: 21
Political Environment: 26
Economic Environment: 19
Total Score: 66

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	69,NF	65,NF	68,NF	66,NF	67,NF

- Although the constitution provides for freedom of the press, the government has restricted media freedom in the name of patriotism and national unity since the onset of civil conflict in 2002. Even after the 2007 Ouagadougou Political Agreement between the government and the rebel New Forces, national reconciliation has remained incomplete, elections have been repeatedly postponed, and the government continues to harass, intimidate, and jail journalists reporting on sensitive topics.
- With widespread self-censorship and vitriolic rhetoric in both the opposition and progovernment private press, international concerns over xenophobia and hate speech in the Ivorian media remain acute. However, such content has been less prevalent in recent years, partly due to a 2008 ban on expressions of xenophobia, racism, or tribalism. Although it was ostensibly meant to protect victims of hate speech, international press freedom groups have raised concerns that the ban's imprecise wording could enable the government to abuse it in the future.

- Journalists who report critically about government officials often face defamation suits, and a number were forced to pay fines for such offenses in 2009. Two journalists with the opposition *Le Reperer* were put in pretrial detention in March, in violation of a 2004 press law, after being accused of defaming the president. They were later fined US\$45,000 each by the court, which also temporarily suspended the paper's publication. Similarly, in October *Le Nouveau Reveil* was fined US\$10,000 for defaming the prime minister.
- The government's relationship with France improved slightly in 2009 following the May release of French freelance photojournalist Jean-Paul Ney, who had been imprisoned since December 2007 on charges of threatening state security. Radio France Internationale was also able to broadcast uninterrupted throughout the year, a notable change from 2008.
- There were fewer reports of harassment and violence against journalists in 2009 than in previous years. However, members of the National Union of University Students of Ivory Coast, a frequently violent progovernment student group, reportedly attacked the offices of *Le Reveil* in October over an article that was critical of their former leader.
- The government maintains tight control over the state-run media, which comprise the largest radio stations (including the only one with national reach), the largest daily newspaper, and all television stations.
- No private terrestrial television stations are able to operate in Cote d'Ivoire, but there are more than 100 low-power, noncommercial community radio stations. Content is restricted by broadcast regulations that prohibit political commentary.
- The internet is not restricted by the government, but in December 2008 the editor of the internet-based news agency Alerte Info was detained for four days while covering a prison riot. Due to poverty and infrastructural limitations, less than five percent of the population was able to access the internet in 2009.

Croatia

Status: Partly Free

Legal Environment: 9

Political Environment: 16

Economic Environment: 15

Total Score: 40

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	37,PF	39,PF	37,PF	36,PF	38,PF

- Freedom of the press is enshrined in the constitution but was under sustained pressure during 2009. Journalists investigating corruption and sensitive subjects were subject to threats, removal from their posts, or court action. In February, Interior Minister Tomislav Karamarko brought a criminal case against journalist Zeljko Peratovic for "disseminating information likely to upset the population," after Peratovic accused him of obstructing an investigation into the death of a witness in a war crimes case. Concerns about political interference in the state media were highlighted in January 2009, when the host of the popular news program *Latinica*, Denis Latin, lost his contract with the state broadcaster (HRT) after protesting a decision by management to bar an investigative journalist from appearing on his program.

- The media also reportedly faced increasing pressure from commercial interests. In a number of cases highlighted by domestic and international organizations, media owners, fearing the loss of advertising during a recession, restricted critical coverage of the government and influential companies. In March, Hrvoje Appelt was dismissed by *Globus* after he delved into government corruption allegations. In the spring, two prominent journalists—Marinko Culic and Viktor Ivancic—were pushed out of the Rijeka daily *Novi List* after the newspaper's new ownership, which was aligned with the ruling party, ordered that their articles no longer be published.
- Physical attacks against journalists decreased in 2009, but little progress was made in investigating the previous year's murders and attacks on journalists. In separate probes, Croatian prosecutors indicted six and Serbian prosecutors indicted two individuals for the October 2008 killings of Ivo Pukanic, editor of *Nacional*, and his marketing director, Niko Franjic. The police in Croatia have yet to identify any suspects in a June 2008 attack on investigative journalist Dusan Miljus that left him with a concussion, a broken arm, and facial bruises. Miljus received a threatening letter in March 2009 after publishing allegations that business leaders and government officials were involved in illegal arms trafficking, according to local press reports. Both journalists were under police protection in 2009.
- In June, reporter Stjepan Mesaric of the weekly *Medjimurske Novine* in the northern city of Cakovec was repeatedly punched in the face after writing an article about corruption in the local construction industry. The police took no immediate action, although Mesaric continued to receive threats from the alleged assailant.
- The state-owned HRT dominates the television market and has suffered from allegations of government interference with its editorial independence. According to reports from editors and journalists at the broadcaster, television programs are openly censored to prevent critical reporting on societal problems. Moreover, although it violated the Law on Electronic Media, HRT in July aired a 50-minute speech by outgoing prime minister Ivo Sanader at his party's convention. And in November, HRT executives suspended Ana Jelinic, editor of the news program *Dossier*, claiming that a report on alleged government corruption was too speculative.
- In addition to HRT, there are 20 privately owned television stations, including two—Nova TV and RTL—that reach the whole territory of Croatia. There were 146 radio stations in 2009, of which four cover the whole country. Public stations account for 21 of the total, while the other 125 are privately owned.
- In contrast to the broadcast sector, all newspapers are owned either by individuals or large corporations. Indeed, the acquisition of most Croatian newspapers by two media conglomerates, the partly German-owned Europa Press Holdings (EPH) and Austria's Styria, has led to new fears about ownership concentration in private rather than public hands. Styria controls about 46 percent and EPH 43 percent of overall print-sector sales, although the Media Law states that no private owner should be allowed to control a market share of more than 40 percent.
- Slightly more than half the population had access to the internet in 2009.

Cuba

Status: Not Free

Legal Environment: 30
Political Environment: 35
Economic Environment: 28
Total Score: 93

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	96,NF	96,NF	96,NF	94,NF	94,NF

Cuba has the most restrictive laws on free speech and press freedom in the Americas, and at least 24 journalists were in prison in the country during 2009. The constitution prohibits private ownership of media outlets and allows speech and journalism only if they “conform to the aims of a socialist society.” Moreover, Cuba’s legal and institutional structures are firmly under the control of the executive branch. Among other legal mechanisms, 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.

During 2008 the authorities had relaxed restrictions on the purchase of communications technology, and the growing number of blogs in Cuba provided some new space for free expression, but in 2009 the government continued to harass and threaten journalists. The most serious development was a three-year prison sentence imposed in May on Alberto Santiago Du Bouchet of the independent news agency Habana Press. He had been charged with disrespect and distributing enemy propaganda. In other cases, independent reporters Ileana Perez Napoles and David Aguila Montero were arrested and questioned in July, and Yosvany Anzardo Hernandez, editor of the online newspaper *Candongga*, was detained for two weeks in September. The director of the Havana-based news agency Hablemos Press, Roberto de Jesus Guerra Perez, was also repeatedly detained and questioned.

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

During 2008, as part of a policy of greater economic openness promoted by President Raul Castro, the authorities introduced measures to ease the private purchase of some consumer goods, including mobile telephones, computers, televisions, and tape recorders. However, the internet remained extremely slow and expensive. It is estimated that around 14 percent of the Cuban population uses the internet, but this is a government-run intranet, and only marginal numbers of people are able to access the global internet. 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. Despite these restrictions, there is a small but vibrant blogging community. In 2009, writers in Cuba produced at least 25 independent, journalistic, and regularly updated blogs. Most of these writers are under

the age of 35 and generally avoid links to dissident groups. Nonetheless, state officials have questioned and threatened a number of bloggers. In November, state security officers detained and assaulted the internationally renowned blogger Yoani Sanchez and two of her colleagues, Claudia Cadelo and Omar Luis Pardo Lazo. The authorities also barred Sanchez from travelling out of the country.

Cyprus

Status: Free

Legal Environment: 5

Political Environment: 9

Economic Environment: 8

Total Score: 22

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	22,F	22,F	22,F	22,F	22,F

Czech Republic

Status: Free

Legal Environment: 4

Political Environment: 7

Economic Environment: 7

Total Score: 18

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	22,F	20,F	18,F	18,F	18,F

Denmark

Status: Free

Legal Environment: 2

Political Environment: 4

Economic Environment: 5

Total Score: 11

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	10,F	10,F	11,F	10,F	11,F

Djibouti

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

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	67,NF	69,NF	69,NF	72,NF	73,NF

Dominica

Status: Free
Legal Environment: 5
Political Environment: 11
Economic Environment: 7
Total Score: 23

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	17,F	19,F	20,F	22,F	22,F

Dominican Republic

Status: Partly Free
Legal Environment: 8
Political Environment: 18
Economic Environment: 13
Total Score: 39

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	38,PF	37,PF	40,PF	39,PF	40,PF

East Timor

Status: Partly Free
Legal Environment: 11
Political Environment: 11
Economic Environment: 13
Total Score: 35

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	30,F	39,PF	42,PF	38,PF	37,PF

- The media environment in East Timor improved in 2009, largely due to President Jose Ramos-Horta’s implementation in June of a new penal code that decriminalized defamation.
- Owing to the passage of the new code, the widely criticized defamation case against the editor of the weekly *Tempo Semanal*, Jose Antonio Belo, was dismissed. Belo’s paper had published the findings of an investigation into Justice Minister Lucia Lobato’s improper awarding of government contracts to friends and business contacts.
- The controversy over five draft media laws proposed by the UN Development Programme continued, as Timorese and regional press organizations argued that the proposed laws would place new restrictions on journalists. The London-based freedom of expression advocacy group Article 19 noted a number of positive features in the laws, such as a provision giving the Media Council the power to mediate defamation cases. However, the council would also be given the authority to fine journalists and news organizations for violations that Article 19 called “vaguely defined.” Cases that could not be resolved by the Media Council would be sent to the courts.
- In December 2009, a journalist from *Tempo Semanal* was ordered to appear as a witness in the prosecution of 28 individuals for a February 2008 attack on Ramos-Horta. The journalist had conducted an interview with one of the defendants. However, the judge affirmed his right to protect his sources, and he was not forced to testify.
- At least six 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.
- The presence of internationally funded media-assistance organizations has had mixed effects on journalists in East Timor. These organizations have made significant financial contributions, thereby decreasing the importance of funding from the state and arguably increasing journalistic independence. At the same time, evidence suggests that their presence has contributed to what some Timorese journalists call a “project mentality,” in which news organizations become dependent on grants from nonstate actors.
- Internet access was limited to just 0.2 percent of the population in 2009 due to inadequate infrastructure and poverty. Nonetheless, the government does not censor websites or restrict users’ access to diverse content.

Ecuador

Status: Partly Free

Legal Environment: 16

Political Environment: 20

Economic Environment: 11

Total Score: 47

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	41,PF	41,PF	41,PF	41,PF	44,PF

- Press freedom declined in 2009 as critical news media came under greater political and legal pressure from the government.
- At year's end, international human rights organizations asked Ecuador's National Assembly to amend the draft of its new Organic Law of Communication, Freedom of Expression, and Access to Public Information. Debated in the legislature since mid-September, the proposed bill had gradually polarized the nation and fueled significant concerns in media circles. While parts of the law were praised for combating the concentration of media ownership, promoting equal access for the disabled, and offering access to public information in governmental and private offices, other sections were strongly criticized as a direct threat to freedom of expression. Article 11 states that there will be no prior restraint except in circumstances established in the constitution, international treaties, and "the law," a vague term that could open the door to censorship. Similarly, Article 30 mandates that "the programming of media outlets will disseminate primarily contents of an informative, educational, and cultural nature," implying that entertainment shows could be curbed if they did not comply with the new policy goals.
- Another section of the proposed law would create a registration system for all media operations and establish a Communication and Information Council to oversee it, possibly with content-review and enforcement powers. Three members of the seven-member council, including its chair, are expected to be government officials.
- The government's use of *responsabilidad ulterior*—the power to punish any media outlet after publication for abusive, untruthful, and "irresponsible" content—has incited fears among critics that the proposed law could become a *ley mordaza* (gag law). By contrast, members of the governing Alianza Pais party openly defended the rule as a remedy for the commercial mass media's ongoing "licentiousness."
- Journalists continue to be charged with defamation and sentenced to prison. In June 2009, the director and editor of the Machala weekly *La Verdad*, Milton Nelson Chacaguasay Flores, was sentenced to four months in prison for slander related to a 2007 article linking the finance minister to a Ponzi scheme. Chacaguasay had been released from jail in May after serving an earlier sentence for slander.
- Public officials, including the president, occasionally threaten legal action against journalists. The private television station Teleamazonas was disciplined by the National Council of Radio and Television (CONATEL) twice in June for allegedly violating broadcast laws. The station has also been officially threatened with a license suspension if offensive reports continue. In December, the government accused Teleamazonas of spreading misinformation and ordered it to cease broadcasting for three days for negatively reporting on the effects of natural gas exploration.
- CONATEL has also been considering sanctions for television news programs, including those on Teleamazonas, Ecuavisa, TC Television, and Gama TV. Up to 130 license holders may be under scrutiny by CONATEL and other government agencies. In August 2009, CONATEL was placed under the jurisdiction of the new Ministry of Telecommunications and Information.
- In an unusual development, CONATEL ordered all television stations to comply with research methods (surveys) that can be verified and to avoid information that negatively impacts the honor, dignity, and reputation of individuals.
- Harsh official rhetoric against the private press is the norm. During a speech on August 10, President Rafael Correa reportedly said that the press is "the biggest adversary with a clear

political role, though without any democratic legitimacy.” The president commonly refers to the press as “ignorant,” “mediocre,” “primitive,” “corrupt,” “bloodthirsty,” and “deceitful.”

- Journalists in both public and private media regularly practice self-censorship. More than half of television journalists and at least a third of those working in the print media have reportedly either refrained from disseminating certain types of information or violated a journalistic principle because of fear of losing their jobs. In September 2009, two programs on the state-run Cablenoticias channel were allegedly cancelled once the station’s manager said he “didn’t like the content.”
- No journalists were killed in 2009. However, arbitrary detentions and physical attacks against both local and foreign journalists persisted, even against correspondents from countries that enjoy warm relations with Ecuador, such as Venezuela. The local press freedom group Fundamedios claimed that Correa’s verbal assaults help create a climate that encourages physical attacks on the press. During 2009, unidentified individuals threw homemade bombs outside the offices of Teleamazonas and fired shots at the offices of the weekly publication *Mi Pueblo*. The television journalist Eduardo Vite Benitez Mata was shot and wounded by an unknown attacker in the city of Esmeraldas.
- Community radio stations are also occasionally harassed. A reporter for the indigenous Inti Pacha radio outlet was arrested in January 2009 for covering a local protest against a new mining law, though he was released the next day.
- Much of Ecuador’s media sector is privately owned, including hundreds of radio stations. However, the government has been increasing its share of media ownership. The administration owns four terrestrial-broadcast television stations, a cable network, and several radio stations.
- The government has intensified its economic pressure on commercial media by conducting tax audits in provincial zones, limiting or denying state advertising in metropolitan areas, and acquiring smaller outlets through state-owned enterprises.
- The internet is accessed by about 15 percent of the population, with most users living in urban areas, and there are no reported restrictions on access.

Egypt

Status: Partly Free

Legal Environment: 21

Political Environment: 21

Economic Environment: 18

Total Score: 60

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	68,NF	61,NF	62,NF	59,PF	60,PF

Restrictions on press freedom continued in 2009, as Egyptian reporters tested the boundaries of acceptable coverage but were confronted by arrests, lawsuits, and state-sponsored assaults. The Emergency Law, the Press Law, and penal code provisions circumscribe the media, despite constitutional guarantees of press freedom. Approximately 35 articles in various laws specify penalties for the media, ranging from fines to prison time. 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 5,000 to 20,000 Egyptian pounds (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. Article 48 of the constitution prohibits censorship, except under emergency law. The Emergency Law (No. 162 of 1958), which has been in effect without interruption since 1981 and was most recently extended in 2008, allows the authorities to ban publications for reasons of national security or public order and try offenders in military tribunals with limited right to appeal. Journalists have few professional protections and no right to access of information, and they remain vulnerable to prosecution under these laws, though some judges have asserted their independence and proved willing to stand up to the state.

Reporters Without Borders found that complaints brought by the government, companies, and the military against journalists and bloggers have increased since 2008 to a rate of one per day in 2009. According to local human rights organizations, at least 57 journalists from 13 newspapers were involved in 28 lawsuits in the first quarter of 2009, and an estimated 60 defamation suits were filed during 2009 against the independent daily *Al-Masry al-Youm* alone. *Hisba* lawsuits, in which a citizen with no legal interest in a case can sue for blasphemy or other supposed religious violations, have been used with increasing frequency to intimidate and prosecute journalists and bloggers.

A series of high-profile legal cases against independent and opposition journalists were resolved on appeal in 2009, with courts often overturning prison sentences but upholding fines. In one such case in February 2009, an appeals court struck down one-year jail terms for four editors convicted of criticizing President Hosni Mubarak and his top aides, though it left intact the fine of 20,000 pounds (US\$3,600) against each of them. One of the editors, Adel Hamouda of the independent weekly *Al-Fagr*, received another fine of 10,000 pounds (US\$1,820) in December for defaming a member of the ruling National Democratic Party (NDP). Also in February, a Cairo court fined five journalists convicted of violating a ban on media coverage of the murder trial of Hisham Talaat Moustafa, an Egyptian billionaire and NDP member accused of ordering the murder of his reputed mistress, Lebanese pop singer Suzanne Tamim.

Among other cases during the year, an appeals court in April overturned the conviction of Cairo News Company (CNC) for illegally supplying video footage of a violent April 2008 strike in the textile town of Mahalla. The CNC—which offers technical support to broadcasters and is the foreign news media’s primary provider of broadcast equipment and services—had faced a fine of 150,000 pounds (US\$27,000), and the company’s head faced a five-year prison sentence. A court in May overturned a two-year jail sentence against human rights defender Saad Eddin Ibrahim, who had been convicted of defamation in 2008 for publishing “inflammatory” articles about the ruling party in the foreign press. Editor Yasser Barakat of the independent *Al-Mougaz* weekly was convicted in June of defaming lawmaker Mustafa Bakry in a series of articles, but the public prosecutor released him pending appeal. An appeals court in July overturned the conviction of a government clerk over an insulting poem about Mubarak that he wrote but never published.

Licensing of newspapers is controlled by the government, and at least five news publications reportedly had their licenses revoked in 2009. *Ibdaa* magazine, which is published by the Ministry of Culture, was banned in April for printing an allegedly blasphemous poem in

2007, though its license was reinstated two months later. Authorities revoked *Al-Balagh* newspaper's license in October even though their investigation into the paper's reports on homosexual actors was still ongoing at year's end.

A draft audiovisual broadcasting bill that was under consideration in the parliament 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 addition to legal and regulatory harassment, journalists and bloggers in 2009 commonly faced physical assaults, illegal detention, abduction, and confiscation of equipment. Hossam al-Hendy of *Al-Dostour* and Farouk al-Gamal of *Al-Masry al-Youm* were assaulted in early March. Just days later, Maher Abd al-Wahed of *Al-Youm al-Sabah* was assaulted, detained, and deprived of his mobile telephone while covering a sit-in at the Ministry of Irrigation. Also in March, a journalist for *Al-Fagr* was convicted of insulting a policeman who had allegedly beaten him. Journalist Seham Shouda was assaulted in May while covering a court case regarding the export of gas to Israel.

Although there are more than 550 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, which also owns 99 percent of newspaper retail outlets, and individuals cannot own more than a 10 percent stake in any newspaper. Editors of Egypt's three largest newspapers, *Al-Ahram*, *Al-Akhbar*, and *Al-Gomhorya*, are appointed by the president. The president also heads the High Press Council, which must approve all new newspaper licenses along with the cabinet and security services. The government supports state media directly and through advertising subsidies, and independent media face significant financial challenges. The independent *Al-Badeel*, for example, closed in 2009 for financial reasons.

All terrestrial television broadcasters—two national and six regional—are owned and operated by the government through the Egyptian Radio and Television Union (ERTU). There are, however, four privately owned, independent satellite channels and several pan-Arab stations that attract wide viewership. Authorities continued to ban or block shows and stations without cause or due process. In September, the minister of information banned the *Hokuma Show* (Cabinet Show) following a comedy sketch that criticized the prime minister. Egypt in March blocked the signal to Iran's Al-Alam satellite channel on both the Arabsat and Nilesat systems, cutting off access for viewers in more than 100 countries. 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 20 percent of the population in 2009, with many users sharing access points. Increasing numbers of Egyptians are subscribing to high-bandwidth connections, but regulators have set a new policy to impose fees, limit sharing of such lines, and restrict the speed of connections. Although the internet is not filtered, some sensitive websites have been occasionally blocked in the past. In May, a court ordered the government to block pornographic sites, but the minister of communications and information technology has refused to implement such filtering.

The Egyptian blogosphere remains extremely lively, with a large range of opinions freely expressed online and a wide breadth of content available to users of the medium. In response, the government has continued to harass and intimidate those who publish online. The Committee to Protect Journalists in 2009 named Egypt as one of the 10 worst countries in which to be a blogger, citing dozens of arrests and illegal detentions. In addition, bloggers reported surveillance and hacking of their personal accounts. Authorities stepped up the detention of bloggers and journalists at the airport in 2009, seizing laptops and other digital equipment. The disturbing trend of denying due process also continued. The government appeared to target bloggers who wrote about Palestinian issues, who travelled abroad (usually to speak about human rights in Egypt), and who had dual nationality and ties to Western countries.

In February, two bloggers who wrote about the Gaza Strip and Palestinian issues were arrested and detained for several days. In May, an appeals court upheld a January defamation conviction against Tamer Mabrouk, whose blog had exposed pollution by a private company. He was ordered to pay 42,500 pounds (US\$7,500) in fines and compensation. In June, Wael Abbas, editor of the online news site Misr Digital, was arrested at the airport and his computer seized. He was sentenced in November in absentia for allegedly damaging an internet connection. Other cases during the year included the arrest of three Muslim Brotherhood bloggers in July after they wrote critical posts about military trials of Brotherhood members, and the deportation of a pro-Palestinian Swedish journalist and blogger in October. In December, an appeals court upheld the four-year prison sentence of blogger Abdel Kareem Nabil Suleiman, who had been convicted in 2006 on several charges, including defamation. Blogger Reda Abdel Rahman—arrested in October 2008 for “insulting Islam”—was released in January, but several other bloggers remained in prison at year’s end, including Kareem Amer, Hani Nazeer, and Mosad Abu Fagr. Facebook has become a target of government repression, as exemplified by the illegal detention of an activist and the confiscation of his computer after he posted information about copyright infringement by a leading advertising executive on a Facebook group page.

El Salvador

Status: Partly Free

Legal Environment: 10

Political Environment: 19

Economic Environment: 14

Total Score: 43

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	41,PF	43,PF	42,PF	42,PF	42,PF

Equatorial Guinea

Status: Not Free

Legal Environment: 27

Political Environment: 36

Economic Environment: 27

Total Score: 90

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	88,NF	88,NF	89,NF	89,NF	90,NF

- The 30-year-old regime of President Teodoro Obiang Nguema Mbasogo continued to control Equatorial Guinea’s media with a heavy hand in 2009.
- Freedoms of expression and of the press are legally guaranteed, but these rights were ignored in practice.
- As in past years, the government relied on its extensive powers under the Law on the Press, Publishing, and Audiovisual Media to severely restrict press freedom, making the country one of the world’s most censored media environments. Criticism of the president, his family, other high-ranking officials, and the security forces was not tolerated.
- Almost all local coverage was orchestrated or tightly controlled by the government, and there were no laws guaranteeing freedom of information.
- Local journalists were subject to systematic surveillance and frequently practiced self-censorship during the year.
- In June, Rodrigo Angue Nguema, the local correspondent for Radio France Internationale (RFI) and Agence France-Presse (AFP), was arrested in connection with articles alleging that the director of a private corporation, CEIBA Intercontinental, had embezzled money and fled the country. Nguema had publicly retracted the story after learning that his source had provided false information. Nguema spent four months in prison; the status of charges against him was unclear at year’s end.
- Local reporters and private publications were required to register through a prohibitively complex and bureaucratic process.
- Three technicians and a cameraman working for state media were fired in January for “insubordination” and “lack of enthusiasm,” reportedly for failing to sufficiently praise the ruling authorities.
- Journalists from major Spanish media organizations were denied visas to cover the November 2009 presidential election. In recent years, international reporters who managed to obtain accreditation have been monitored, threatened, and harassed by government officials upon arrival.
- The most influential medium is radio, but all domestic radio and television stations were owned directly by the government or the president’s family. Several newspapers were privately owned or owned by the country’s nominal opposition parties.
- Applications to open private radio stations have been pending for several years but remained unapproved. The Roman Catholic Church applied to establish a radio station in 2007, but the government had not granted authorization by the end of 2009.
- Uncensored satellite broadcasts were increasingly available to those who could afford the service.
- The government did not restrict internet access, although the authorities were believed to monitor citizens’ e-mail and internet use. The U.S. Department of State reported that the internet has replaced broadcast media as the primary medium for opposition views. According to International Telecommunication Union statistics for 2008, around 2 percent of residents used the internet.

Eritrea

Status: Not Free

Legal Environment: 30

Political Environment: 40

Economic Environment: 24

Total Score: 94

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	91,NF	91,NF	94,NF	94,NF	94, NF

- The media environment in Eritrea continued to be among the worst in the world in 2009, as it remains one of the few that lack any form of privately owned press. The once-vibrant private media ceased to operate in 2001, after a ban imposed by the government of President Isaias Afwerki and the imprisonment of key editors and journalists. Since then, the crackdown has extended to state-employed journalists, many of whom have fled the country due to intimidation and arbitrary imprisonment. At the beginning of 2009, six journalists working for Radio Bana, an outlet sponsored by the Ministry of Education, were arrested for having provided information to opposition organizations and websites operating abroad.
- The constitution guarantees freedom of speech and of the press. Afwerki continues to claim that in his country “no one is prevented from freedom of speech.” In an interview with the Swedish broadcaster TV4 in June 2009, the president dismissed private outlets as being driven by personal interests and indicated that real freedom for the Eritrean people could only be provided by the state-owned media. Despite the absence of any private media, the 1996 Press Proclamation Law continues to apply in principle, mandating that all newspapers and journalists be licensed. It also stipulates that publications must be submitted for government approval prior to release, and prohibits reprinting articles from banned publications.
- The country continued to have the worst record in Africa for the detention of journalists, and ranked fourth in the world. The arrest of the six Radio Bana journalists caused the overall number of journalists in jail to rise to 19 as of December 1, 2009, from 13 the year before, according to the Committee to Protect Journalists. There is little information on the condition of those imprisoned, though unconfirmed reports indicate that several have died in detention. Dawit Isaac, a Swedish-Eritrean journalist arrested in September 2001, was reported to be seriously ill and to have been taken to a military hospital early in 2009. The government has since failed to disclose his health status.
- Foreign journalists are not able to freely enter the country and are generally not welcome unless they agree to report favorably about the regime. There have been occasional reports from journalists operating undercover, and Afwerki has conducted interviews with foreign broadcasters such as Swedish TV4 and the Qatar-based Al-Jazeera. However, it remained almost impossible to report from within the country in 2009.
- The three newspapers, two television stations, and three radio stations that operate in the country remain under state control. Individuals are allowed to purchase satellite dishes and subscribe to international media, though the importation of foreign publications without prior approval is not permitted.

- The government requires all internet-service providers to use government-controlled internet infrastructure. Many websites managed by Eritreans overseas are blocked, as is the video-sharing site YouTube. Authorities are believed to monitor e-mail communications, although internet use is extremely limited, with just under 5 percent of the population able to access the medium in 2009.

Estonia

Status: Free

Legal Environment: 4

Political Environment: 6

Economic Environment: 7

Total Score: 17

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	17,F	16,F	16,F	16,F	15,F

Ethiopia

Status: Not Free

Legal Environment: 27

Political Environment: 33

Economic Environment: 18

Total Score: 78

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	68,NF	75,NF	77,NF	76,NF	76,NF

The political climate in Ethiopia in 2009 was heavily influenced by the upcoming 2010 elections. The government took a variety of measures to secure greater control over the country and avoid the unrest that had accompanied the previous elections in 2005. Allegations of irregularities in counting the ballots that year had caused widespread protests, prompting to authorities to kill numerous protesters, shut down newspapers, and imprison journalists and members of opposition parties.

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 is the selective approach the government takes in implementing laws and the lack of an independent judiciary. Journalists have few guarantees that they will receive a fair trial, and charges are often issued arbitrarily in response to personal disputes. Court cases can continue for years, and many journalists have multiple charges pending against them. The latest

example was the conviction of two journalists in August 2009 in connection with coverage of sensitive topics dating back several years. Ibrahim Mohamed Ali, editor of the weekly, Muslim-oriented newspaper *Salafiya*, *Al-Quds* publisher Maria Kadi Abafita, and *Al-Quds* editor in chief Ezeddin Mohammad were arrested for publishing articles that criticized the Ministry of Education's proposal to prohibit headscarves for female Muslim students in public schools. While Abafita was acquitted, Mohammad was fined 10,000 birr (US\$800), and Ali was sentenced to one year in jail. Separately, Asrat Wedajo, former editor of *Seife Nebelbal*, a newspaper that was shut down by the government in 2005, was also sentenced to a one-year prison term in connection with a story published in 2004 that lamented human rights violations against the Oromo ethnic group. The imprisonment of Ali and Wedajo brought the total number of journalists in jail to four as of December 1, 2009, according to the Committee to Protect Journalists. The other two are Eritrean journalists from Eri-TV who were reportedly arrested by Ethiopian forces in the Somali capital of Mogadishu in 2006 and continue to be held at an undisclosed location in Ethiopia.

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 a negative trend, several legislative measures taken in 2009 explicitly targeted the media, while others had repercussions for the overall media environment. In January, the Proclamation for the Registration and Regulation of Charities and Societies was passed by the parliament, curtailing the ability of nongovernmental organizations (NGOs) to operate in sectors other than education, health, and food security. As a result, international NGOs faced significant restrictions on implementing projects in the areas of governance and human rights, including freedom of expression, as did local NGOs that received more than 10 percent of their budgets from foreign sources. In July, the Anti-Terrorist Proclamation took effect. It was theoretically designed to combat groups accused by the Ethiopian government of carrying out terrorist activities, such as the Ogaden National Liberation Front (ONLF) and the Oromo Liberation Front (OLF). However, its broad definition of who can be considered a terrorist caused concern among international free-expression groups, as did language imposing prison terms of up to 20 years on those who "write, edit, print, publish, publicize, or disseminate" statements deemed to "encourage, support, or advance" terrorist acts. This provision had an almost immediate effect on the media. The exiled editors of a political newsletter, Dereje Habtewold and Fasil Yenealem, were convicted in absentia in August of involvement in a terrorist plot. In December, three staff members of leading independent newspaper *Addis Neger*—Abiy Tekle Mariam, Mesfin Negash, and Tamirat Negera—fled the country, claiming that charges were being prepared against them under the new law. The same provision was employed by the Ethiopian government to pressure Kenya's Nation Media Group to stop broadcasting an investigative documentary on the OLF.

Criminal prosecutions, harsh sentencing, official pressure, and the threat of exile have encouraged self-censorship among journalists. *Addis Neger* suspended operations in November, as staff said they feared prosecution by the authorities. 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. Physical attacks on members of the press are rare.

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. In June 2008, the first private, foreign-language FM station,

Afro FM, was granted a license; it broadcasts in English, French, and Arabic. Dozens of print outlets publish regularly and offer diverse views, although following the 2005 crackdown only a limited number of newspapers were allowed to continue publishing without interruption. There are currently 20 private Amharic and English-language newspapers, which are generally focused on politics and business. In past years, access to foreign broadcasts has occasionally been restricted. This pattern continued in 2009 with the jamming of Deutsche Welle and Voice of America (VOA) signals, though the government denies blocking the stations. Diplomatic ties with Qatar were broken in the past over the Qatar-based satellite station Al-Jazeera’s coverage of the ONLF insurgency.

Owing to an extremely poor telecommunications infrastructure, internet access is very limited. In 2009 the country was still relying mostly on slow and unreliable dial-up connections, and there were few broadband subscribers. Less than 1 percent of the population had internet access during the year. The government has resisted liberalizing telecommunications, maintaining a near monopoly and keeping prices artificially high. The monthly fees charged by the Ethiopian Telecommunication Corporation for a broadband connection ranged from US\$200 for 64 Kbps, only slightly faster than dial-up, to more than US\$5,000 for 2 Mbps. Meanwhile, most of the political blogs, many of which are based abroad, have been blocked, hindering important voices from contributing to the local political debate.

Fiji

Status: Partly Free

Legal Environment: 16

Political Environment: 27

Economic Environment: 11

Total Score: 54

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	30,F	28,F	39,PF	37,PF	40,PF

- Press freedom in Fiji suffered a major setback in 2009. An appellate court ruled on April 9 that the 2006 dismissal of former prime minister Laisenia Qarase and his cabinet, the dissolution of Parliament, and the 2007 appointment of Frank Bainimarama as interim prime minister were illegal, precipitating a political crisis. On April 10, President Josefa Iloilo abrogated the 1997 constitution, nullified all judicial appointments, imposed a state of emergency, and reconfirmed himself as president, announcing that he would rule by decree. Following the suspension of the constitution, the government generally ignored constitutional guarantees protecting freedom of the press; all private media were tightly controlled, and journalists who criticized the government were harassed, threatened, and detained.
- Despite the military-backed regime’s abrogation of the constitution, the authorities claimed that a “free press” still existed, allowing for some editorial discretion amid general censorship.
- The Public Emergency Regulations (PER) imposed in April 2009 remained in force at year’s end, allowing for daily government censorship of print publications as well as radio and television broadcasts. Local reporting that was critical of the interim government was

prohibited, and government officials threatened those who disobeyed with criminal proceedings. Newspapers published blank pages and television stations cancelled news programming due to the restrictions.

- In January 2009, the Suva High Court ruled against the *Fiji Times* for publishing a “contemptuous letter” from an Australian correspondent in 2008 that criticized three judges. The paper was fined FJ\$100,000 (US\$83,000), and its editor in chief, Netani Rika, received a three-month suspended sentence for contempt of court. While the expatriate Australian publisher of the *Fiji Times*, Rex Gardner, was discharged on a good-behavior bond, he was deported several days later. Gardner was the third Australian publisher to be expelled by the regime in less than a year. The *Fiji Times*—the oldest and most influential of Fiji’s three daily newspapers—is owned by the Australian company News Limited, a subsidiary of Rupert Murdoch’s News Corporation. The *Fiji Daily Post* was also prosecuted for publishing the same letter.
- Throughout the year, journalists were threatened, detained, harassed, and prosecuted, encouraging high levels of self-censorship. Journalists with Fijilive, a web-based news service, were detained and questioned in April for a story on the devaluation of Fiji’s currency. Also in April, three additional journalists from Australia and New Zealand were deported following the implementation of emergency regulations.
- The state-run Fiji Broadcasting Corporation operates three main radio stations in English, Fijian, and Hindustani; the state also runs three national newspapers. These compete with three private newspapers, the *Fiji Times*, the *Fiji Sun*, and the *Daily Post*, as well as a privately owned FM broadcaster, Communications Fiji Ltd. The Fijian investment group Yasana Holdings owns a controlling 51 percent stake in Fiji TV, while the government owns 14 percent but plans to sell its stake. In April 2009, two Australian Broadcasting Corporation FM radio transmitters were shut down, and the government seized all broadcasting licenses in November and issued temporary licenses pending review. There were reports that at least one of the seized frequencies would be reallocated to the government broadcaster.
- Approximately 13 percent of the population was able to access the internet in 2009. While there was no systematic blocking of websites, and the public was free to access the internet, there were reports that the government under the PER monitored e-mail traffic and critical blogs.

Finland

Status: Free

Legal Environment: 3

Political Environment: 3

Economic Environment: 4

Total Score: 10

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	9,F	9,F	9,F	9,F	10,F

France

Status: Free

Legal Environment: 6

Political Environment: 10

Economic Environment: 7

Total Score: 23

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	20,F	21,F	21,F	22,F	22,F

- The constitution and governing institutions in France 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 June 2009, the Constitutional Council rejected a provision contained in a controversial antipiracy law that would have given the High Authority for the Dissemination of Creative Works and Protection of Rights on the Internet (HADOPI) permission to disconnect internet access—without a court order—for users engaged in downloading music illegally. Following the ruling, an amended version of the antipiracy law was passed by the National Assembly in September and approved by the Constitutional Council in October. Under the new law, three warnings will be issued to users engaged in illegal downloading before their internet access is suspended for up to a year; repeat offenders could face fines of up to US\$43,900, or up to two years in prison. The revised law differs from the previous version in that a judge must order the suspension of internet service, while HADOPI will be responsible for issuing warnings.
- France’s defense minister decided in 2009 that three documents containing information on the disappearance and death of journalist Jean-Pascal “JPK” Couraud in 1997 would not be declassified. Couraud had been investigating alleged bank-account scandals, including the suspected involvement of then president Jacques Chirac.
- In June, Alex du Prel, editor of *Tahiti-Pacifique*, was found guilty of defamation by a Paris court; he was fined €1,000 (US\$1,300) and ordered to pay the offended public prosecutor an additional €1,000. Du Prel had written an article in 2007 criticizing the justice system’s handling of the Couraud case.
- Media workers occasionally face harassment. In March 2009, the television production company Tac Presse’s offices were raided by plainclothes police in search of the original footage of an interview with top Martinique businessman Alain Huyghues-Despointes, which had aired as part of a documentary in January. The footage showed Huyghues-Despointes making racist comments.
- Also in March, an Algerian journalist, Samia Baba Aissa, was assaulted in Paris during a question-and-answer session with the campaign manager for Algerian president Abdelaziz Bouteflika. Aissa had questioned the irregular distribution of resources to the parties competing in the Algerian presidential election. Human rights groups have highlighted the incident as an example of censorship spilling over from Algeria into France.
- Isabelle Cottenceau, a television reporter for M6, was cleared of charges of “complicity in an act of violence” in May in relation to her footage of a teenager suspending himself from body

piercings on his back in 2006. Cottenceau was facing six-month jail term and a minimum fine of €3,000 (US\$3,700).

- An intern for *Le Monde* was arrested in July 2009 and held overnight while covering demonstrations against police violence in Montreuil, even after he had identified himself as a journalist to the authorities.
- In August, the car of Enrico Porsia, an Italian investigative reporter for the Amnistia news website, was bombed in Corsica; no injuries were reported.
- Most of France’s more than 100 newspapers are privately owned. However, many media outlets—print as well as broadcast—are owned by companies with close ties to prominent politicians and defense contractors. In addition, close associates of President Nicolas Sarkozy own or hold prominent positions at France’s leading newspapers and television stations.
- Prime-time advertising was banned from state-funded television networks as of January 5, 2009. Sarkozy was also awarded the power to name the head of public broadcasting.
- To counter the loss of revenue from cuts in prime-time advertising on public channels, a 0.3 percent tax was imposed on private stations’ advertising revenue in 2009, and a 0.9 percent tax was imposed on telecommunications companies’ sales. While the new rules are contributing to serious financial losses for the affected stations, private broadcasters are permitted nine minutes of commercials per hour, a three-minute increase from 2008, as well as an additional commercial break in the middle of movies.
- There were no government restrictions on the internet, which was used by approximately 71 percent of the population in 2009. 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: 25

Economic Environment: 22

Total Score: 71

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	66,NF	67,NF	69,NF	69,NF	69,NF

- The constitution guarantees freedoms of expression and of the press, but authorities used legal harassment, threats, and financial pressure to curb critical reporting in 2009. 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. Publications can be legally suspended for libel and other press offenses.
- In 2009, the government continued to use its main regulatory body, the National Communications Council (CNC), and legal intimidation to curtail critical journalism.

- Amid widespread speculation over President Omar Bongo's declining health in May, authorities censored news coverage and harassed the press. Two journalists working for the French television station France 24 were denied entry to Gabon at the airport for allegedly lacking journalistic accreditation. The CNC suspended two local newspapers, the monthly *Ezombolo* and the satirical weekly *Le Nganga*, for six months and one month, respectively, over articles speculating on succession battles in Bongo's inner circle.
- Self-censorship remained widespread. However, the media increasingly engaged in open discussions on political issues following Bongo's death in June 2009. His son, Ali Ben Bongo Ondimba, was elected president in August.
- In late August and early September, several local journalists were assaulted while covering the presidential vote and violent protests over its results. On election day, August 30, authorities cut off broadcasts by TVPlus, a television station owned by opposition presidential candidate Andre Mba Obame. The following day, masked gunmen opened fire on the transmitter of the satellite television station Go Africa, which had been carrying TVPlus content. On September 3, opposition supporters attacked a crew from Radio-Television Nazareth outside the offices of the national electoral commission. Albert Yangari, chief editor of the progovernment newspaper *L'Union*, was detained and questioned on September 25 in connection with reporting on postelection violence in the coastal city of Port Gentil. Another journalist for *L'Union*, Jonas Moulenda, went into hiding on September 26 after security agents searched his house in connection with reports questioning the official number of deaths during the Port Gentil violence, according to the central African press freedom organization Journaliste en Danger.
- Gabon has seven private radio stations and four private television stations. The government owns two radio stations and two television stations that broadcast nationwide. Satellite television is also available to those who can afford it, and foreign radio broadcasts are widely accessible.
- The government-affiliated *L'Union* is the only daily newspaper in the country, and nine private weeklies and monthlies print sporadically due to financial constraints and government-ordered closures. Foreign publications are readily available.
- Government officials and other powerful figures use financial pressure to control the press, and ownership of media outlets is opaque.
- In 2009, only 6.7 percent of the population used the internet. There were no reports that the government restricted internet access or monitored e-mail, although Mba Obame alleged that his campaign website was blocked by hackers for two days in August.

The Gambia

Status: Not Free

Legal Environment: 26

Political Environment: 35

Economic Environment: 20

Total Score: 81

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	72,NF	73,NF	77,NF	79,NF	79,NF

- The press continued to operate under enormous strains in 2009 due to legal and extralegal intimidation of journalists and media outlets, as well as complete impunity for past abuses.
- Article 34 of the constitution provides for freedoms of the press and of expression, but the government does not respect these rights in practice. 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. These provisions have given the authorities great discretion in silencing dissent.
- 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.”
- Media outlets are occasionally fined or warned for broadcasting “un-Islamic material,” resulting in self-censorship and the arrest of journalists.
- The authorities have yet to solve the 2004 assassination of journalist and press freedom activist Deyda Hydara, managing editor of the *Point* newspaper and a correspondent for both Reporters Without Borders and Agence France-Presse. Investigations into the Hydara case have stalled since early 2005 following a leaked “confidential intelligence report” that smeared Hydara. The whereabouts of another journalist, “Chief” Ebrima Manneh, have remained unknown since he was arrested in 2006 for publishing a report that was critical of President Yahya Jammeh in the privately owned *Daily Observer* newspaper.
- In 2008, the Community Court of Justice of the Economic Community of West African States (ECOWAS) in Nigeria ordered the Gambian government to release Manneh, but officials denied any knowledge of his whereabouts. In April 2009, the Gambian attorney general and justice minister formally rejected the decision of the ECOWAS court, asserting that Manneh was not in government custody.
- In February 2009, Pap Saine, editor of the *Point*, was arrested and indicted for allegedly publishing false information in a January article about a diplomatic reshuffle at the Gambian embassy in Washington, DC. Saine was arrested again in March for allegedly falsifying citizenship documents, though all charges against him were subsequently dropped.
- Seven journalists were arrested in June for republishing a statement by the Gambia Press Union (GPU) that had criticized Jammeh’s comments during a televised interview about the Hydara case. One of the seven was released for lack of evidence in July, and in August the remaining six were convicted of sedition and sentenced to two-year prison terms and fines of approximately US\$10,000 each. The journalists—Pap Saine and Ebrima Sawaneh of the *Point*; Sam Sarr of the *Foroyaa* newspaper; and Sarata Jabbi-Dibba, Emil Touray, and Pa Modou Faal of the GPU—were then released and pardoned by the president in September.
- Also in September, Jammeh threatened “troublemakers,” including those who cooperate with human rights organizations, with death if they tried to “destabilize” the country.
- Several journalists went into hiding during the year out of fear of government retaliation. A number of others remained in exile.
- The government owns the *Gambia 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 eight private newspapers and nine private radio stations. While many are subject to official pressure, the private media continued to criticize the government and cover opposition viewpoints in 2009. However, most businesses avoid advertising with them for fear of government reprisals. A premium television network operates as a satellite station.
- Foreign news was rebroadcast on several local radio stations. The government did not interfere with access to foreign cable or satellite television news broadcasts, which were generally available to most citizens.
- About 7.6 percent of the population was able to access the internet in 2009. 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.

Georgia

Status: Partly Free

Legal Environment: 15

Political Environment: 26

Economic Environment: 18

Total Score: 59

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	56,PF	57,PF	57,PF	60,PF	60,PF

The constitution and legal system provide for strong protection of freedom of the press. However, in practice the government has sought to stifle independent and opposition media, particularly broadcast media. The authorities have continued their efforts to control editorial and news content at all major television broadcasters in the country.

The Georgian National Communications Commission (GNCC) remains subject to government influence. After repeated delays, the GNCC in July 2009 issued a 10-year satellite broadcast license to Maestro TV, which is connected to opposition leader and former parliamentary speaker Nino Burjanadze. Prior to its licensing, several local cable affiliates had reportedly been pressured to suspend rebroadcasts of Maestro TV, and unknown assailants attacked the station's offices with a grenade in May. After losing a court appeal in October, the small independent television station Channel 25 in the Ajara Autonomous Republic was ordered to pay a US\$160,000 fine; the owners of the station claimed the penalty was part of an effort to close it down ahead of local elections.

Due to strong protests against government influence over the Georgian Public Broadcaster (GPB), some reform progress was made during 2009. Opposition pressure led to the resignation of GPB's general director in July and Parliament's approval of an increase in the number of GPB board members in September. The board now has 15 members, with seven nominated by the ruling party, seven by the opposition, and one by civil society. In August, a group of civil society and media members formed the Media Club, which was able to push through three nominations. Parliament approved legislation in December that made GPB's budget equivalent to no less than 0.12 percent of gross domestic product, meaning the broadcaster will have a relatively consistent budget and be less dependent on annual government

decisions. Despite these changes, the GPB remained susceptible to government pressure, and its editorial line continued to be overtly progovernment throughout the year.

A number of journalists were physically attacked in 2009. Two newspaper journalists were assaulted in April while photographing police officers as they mistreated demonstrators outside the GPB building. In June, several journalists were attacked by local authorities using clubs to disperse a protest outside the police headquarters in Tbilisi. The journalists, including staff from Maestro TV, reported that their equipment was confiscated by police and its content erased. The Ministry of Internal Affairs subsequently suspended some of the officers involved in the incident. A well-known investigative journalist, Vakhtang Komakhidze, reported receiving death threats from authorities in February after producing a documentary in South Ossetia about Georgia's 2008 conflict with Russia over the territory. Several other journalists across the country reported editorial pressure from local government officials. There were some additional reports of individual attacks on journalists, particularly in the context of clashes between protesters and police.

After the 2008 war, Tbilisi lost what little influence it had over the separatist regions of South Ossetia and Abkhazia. Russia, which formally recognizes them as independent states, exercises varying degrees of de facto political, military, and economic control over the territories. The media environments in these regions are tightly restricted by the separatist authorities.

The media environment in Georgia is highly politicized. A large number of print outlets operate in the country, but with very limited circulation. The broadcast media tend to support either the government or the opposition. However, opposition stations such as Kavkasia TV and Maestro TV do not have national reach. The two privately owned television broadcasters with nationwide coverage, Rustavi-2 and Imedi TV, are subject to government editorial control through opaque ownership deals, managerial appointments, and pressure. These television stations declined to broadcast Western-sponsored reports detailing the causes of the 2008 war. The stations also carried little coverage of opposition protests that spanned several weeks in the spring of 2009. State control over Imedi TV continued to increase during the year. In March, Ministry of Defense spokesperson Nana Intskirveli was appointed to be Imedi's news director. In May, 50 Imedi employees submitted a joint statement protesting what they believed to be biased news coverage. Two of the signatories were fired, four resigned in protest, and the rest were pressured to withdraw their endorsements of the statement. In July, former economy minister Giorgi Arveladze was appointed general director of Imedi.

About 30 percent of the population uses the internet, which was generally not restricted during the year. However, the government reportedly launched an investigation in November into videos posted on Facebook that mocked the patriarch of the Georgian Orthodox Church.

Germany

Status: Free

Legal Environment: 6

Political Environment: 7

Economic Environment: 4

Total Score: 17

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	16,F	16,F	16,F	16,F	16, F

- The constitution guarantees freedoms of expression and of the press, though there are exceptions for hate speech, Holocaust denial, and Nazi propaganda.
- In 2008, a controversial data-retention law came into effect, requiring telecommunication companies and internet-service providers (ISPs) to store information on citizens' e-mail and telephone contacts, as well as their internet browsing habits, for up to six months, though the content of communications would not be retained. Amid serious criticism, the law remained under review by the Constitutional Court at the end of 2009.
- An antiterrorism law that took effect in January 2009 grants German authorities greater power to conduct covert surveillance, including remote and secret searches of computers through the internet. It also includes provisions that threaten the right of journalists to protect their sources.
- In November, the board of Germany's national public television network ZDF declined to renew the contract of the network's editor, Nikolaus Brender, citing "falling viewing figures." The decision came despite a request from the network's director to keep Brender in his position. Media monitoring groups such as the Vienna-based International Press Institute and the popular German news magazine *Der Spiegel* alleged that political interference played a significant role in the outcome.
- Violence against journalists is rare, and there were no reported attacks on the media in 2009.
- The print media are dominated by numerous regional papers, and a handful of national papers are also published.
- In addition to ZDF and two national radio stations, there are 10 regional public broadcasting stations—run by independent bodies—that produce both radio and television content. A number of private stations also broadcast 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 the online activities of individuals under court-ordered surveillance are monitored. The internet was accessed by about 79 percent of the population in 2009.

Ghana

Status: Free

Legal Environment: 8

Political Environment: 9

Economic Environment: 9

Total Score: 26

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	26,F	28,F	26,F	27,F	26,F

- In 2009, Ghana attempted to strengthen its reputation as a country with unfettered freedom of expression following a transfer of power from the New Patriotic Party to the National

Democratic Congress (NDC) party. However, there were several assaults on and acts of intimidation against journalists during the year.

- Freedom of the press is legally guaranteed, and the government generally respects this right in practice. The administration of former president John Kufuor failed to pass a freedom of information bill despite repeated promises to do so. However, under John Atta Mills, who was inaugurated as president in January 2009, the cabinet approved the Right to Information Bill in November. Advocacy groups called on Parliament to move quickly and pass the bill into law.
- Ghana's criminal libel laws were repealed in 2001, but former public officials and private citizens have brought a spate of civil libel cases seeking crippling amounts in damages from media outlets in the past few years, encouraging self-censorship. In May 2009, defamation claims were brought against the publishers of the *Daily Graphic* and the *Daily Democrat* newspapers by the former minister of aviation. The publishers faced potential payments amounting to US\$207,000, but the trial had not begun by year's end.
- Several journalists were arrested, attacked, or detained during 2009. In February, two female reporters covering a soccer match were assaulted by police after attempting to access the players' locker room following the game. The regional editor of Metro TV, Clement Kegeri, was detained by authorities in August after trying to cover a rape trial. Police physically attacked, searched, and detained a journalist with the local station Radio Progress in October for trying to photograph the officers' mistreatment of a young man. Two reporters were assaulted in November while covering the trial of six police officers. In December, NDC political activists attacked five journalists at a party function in central Ghana. The incident was condemned by the vice president, who called for public cooperation in investigating the matter.
- Dozens of newspapers, including two state-owned dailies, publish regularly in Ghana, and there are 27 television stations in operation.
- Radio remains the most popular medium, with more than 150 FM radio stations in operation nationwide, 11 of which are state run. The first community radio station, Radio Ada, was launched in 1999 and became a founding member of the Ghana Community Radio Network (GCRN). Nine additional stations have started broadcasting, and several others have been awarded licenses by the GCRN. Community radio stations have effectively informed citizens in marginalized communities throughout the country, contributing to stronger public involvement in local politics. However, the GCRN has been criticized for slow licensing procedures.
- 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 5.4 percent of the population.

Greece

Status: Free

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

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	28,F	28,F	25,F	27,F	29,F

Grenada

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

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	20,F	23,F	23,F	24,F	24,F

Guatemala

Status: Partly Free
Legal Environment: 16
Political Environment: 26
Economic Environment: 18
Total Score: 60

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	58,PF	58,PF	59,PF	58,PF	60,NF

- Guatemalan journalists continued to work under difficult and dangerous conditions in 2009. Violence against the press by drug traffickers and other criminal organizations continued and was rarely prosecuted, encouraging self-censorship. A number of journalists also received death threats during the year.
- Article 35 of the constitution ensures freedom of expression, which is generally respected by the government.
- The Law for Free Access to Public Information took effect in April 2009, promoting transparency and granting citizens access to information about public institutions. However, access to information remains difficult in practice, especially for journalists covering corruption in the provinces.
- In August 2009, a new initiative to legalize community radio stations was introduced in Congress. Community radio has long operated outside the law in Guatemala, but there were no new reports of station closures.

- Also in August, publisher Raul Figueroa-Sarti was convicted of violating copyright laws, sentenced to one year in prison, and fined 50,000 quetzales (US\$6,000). Press freedom groups alleged that Figueroa was in fact being punished for publishing books on human rights violations in Guatemala.
- The government's special prosecutor for crimes against journalists received 39 reports of attacks or intimidation in 2009, while the Public Ministry received 24 reports of intimidation, up from 10 in 2008. Media groups also reported numerous cases of extralegal intimidation and violence aimed at journalists, often in connection with corruption and government officials.
- In 2009, Guatemala experienced its most violent year in recent history, with 6,451 homicide victims, including several journalists. In April, television reporter Rolando Santiz de Leon, of the Canal 13 news program *Telecentro Trece*, was shot and killed by unidentified gunmen. His cameraman, Juan Antonio de Leon Villatoro, was wounded. Separately, television reporter Marco Antonio Estrada was shot and killed in June by an unknown assailant in the eastern city of Chiquimula.
- The recent increase in violence related to drug trafficking and organized crime has helped to maintain high levels of impunity. However, in October two of the suspects involved in the 2008 abduction and torture of investigative reporter Jose Ruben Zamora were found guilty and sentenced to 8 and 14 years in prison.
- Newspaper ownership is in the hands of business elites with generally centrist or conservative editorial stances. There are four major daily papers. 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 February 2009, the local print media accused the government of President Alvaro Colom of using public advertising funds in a discriminatory fashion to punish or reward media outlets. The allegations emerged after the government cancelled all advertising in print media, claiming the move was made for budgetary reasons. However, the government allocated substantial state advertising to television stations owned by Gonzalez.
- There were no reports of government restrictions on internet usage, and the medium was accessed by about 16 percent of the population in 2009.

Guinea

Status: Not Free

Legal Environment: 24

Political Environment: 30

Economic Environment: 17

Total Score: 71

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	73,NF	67,NF	67,NF	66,NF	66,NF

- Guinea's military junta, led by Captain Moussa Dadis Camara, took several regressive steps that further restricted press freedom following a violent military crackdown on September

28, in which more than 150 protesters at the Conakry Stadium were killed. The demonstrators had gathered to protest Camara's plans to participate in a presidential election scheduled for January 2010.

- Camara had come to power in a bloodless coup in December 2008 after the death of Lansana Conte, Guinea's president for 24 years. The junta, known as the National Council for Democracy and Development (CNDD), abolished civilian government institutions and the constitution.
- Guinea's constitution had previously guaranteed freedom of the press, but this right was widely abused in practice. Restrictive legislation designated defamation and slander as criminal offenses and permitted the authorities to censor publications.
- Unlike in previous years, the National Council for Communications (CNC) did not suspend any newspapers or radio operating licenses in 2009. However, on August 31, the CNC banned all live political content on radio and television. The ban was lifted on September 9 after meetings between the CNC, media representatives, and the minister of communications.
- Journalists criticized the October appointment of Cheikh Fantamady Conde as information and culture minister, as he allegedly intended to maintain tight control over Radio Television Guinea (RTG) and other government-run media.
- Intimidation of journalists occurred throughout 2009. A Conakry radio station journalist was attacked by members of the Presidential Guard in March while covering a confrontation between a group of young demonstrators and the armed forces. In May, Moise Sidibe, a reporter for *L'Independent* and an outspoken critic of the CNDD, was arrested with several members of his family and detained at the military camp Alpha Yaya in Conakry. Security forces detained Amara Camara, editor of *Le Confidentiel*, for two days in August after he challenged comments made by the head of the Ministry of High Crimes and Anti-Drugs, Moussa Tiegboro Camara, related to drug problems in a Conakry neighborhood. Also in August, the director of the private Radio Nostalgie FM, Hajaar Souhel, was arrested, though he was released later the same day. In November, the military police summoned Talibe Barry, editor of *L'Independent* press group, for questioning related to an article on a missing soldier.
- Optimism regarding an improved media environment in 2008 was shattered in the wake of the September 2009 massacre. Several journalists reported being assaulted and having their equipment seized or damaged in the crackdown on the stadium protest. Six French journalists from France 2 and France 24 who were travelling to Guinea to cover the aftermath of the incident were denied entry in October because they lacked "a formal invitation." In November, Reporters Without Borders claimed that a government source had disclosed a military plot targeting the Lynx-Lance press group and its journalists as part of an effort to quash support for the opposition.
- Following the September military crackdown, Guinean authorities launched a massive campaign against journalists who had "betrayed" Guinea to the international community by covering the massacre. Several journalists who worked for the international press or online media fled the country due to death threats, while others practiced increased self-censorship.
- Private media outlets were generally excluded from government meetings, leaving government-owned outlets to provide the only coverage. The opposition's activities did not receive coverage on national television. Private media workers who attempted to attend government meetings were targeted by security forces, and those who spoke out against the

authorities faced arrest, harassment, and mistreatment, among other punishments. The junta also attempted to bribe the press in 2009, offering monetary compensation and tax breaks.

- Thirteen private weekly newspapers publish regularly in Conakry, while numerous others publish only occasionally due to economic and technical difficulties. The country's only daily, the *Horoya*, is state run. Many new newspapers began publishing in 2008. However, widespread corruption and a lack of ownership transparency continued to plague the private press.
- Radio is the most important news medium in the country. In addition to a state-owned radio station, 21 private stations operate mostly in urban areas, and 12 rural and community stations broadcast in the rest of the country. The state-owned RTG continues to be the only television broadcaster.
- The government does not directly restrict access to the internet, but use of the medium remains very limited, largely because of illiteracy, a lack of access points, and the high cost of access. The share of the population estimated to have access to the internet in 2009 was slightly less than 1 percent.

Guinea-Bissau

Status: Partly Free

Legal Environment: 15

Political Environment: 24

Economic Environment: 15

Total Score: 54

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	55,PF	47,PF	48,PF	53,PF	52,PF

- While freedoms of expression and the press are guaranteed in Guinea-Bissau's 1993 constitution and by 2005 legislation, the authorities continue to suppress these rights in practice. Political upheaval and an escalation in violence in 2009 exacerbated an already poor media situation.
- The authorities have threatened to shut down the main opposition radio station, Radio Bombolom, several times in recent years. In 2007 and 2008, Albert Dabo, a Bombolom journalist who also works for Reuters, was threatened by military officials and temporarily forced into hiding for reporting on potential connections between the armed forces and drug traffickers.
- Following the murder of General Batista Tagme Na Wai on March 1, 2009, and the assassination of President Joao Bernardo Vieira on March 2, three private radio stations were shut down by the military, though they were reopened the following day.
- Intimidation, harassment, and violence aimed at journalists continued in 2009. For example, in October, the director of the *Donos da Bola* newspaper, Mario de Oliveira, was arrested over an interview of the interior minister. De Oliveira was verbally and physically abused while in custody, but he was released after several hours following the intervention of a local human rights group.

- The military has threatened and assaulted journalists and human rights defenders who speak out against press freedom abuses. Impunity for public officials and members of the armed forces who harass members of the press continues unabated.
- Self-censorship by journalists, particularly concerning the issue of drug trafficking, has increased in recent years. A number of journalists have gone into hiding or fled the country to avoid reprisals for their reporting.
- A government-owned newspaper operates alongside several privately owned print outlets. Three private radio stations compete with the state-run radio broadcaster and the Portuguese-owned public broadcaster.
- Operating in one of the world's poorest countries, Guinea-Bissau's press is plagued by financial instability. With only one state-owned printing press, publications struggle with high costs, slow production, and limited supplies. Broadcast outlets face unreliable electricity.
- Access to the internet as an alternative vehicle for news and information is limited to 2.3 percent of the population. No governmental restrictions on access are apparent.

Guyana

Status: Free

Legal Environment: 7

Political Environment: 13

Economic Environment: 10

Total Score: 30

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	23,F	27,F	29,F	31,PF	30,F

Haiti

Status: Partly Free

Legal Environment: 15

Political Environment: 17

Economic Environment: 17

Total Score: 49

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	66,NF	68,NF	59,PF	56,PF	53,NF

- The constitution explicitly upholds press freedom 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, and there have been efforts to address the murder of journalists and related problems with impunity.

- The Independent Commission to Support the Investigations of Assassinations of Journalists was launched in 2008 by the president and the local press freedom group S.O.S. Journalistes to assist in the investigation and prosecution of the murderers of journalists in recent years.
- In April 2009, Judge Fritzner Fils-Aime, who was in charge of the investigation of the 2000 murder of radio journalist Jean Dominique, was suspended for “serious acts of corruption.” Two other justice officials involved in the case were also suspended for similar reasons. Fils-Aime was the sixth judge to have led the Dominique murder investigation.
- Defamation remains a criminal offense. In December 2008, 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 Dominique case. Delva announced that he would appeal the court’s decision, but the legal process stalled in 2009, and the authorities had taken no action by year’s end.
- In January 2009, Justice Minister Jean-Joseph Exume threatened and attempted to intimidate a Radio Vision 2000 journalist, Valery Numa, during a radio interview. The interview concerned the alleged theft by judicial officials and police officers of a large sum of money during a November raid on a house belonging to a relative of an alleged drug trafficker near the northern town of Port-de-Paix. When Numa asked the justice minister a series of searching questions regarding his ministry’s handling of the affair, Exume responded by accusing the journalist himself of receiving some of the stolen money and suggesting that he could be arrested. Following protests by media freedom advocates, the minister offered a public apology.
- The private radio station Ideale FM was closed in April after it failed to name the sources for a story about a suspected drug trafficker in Florida. The station was reopened several days later by the justice minister.
- While most Haitian journalists have historically avoided investigative journalism, news coverage continued to grow less partisan and more informative in 2009, 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 during the year, and there was a further improvement in the security situation, making it easier for local and foreign journalists to cover the news. However, violence against journalists continued to occur. Supporters of Wilot Joseph, a member of the National Assembly, harassed, intimidated, and physically attacked Sainlus Augustin, a journalist with Voice of the Americas and Radio Kiskeya, during elections for the Haitian Senate in April 2009. Augustin subsequently went into hiding due to continued threats on his life. In July, Augustin’s residence in Hinche was shot at by unknown gunmen. Augustin held Joseph responsible for the incident, as he had earlier expressed his displeasure regarding Augustin’s reporting on election irregularities.
- In December, journalist Edwige Joseph Watson was physically assaulted by police officers while attempting to cover a student protest in Port-au-Prince.
- With more than 300 stations, radio is by far the most popular news medium, and some 90 percent of the population has access to broadcasts. There are four weeklies and two newspapers that publish more than once a week, all privately owned. Television Nationale d’Haiti is government owned, and there are several private television stations. However, Haiti’s television audience is small due to lack of electricity and resources.

- The concentration of wealth among a small number of Haitians negatively affects media outlets' ability to obtain advertising revenue and sustain themselves financially. Journalists also struggle with low salaries.
- There are no government restrictions on internet access, but the usage rate remained low at just under 10 percent of the population in 2009.

Honduras

Status: Partly Free

Legal Environment: 17

Political Environment: 27

Economic Environment: 15

Total Score: 59

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	51,PF	52,PF	51,PF	51,PF	52,PF

- Freedoms of speech and of the press are constitutionally protected. However, press freedom showed a marked deterioration in 2009, especially after the June 28 coup that led to the ouster of President Manuel Zelaya Rosales.
- 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.
- Under former president Zelaya, radio and television stations were required to air a series of 10 interviews with public officials starting in May 2007, following an increase in anti-Zelaya reporting. Zelaya frequently criticized the media and exerted pressure on journalists to curb negative coverage. According to a 2008 report by the Open Society Institute, journalists often entered into contracts with government officials and received payments in return for favorable reporting. The government under Zelaya was also prejudicial in supplying journalists with official information, favoring the more friendly outlets. Such problems were even more visible at the local level.
- The 2009 coup led to the suspension of constitutional guarantees, and journalists faced a high level of aggression and intimidation by coup supporters and opponents alike.
- Programming on several broadcast stations was suspended in the days following the coup, due to military occupation in some cases and frequent power outages or blocked transmissions in others. The military in this period blocked the signals of privately owned television stations Canal 6, Canal 11, Maya TV, and Canal 36 in Tegucigalpa; La Cumbre and Televisora in Aguan; and Canal 5 in Colon province. The operations of Radio Globo and Canal 36 were later suspended for several weeks.
- On July 8, July 16, and August 31, Radio America's transmission wires in Tegucigalpa, Marcala, and Olanchito were cut off. In November, unknown attackers threw a grenade at the offices of Radio America in Tegucigalpa.

- Journalists received death threats throughout the year, while others were assaulted both by supporters of the ousted president and by police officers. Seven journalists working for foreign outlets were detained on June 29 by armed military personnel at their hotel in Tegucigalpa and subsequently taken to an immigration office, though they were released shortly thereafter. Separately, a group of Venezuelan journalists left Honduras in July after being harassed at their hotel and detained at a Tegucigalpa police station.
- In June, Zelaya supporters beat *El Herald*o photographer Jhony Magallanes. They also attacked three Canal 42 reporters, punching them and smashing their cameras.
- Fatal violence against journalists occurred both before and after the June coup. In March, unknown assailants in San Pedro Sula shot and killed Radio Cadena Voces correspondent Rafael Munguia Ortiz. According to local reports, his assassination may have been related to his reporting on organized crime. An unidentified gunman fatally shot journalist Gabriel Fino Noriega in July as he was leaving the Estelar radio station in the town of San Juan Pueblo. Noriega had worked for Estelar, Channel 9 television, and as a correspondent for Radio America.
- There is some self-censorship among journalists, and this increased after the coup.
- Most of the media sector is owned by a small group of business magnates who also have political interests.
- Honduras has nine daily papers. There are six private television stations and five radio stations—including one state-owned station—that broadcast nationally.
- Corruption among journalists and government manipulation of state advertising purchases remain common.
- Nearly 10 of the population had access to the internet in 2009. The government did not restrict access to the medium until the June coup, after which Radio Globo reported that its website was taken offline on a number of occasions.

Hong Kong

Status: Partly Free

Legal Environment: 12

Political Environment: 12

Economic Environment: 9

Total Score: 33

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	28,F	29,F	30,F	30,F	33, PF

Although freedom of expression is protected by law and Hong Kong media remain lively in their criticism of the territory's government, political and economic pressures, including from Beijing, have narrowed the space for free expression 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 involved 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. Decisions to grant or refuse licenses are made by the executive branch rather than an independent body. In 2009, authorities continued to obstruct broadcasts by the prodemocracy station Citizens' Radio, whose license application had been rejected in 2006. In November, six activists were convicted and fined between HK\$3,000 (US\$380) and HK\$12,000 (US\$1,500) each on charges of broadcasting without a license, though the judge in the case acknowledged their act of civil disobedience as "noble." In January 2008, the same magistrate had found the existing licensing system unconstitutional, but a higher court subsequently ruled that the ordinance's unconstitutionality could not be used as a defense. In a similar case in December 2009, eight activists and prodemocracy lawmakers were each fined between HK\$1,000 (US\$125) and HK\$4,000 (US\$500) on charges of "transmitting a message using an unlicensed means of communication" for participating in an April 2008 Citizens' Radio broadcast.

Increasing media self-censorship poses a serious threat to free expression in the territory. In recent years, Beijing's influence over the news, publishing, and film industries has increased, prompting greater restraint on issues deemed sensitive by the central government. The Hong Kong University Public Opinion Program reported in September 2009 that over half of citizens interviewed believed the media practiced self-censorship, a record high since the survey series began. In one incident during 2009, top managers of the Hong Kong edition of *Esquire* magazine barred the publication of a 16-page feature about the June 4, 1989, Tiananmen Square massacre; Daisy Chu, the feature's author, was subsequently fired on June 29, according to the Hong Kong Journalists Association (HKJA). More broadly, the HKJA reported that "only two or three newspapers devoted significant coverage to the anniversary, while leading TV stations aired just a few special programs, with some appearing to follow [the Communist Party's] line."

Such self-censorship stems in part from the close relationship between media owners and the central government. At least 10 owners sit on 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 ruling Communist Party to co-opt powerful members of society. Several media owners are also current or former members of the National People's Congress, China's rubber-stamp parliament. In a further effort to influence the territory's media landscape, the Communist Party mouthpiece, the *People's Daily*, launched a branch in Hong Kong in November.

Hong Kong journalists face restrictions and intimidation when covering events on the mainland, limiting their ability to provide national news to the local population. In contrast to loosened regulations for foreign journalists in China, which were extended indefinitely after the 2008 Beijing Olympics, mainland authorities issued more restrictive conditions for Hong Kong media workers in February 2009. The regulations require journalists to obtain temporary press cards from Beijing's liaison office in Hong Kong prior to each reporting visit to the mainland, and to obtain the prior consent of interviewees. Several journalists reported that they were generally able to obtain the desired press card on the day of application, but expressed fears that they could run into obstructions by mainland authorities should they attempt to cover a breaking story that is not cited in their documents. Journalists from the territory have repeatedly been subject to surveillance, threats, beatings, and occasional jailing when reporting on the mainland. In September, three journalists—a television reporter and two cameramen—were allegedly tied up, handcuffed, and beaten by police in Xinjiang while covering a series of reported stabbings

with hypodermic needles. The incident sparked rare criticism from across the political spectrum, including from Hong Kong representatives to the National People’s Congress. The announcement several days later that an official Chinese investigation had found the journalists to be at fault for “instigating protests” sparked further outrage in Hong Kong, culminating in a petition signed by 1,300 journalists and a demonstration that drew over 700.

Physical violence against journalists by Hong Kong authorities is rare. Nevertheless, several journalists were assaulted by nonstate actors during the year. In January 2009, a British photographer was punched by the wife of Zimbabwean president Robert Mugabe while trying to report on her visit to Hong Kong. The following month, two other journalists were manhandled by bodyguards of Mugabe’s daughter while seeking to report on the family’s recent purchase of a luxury home. In a decision that was criticized by press freedom groups, the Hong Kong government decided not to prosecute, citing diplomatic immunity for the wife of Mugabe, a close Beijing ally. International media organizations operate freely in Hong Kong, and foreign correspondents do not need government-issued identification.

Despite the increasing self-censorship, Hong Kong’s media remain outspoken, there is a high degree of professionalism, 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 criticism of 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 supporting these publications would damage their economic interests on the mainland.

Controversy continued in 2009 over the future of the government-owned Radio Television Hong Kong (RTHK), which has functioned as an editorially independent outlet and earned high public-approval ratings for its critical coverage of the government. After several years of delay, in September 2009 the government rejected proposals to turn RTHK into an independent public broadcaster or create a separate such outlet, while also announcing the creation of a government-appointed board to advise RTHK’s director of broadcasting. The announcement raised concerns that the new arrangement could curtail the station’s editorial independence. A period for public consultation on the issue was opened in October and had not concluded by year’s end. There are no restrictions on internet access. Approximately 61 percent of the population uses the medium, giving Hong Kong one of the highest internet usage rates in Asia.

Hungary

Status: Free

Legal Environment: 7

Political Environment: 9

Economic Environment: 7

Total Score: 23

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	21,F	21,F	21,F	21,F	21,F

Iceland

Status: Free

Legal Environment: 1

Political Environment: 5

Economic Environment: 4

Total Score: 10

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	9,F	9,F	9,F	9,F	9,F

India

Status: Partly Free

Legal Environment: 9

Political Environment: 15

Economic Environment: 9

Total Score: 33

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	38,PF	37,PF	35,PF	35,PF	36, PF

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, faced a number of challenges during 2009, including an increase in legal actions and occasional incidents of violence. 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 and prosecute members of the press, but no such cases were reported during the year. State and national authorities have on occasion used other security laws, criminal defamation legislation, and contempt-of-court charges to curb critical reporting, though a 2006 amendment to the Contempt of Courts Act introduced truth as a defense. In January 2009 B. V. Seetaram, chairman and chief editor of Chitra Publications, was arrested in Karnataka state on defamation charges. He was released weeks later and won compensation for the illegal arrest. Later in the year in Tamil Nadu state, news editor B. Lenin of the *Dinamalar* daily was arrested on the basis of an insult complaint and held for two days before being released on bail, while A. S. Mani of the *Naveena Netrikan* magazine was held on defamation charges for a month before being released on bail in November. Hate-speech laws have also been used against the press. In February, the editor and the publisher for the Kolkata-based *Statesman* newspaper were arrested under religious speech laws after reprinting an article that had originally been published in Britain's *Independent*. The article had sparked protests by Muslim groups.

The Press Council of India, an independent body composed of journalists, publishers, and politicians, serves as a self-regulatory mechanism for the print media, investigating complaints of misconduct or irresponsible reporting. No similar body exists for the broadcast media, which have become known for undercover sting operations and investigative reports. A broadcasting

services regulation bill, which was first introduced in 2006, could give the government greater power over the media, restrict media cross-ownership, and lead to greater content regulation for news channels—all of which have been opposed by broadcasters and journalists' groups. The bill made no significant progress in Parliament during 2009. In the wake of terrorist attacks in Mumbai in November 2008, the Ministry of Information and Broadcasting (MIB) 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 the authorities raised censorship fears among some local media watchdogs. In an attempt to forestall official regulation of news coverage, in February 2009 the News Broadcasters' Association issued a new set of self-regulatory guidelines covering several areas, including crime, violence, and national security. The MIB voiced support for this self-regulatory approach, denied that there was any plan to control the content of news media, and set up a committee to act as a forum for consultations between the government and media groups.

Physical intimidation of journalists by a variety of actors continued to be a problem in 2009, though fewer deaths were reported than in the previous year. A number of journalists were attacked, threatened, abducted, or detained by police, political activists, right-wing groups, insurgents, local officials, or criminals. Media offices were also targeted during the year. Employees and offices of two television channels were violently assaulted by activists from the Shiv Sena, a Hindu nationalist political party, in a series of attacks in Maharashtra state in November. In West Bengal, freelance photographer Jay Mandal was assaulted by political party activists while covering an election rally in Nandigram in May, while police beat a number of media photographers who were covering a siege by Maoist insurgents in Lalgarh in June.

Members of the press are particularly vulnerable in rural areas and insurgency-racked states such as Chhattisgarh, Jammu and Kashmir, Assam, and Manipur. Reporters in these states faced pressure from both the government and insurgents in 2009; those suspected of Maoist or other insurgent sympathies were sometimes threatened with sedition charges or detained by the authorities, while others were pressured to reveal their sources for sensitive stories. In March 2009, editor Anil Majumdar of the *Aji* newspaper in Assam was shot and killed as he arrived home from work. Police have not yet apprehended the perpetrator, and the motivation behind the killing remains unknown. Conditions for the media improved slightly in the state of Jammu and Kashmir, with fewer violent incidents than in 2008, a year of political tensions and repeated confrontations between protesters and security forces. However, local media continued to face 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. In June, state authorities temporarily banned the operation of a cable channel and ordered private television channels to restrict their news bulletins.

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 air news content. Under a policy announced in 2006, which provided guidelines for the ownership and operation of community radio stations by nongovernmental organizations (NGOs) and other civil society groups, there has been an increase in community radio stations, leading to a greater diversity of voices and topics covered. The MIB reported that as of December 2009, 584 applications had been received and 48 stations were operational. 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. During 2009, local media outlets brought attention to an ongoing practice of “cash for coverage,” in which payments were made to secure favorable news coverage for candidates and parties, particularly during the spring general elections and several state assembly elections in October. The allegations led to an investigation by India’s election commissioner. Restrictions on the operations of foreign news outlets were reduced further in January, allowing 100 percent foreign-owned periodicals to print local editions with government approval. A 2008 decision had allowed the foreign companies to print country-specific editions in collaboration with a local partner, so long as the foreign ownership of the joint venture did not exceed 26 percent.

The internet, accessed by about 5 percent of the population in 2009, remains largely unrestricted. However, the government retains the right to censor the medium, particularly on the grounds of morality or national security. The 2008 Information Technology Act gives the Ministry of Communication and Information Technology the authority to block material that endangers public order and national security, and enables prosecution of cybercafes, search engines, and internet-service providers.

Indonesia

Status: Partly Free

Legal Environment: 18

Political Environment: 19

Economic Environment: 15

Total Score: 52

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	58,PF	58,PF	54,PF	54,PF	54,PF

Indonesia’s vibrant and independent media environment was offset in 2009 by the continued use of criminal defamation laws and the 2008 Information and Electronic Transfers (ITE) Law to curtail freedom of expression in electronic and social media. Violence against journalists declined slightly in 2009, and freedoms of speech and the press are guaranteed by the constitution and the 1999 Press Law, but media activists expressed concern about proposed and existing legislation that threatened these rights. A state secrets bill faced such strong resistance from civil society groups that discussions on it were suspended at the end of the year. The bill gave no concrete definition of state secrets, but specified harsh punishments for public officials and firms found to have leaked them.

While the ITE Law was originally designed to protect electronic business transactions, its vague definition of defamation allows it to be used against citizens who express opinions via electronic and social media. One of the six individuals prosecuted under the law in 2009 was housewife Prita Mulyasari, who was arrested in May and charged with circulating defamatory statements online about a private hospital in Banten province. Under Article 27, paragraph 3 of the law, she faced up to six years in prison and a penalty of 1 billion rupiah (US\$98,000). After she was handed a 204 million rupiah fine in a civil court, supporters created a page on the social-

networking site Facebook and collected donations on her behalf. The hospital ultimately dropped its lawsuit, and Prita won a parallel case in criminal court. However, on May 5, the Constitutional Court rejected a petition by Indonesia's largest journalists' union, the Alliance of Independent Journalists (AJI), to revoke Article 27, paragraph 3 of the ITE Law. As a result, heavier punishments could be levied for defamation via the internet than in other types of media.

Despite a 2005 Supreme Court decision to use the Press Law for the settlement of all media disputes, Articles 311 and 317 of the criminal code continue to be used to file defamation cases against journalists and others. In July 2009 the East Jakarta District Court sentenced two businessmen, Kho Seng Seng and Winny Kwee, to six-month suspended jail terms for defaming a property developer. In September, Jakarta police began a criminal defamation investigation against activist Usman Hamid for alleged statements he made in the court room following the acquittal of a senior intelligence official in the arsenic poisoning of renowned human rights defender Munir bin Thalib.

There were also a number of positive defamation rulings during the year. The South Jakarta Supreme Court in July rejected a libel suit filed by the leader of a radical group, the Islamic Troop Command, against *Koran Tempo* newspaper. In September, a district court in Makassar, South Sulawesi, similarly ordered the release of journalist and activist Upi Asmaradhana after determining that he did not make defamatory statements against a local police commander. The court concluded that Upi's statements were instead intended to criticize institutional authority in general.

In an important symbolic victory in April, the Indonesian Supreme Court overturned its earlier decision and ruled in favor of *Time* magazine in a US\$106 million defamation suit filed by the late former dictator Suharto. The case centered on a cover story in the magazine's May 1999 Asian edition that accused Suharto's family of embezzling billions of dollars during his 30-year reign. The April ruling marked the end of the appeals process. The Constitutional Court made another notable decision in July, ruling that the media would be allowed to publish election-related news or advertising during the "campaign-free" cooling-off period before the presidential election. Invalidating certain articles of a 2008 election law, the court chairman found that the publishing of news is in line with the people's right to information.

Cases of extralegal harassment against the press continue to be a concern. The AJI reported that violence against journalists had decreased to 40 documented cases in 2009, from 60 in 2008. In the worst incident, Anak Agung Prabangsa, a journalist with the daily newspaper *Radar Bali*, was killed after writing a series of reports on possible corruption in a local government education project. His body was found in the Bali Strait in February. In May, Balinese police arrested I Nyoman Susrama, the brother of local regent I Nenga Arnawa, who supervised the education project. Police said the victim had been invited to the suspect's home, where he was beaten to death. Other instances of violence during the year included attacks on an SCTV television crew at the Bank of Indonesia building in Jakarta, and on four journalists who witnessed a riot by soldiers in the eastern province of Papua.

Police continued to harass and detain foreign journalists working in areas deemed sensitive. In March 2009, police in Papua arrested four Dutch journalists for violating their visa conditions and immigration regulations. The four had been covering a demonstration organized to greet the return of Nicholas Jouwe, one of the founders of the Papuan independence movement, after 40 years in exile in the Netherlands. In July, three members of a French news crew were detained in Sumatra by a local logging company's security guards. The crew was filming the company's purportedly illegal operations. Security personnel seized their tapes,

saying they were filming company property without permission. A similar incident occurred in Sumatra's Riau province in November, when police arrested two journalists from India's *Hindustan Times* and Italy's *L'Espresso* for covering a Greenpeace rally protesting illegal logging by Riau Andalan Pulp and Paper (RAPP). In 2007, RAPP had successfully sued *Koran Tempo* magazine for defamation when it reported on the same logging operations.

In December, Indonesia's Film Censorship Board signaled its intent to censor *Balibo*, a film about the 1975 execution of five foreign journalists in East Timor, allegedly carried out by Indonesian soldiers. Fearing that *Balibo* would cause damage to Indonesia's diplomatic relations and "cast its military in a negative light," senior officials in the armed forces and the Ministries of Defense and Foreign Affairs supported the Censorship Board. In response, AJI scheduled screenings of the film in numerous venues around the country. Also in December, the Attorney General's Office banned five books on religion, history, and politics on the grounds that they could "erode the government's authority or cause public disorder." The bans outraged advocates of freedom of expression, and a group of 82 high-profile activists, lawyers, journalists, and clerics signed a petition demanding the end of such regulations.

In general, the Indonesian public can access a variety of news sources and perspectives, provided by a significant number of private media outlets. However, there is ongoing concern about the ability of large corporations and powerful individuals to control press content, either indirectly through the threat of lawsuits or directly through ownership. An article in the *Jakarta Globe* noted that two media moguls competing for the Golkar party's chairmanship in September "publicly aired what amounted to campaign rallies on their television stations, resulting in viewers filing complaints against the programs for being overtly biased."

In 2009, the internet, which is gaining in popularity, was accessed by 30 million people, or 8.7 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. In addition, the internet remains vulnerable to the same restrictions that apply to traditional media.

Iran

Status: Not Free

Legal Environment: 30

Political Environment: 36

Economic Environment: 23

Total Score: 89

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	80,NF	84,NF	84,NF	85,NF	85,NF

In the aftermath of the June 2009 presidential election, which incumbent Mahmoud Ahmadinejad won by a large margin amid fraud allegations, conditions for press freedom reached a new low. Opposition supporters mounted a series of large and internationally publicized protests after the election results were announced, and the regime responded with a major crackdown on critical publications, journalists, and bloggers. Mass arrests led to the largest number of journalists jailed in Iran since the 1979 revolution, and by year's end, more journalists were imprisoned in Iran than anywhere else in the world. Allegations of torture,

mistreatment, and other forms of abuse in detention also reached unprecedented levels. Dozens of newspapers were closed, and coverage of the opposition protests was particularly restricted, as was reporting related to dissatisfaction with the government, women's rights and ethnic issues, the ailing economy, and the development of nuclear technology. The inability of traditional media outlets to function in the repressive political environment amplified the importance of the internet. The authorities consequently amended the 2000 Press Law to clearly cover online outlets, and adopted sophisticated methods of filtering, monitoring, and persecuting online reporters.

Constitutional provisions for freedom of expression and the press are not upheld in practice. Numerous laws restrict press freedom, including the Press Law, which forbids the publication of ideas that are contrary to Islamic principles or detrimental to public rights. The government regularly invokes vaguely worded legislation to criminalize critical opinions. Article 500 of the penal code states that "anyone who undertakes any form of propaganda against the state...will be sentenced to between three months and one year in prison"; the code leaves "propaganda" undefined. Under Article 513, offenses deemed to be an "insult to religion" can be punished by death, or 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 to temporarily ban publications without legal proceedings. In the run-up to the 2009 presidential election, the Tehran prosecutor general announced in December 2008 that a special office would be created to review crimes related to the internet and mobile-telephone text messages.

During the year, the government detained, jailed, or fined hundreds of publishers, editors, and journalists, including those working in internet-based media. At year's end, at least 39 remained imprisoned, although some monitors reported higher numbers. Over 100 journalists were reportedly arrested between June 12 and the end of the year, although most were subsequently released, and more than 50 fled the country. About 12 journalists were arrested in connection with protests held on December 27, which marked both the major Shiite Muslim holiday of Ashura and the seventh day of mourning following the death of Grand Ayatollah Hussein-Ali Montazeri, a revered reformist cleric.

Prominent detainees included author and journalist Emadeddin Baghi, who was arrested December 28, as well as journalist and human rights lawyer Shadi Sadr, who was arrested by plainclothes agents on July 17 and released on July 28. Mohamad Atryanfar, the editor of several newspapers, was arrested on June 15 and later sentenced to six years' imprisonment for "publicity against the regime." Ahmad Zaid-Abadi, a freelance journalist and contributor to *Rooz Online*, an English- and Persian-language publication, was also arrested in June and was sentenced to six years' imprisonment, five years in exile, and a lifetime ban on "social and political activities." Charges against journalists and publications are often arbitrary. Prosecutions and sentencing procedures are drawn out, and bail sums can be substantial. Atryanfar's bail upon appeal, for example, was set at approximately US\$500,000. 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. News regarding the presidential election or candidates was officially declared illegal by the authorities in September 2009.

The authorities accused several journalists of having ties to foreign governments, including Iranian American freelance journalist Roxana Saberi. Initially arrested in January 2009 on charges of purchasing wine, she was convicted of espionage in April after a short trial and sentenced to eight years in prison. She was released in May amid intense international pressure. Iranian Canadian journalist Maziar Bahari, the Iran correspondent for *Newsweek* and a prominent filmmaker, was arrested in June on charges of espionage. Like other prominent detainees, he was forced to issue a televised confession; he was then released for unknown reasons in October and subsequently left the country. Iranian Canadian blogger Hossein Derakhshan remained in prison at year's end following his November 2008 arrest on suspicion of being a spy for Israel, although no formal charges have been filed.

The government continued to intimidate and persecute journalists who covered the country's ethnic minority issues. Kurdish journalist Adnan Hassanpour, whose 2007 death sentence was overturned in 2008, was awaiting retrial on espionage charges at the end of 2009 and faced up to 20 years in prison. Another Kurdish reporter, Abdolvahed Boutimar, was still on death row in 2009; his 2007 death sentence was initially overturned on procedural grounds, but he was sentenced to death again in 2008. In July 2009, Mohammad Sadegh Kaboudvand, founder of the Human Rights Organization of Kurdistan and the regional weekly *Payam Mardom*, faced another trial for circulating antigovernment propaganda. He has been serving a 10-year prison sentence since May 2008 for starting an illegal organization, among other charges.

Journalists fell victim to violent attacks again in 2009, particularly in the weeks after the presidential election and again in December during the Ashura holiday. In November, days after questioning the government's handling of a gas shortage in Takab, journalist Mohammed Khaleghi was stabbed by two men on a motorcycle. Separately, the authorities closed the offices of the Association of Iranian Journalists (AIJ) in August 2009, following years of government harassment and a June 2008 threat to shut down the organization.

International media are unable to operate freely and have been accused of fomenting the controversy surrounding the presidential election. The government requires foreign correspondents to provide detailed itineraries and proposed stories before visas are granted. Foreign journalists were issued renewable one-week visas prior to the presidential election. After it became clear that the postelection protests and related media coverage could not be easily controlled, foreign journalists were confined to their hotels, banned from reporting on the demonstrations, and told that their press cards were no longer valid. The government refused to renew visas as they expired and forcibly removed reporters from the country. The Tehran bureau of Saudi-owned Al-Arabiya television, one of the largest media outlets in the Arab world, was reportedly closed by the authorities for one week in June without explanation. *Washington Times* reporter and dual British-Greek citizen Iason Athanasiadis-Fowden was arrested on June 17 and accused of being a spy for Britain; he was detained for three weeks before being released.

In 2008 there were some 20 major print dailies in circulation, but about 10 dailies were permanently banned in 2009, and many others were censored or temporarily banned. The newspapers with the widest circulation and influence are those that 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. Under Article 175 of the constitution, which forbids private broadcasting, the government maintains a direct monopoly on all domestic broadcast media and presents only official political and religious viewpoints. A government-run, English-language satellite station, Press TV, was launched in July 2007. Leaders of the powerful Islamic Revolutionary Guard Corps (IRGC) also announced their intent to launch a trilingual (Persian, Arabic, and English) news agency modeled on the British Broadcasting Corporation (BBC) or the Associated Press. The IRGC already largely controls the semiofficial Fars News Agency.

Although it is forbidden, an increasing number of people own satellite dishes and access international news sources. Confiscation of satellite dishes is known to occur; in June 2009, police ordered residents in select Tehran neighborhoods to take down their dishes and returned shortly thereafter to confiscate those that remained. The IRGC reportedly has a budget of US\$10 million to create jamming stations in Tehran and other cities. Foreign-based satellite radio stations such as Radio Farda and the Dutch-funded Radio Zamaneh provide news and information to a large part of the population. In January 2009, a new BBC Persian-language television service began broadcasting eight hours of daily programming, reaching a reported six to eight million Iranian viewers by late June. The regime heavily criticized the service's coverage of the presidential election. Satellites transmitting the BBC, Voice of America's Persian News Network, and other Persian-language news media based in Europe and the United States were jammed throughout the year.

The regime imposes systematic controls on the internet and other digital technologies. According to the OpenNet Initiative (ONI), the Iranian government has become one of the most sophisticated and pervasive filterers of online content in the world. It now has the technological capability to produce its own monitoring and filtering software. According to a parliamentary commission investigating Iran's privatization process, a private corporation linked to the IRGC bought 51 percent of the Telecommunications Company of Iran (TCI) in October 2009 with little outside competition. The government retains direct ownership of the remaining portion. The transaction gave the IRGC control over Iran's telephone systems—both the fixed-line network and the two mobile-phone companies—and internet-service providers (ISPs).

In April, the government successfully pressured the parliament to adopt an amendment that extends the Press Law's regulations and restrictions to "domestic news sites and domestic websites." Under the amendment, "all internet publications," which critics argue includes blogs and private websites as well as more formal online media outlets, are required to obtain licenses. As with print publications, charges against unregistered online publications may result in harsher penalties than for those that are licensed, including the death penalty or extended prison sentences for content-based crimes like "insults to religion." The timing of the amendment's passage indicates that it was intended to diminish the effectiveness of reformist presidential candidates' extensive online campaigns.

The authorities censor online content by forcing 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. Under a law ratified in November 2008 but still under review at the end of 2009, ISPs that refuse to enforce filtering or monitoring regulations will be subject to fines, suspension, or permanent closure. Access to international news websites and the sites of international organizations is increasingly restricted. Social-networking and content-sharing sites such as Facebook, Orkut, and YouTube were regularly blocked throughout the year, particularly in the weeks before and after the presidential election, but remained popular. The Twitter microblogging service became

vital to the dissemination of information about the postelection protests once traditional forms of reporting were cut off. In late 2009, a group calling itself the Iranian Cyber Army hacked Twitter, redirecting users to a message that appeared to support the regime. In another tactic, the government created “mirror websites” of YouTube and others that tracked users who uploaded coverage of the protests.

Censors continued to regulate online publications such as *Zanestan* that deal with women’s rights issues, as well as filter Iranian news sites including *Emrouz*, *Ruydad*, and *Rooz Online*. Conservative news sites were also subject to censorship, including *Farda*, which was blocked in 2008 after revealing that the newly appointed interior minister had lied about his academic credentials.

Nearly 38 percent of the population regularly accesses the internet. Blogging websites such as Blogger and Persianblog are often blocked, but ONI argues that the Persian-language blogosphere is one of the world’s largest and most vibrant. Unable to entirely silence online dissidents, the regime announced in late 2008 that it intended to create thousands of progovernment blogs. This amounted to 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. Blogger Omidreza Mirsayafi allegedly committed suicide in Tehran’s Evin prison in March 2009; critics argue that prison authorities ignored his severe depression. At year’s end, seven bloggers remained imprisoned. 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: 22

Political Environment: 27

Economic Environment: 16

Total Score: 65

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	70,NF	71,NF	70,NF	69,NF	67, NF

Iraq was a less dangerous place for journalists in 2009 than in previous years, but both security conditions and government restrictions on the media continued to pose significant challenges. Iraq’s 2005 constitution guarantees freedom of the press, the right to peaceful assembly, and freedom of opinion, as long as they are exercised in a way that “does not violate public order and morality.” The constitution also outlines a legal framework for the creation of an independent National Communications and Media Commission to regulate broadcast media. However, old laws that restrict the press remain on the books, including articles in the 1969 penal code that

criminalize libel, defamation, the disclosure of state secrets, and the spreading of “false news.” These provisions set harsh penalties for press-related offenses, including fines and up to seven years in prison for anyone who insults the parliament, the government, or public authorities. Orders left over from the U.S.-led Coalition Provisional Authority prohibit demonstrating support for the Ba’ath party; inciting violence, rioting, or civil disorder; and demonstrating support for altering Iraq’s borders through violence. Such legal constraints contribute to widespread self-censorship.

In several instances during 2009, high-ranking officials used lawsuits or threats of lawsuits to intimidate journalists. In April, a lawsuit was filed against Al-Diyar television for broadcasting interviews with employees of the Ministry of Transportation who claimed they had been unjustly fired. In May, the Iraqi National Intelligence Service filed a lawsuit against Britain’s *Guardian* newspaper for quoting an unnamed source as saying that the prime minister was “increasingly autocratic”; the paper was fined US\$86,000 in November, but the decision was under appeal at year’s end. Also in May, the trade minister filed three defamation suits against the daily newspaper *Al-Mashriq* after it published articles alleging corruption in the ministry. Officials filed a number of additional cases against both local and international outlets during the year.

A group of independent experts, including journalists and academics, completed a draft law in 2009 that was designed to safeguard freedom of access to information. However, media watchdog groups criticized the draft for failing to include an individual’s right to appeal to an independent administrative body when access to information is denied. It was not clear when the proposed law would be considered by the parliament. In June, Iraqi journalists sent a letter to Prime Minister Nouri al-Maliki, asking him to suspend or amend laws that restrict media freedom, publicly condemn violent acts against journalists, pressure the U.S. military to respect Iraqi court decisions to release journalists, direct government agencies to halt politically motivated lawsuits against journalists, and order the military to stop preventing journalists from doing their work. In August, hundreds of Iraqi journalists, academics, and human rights activists protested against draft legislation that would tighten restrictions on print and online media, including censorship of publications, blocks on websites that are deemed offensive, and a rule prohibiting journalists from “compromising the security and stability of the country.”

According to the Committee to Protect Journalists, four journalists were killed in Iraq in 2009, down sharply from 11 in 2008 and 34 in 2007. Nevertheless, Iraq remained a dangerous place for the press, due to general ongoing security challenges as well as direct threats to specific journalists. The most prominent attack occurred in November, when gunmen shot and wounded Emad al-Ebadi, director of Al-Diyar television. Al-Ebadi had exposed corruption in the presidential office and criticized the Iraqi security forces, which he accused of acting illegally and outside the Iraqi constitution. In another incident, Nabaz Goran, an editor of the independent Kurdish-language magazine *Jihan* who has been critical of the Kurdistan Democratic Party, was brutally beaten in October as he left the magazine’s offices in Erbil.

Iraqi journalists have repeatedly called on al-Maliki’s government to investigate assassinations of journalists, but little progress has been made. The prime minister issued an order to investigate the 2008 killing of Shihab al-Tamimi, president of the Iraqi journalists’ syndicate, but family members complained in 2009 that the case had been quietly forgotten. The International Federation of Journalists said in November that it was concerned about what it called a pattern of neglect on the part of the government when it came to investigating murders of media workers. Of the four journalists killed in 2009, one, cameraman Orhan Hijran of Al-

Rasheed satellite television, appears to have been deliberately targeted by a bomb that exploded in front of his home in Kirkuk, while the others were apparently killed in bombings directed at others. Many more have narrowly escaped assassination attempts, including a June incident in which two journalists from Al-Iraqiya television were injured by a bomb attached to their car in Baghdad.

Iraqi journalists also protested the continued detention of Reuters cameraman Ibrahim Jassam, who was arrested by U.S. soldiers in 2008 and was still in detention without charge at the end of 2009. The Journalistic Freedoms Observatory (JFO) has logged dozens of instances of assault and harassment of journalists by security forces. In February 2009, a crew from Al-Itijah satellite television was beaten by Iraqi soldiers after refusing to obey orders not to enter the southern town of Karbala. Cameraman Majeed Imadedin was assaulted in March by police at a checkpoint while on his way to cover a religious ceremony in Samara. Security forces associated with the governor of Diyala province shut down a local radio station in July after it aired citizens' complaints against the government. Despite these adverse conditions, four Iraqi journalists received JFO Press Courage Awards for investigative pieces that uncovered corruption in Iraq's government and police, including al-Ebadi of Al-Diyar. Other positive steps in 2009 included the September release of Muntazer al-Zaidi, the journalist jailed in late 2008 for throwing his shoe at then U.S. president George W. Bush during a news conference.

Hundreds of print publications and dozens of private television and radio channels operate all over the country, but most are associated with a political party, ethnic group, labor syndicate, or social organization. In addition, most print outlets suffer from precarious finances, meaning their circulations remain extremely small and they do not publish regularly. Traditional, independent journalism is spearheaded by successful outlets such as *Assabah al-Jadeed* and *Hawlati*, and the news agency Aswat al-Iraq. The government-controlled Iraqi Media Network includes Al-Iraqiya television, the newspaper *Al-Sabah*, and radio stations throughout the country. Among the largest Iraqi television stations is Al-Sharqiya, which broadcasts from Dubai and features news, soap operas, and satire. An estimated 40 percent of Iraqis had access to foreign satellite television in 2009. Media infrastructure has improved with the spread of digital communication technologies and new printing presses in Baghdad and Basra. However, many journalists remain poorly trained, resulting in a lack of balanced journalism and greater reliance on transnational satellite television channels, such as Al-Jazeera or Al-Arabiya, for comprehensive and accurate news.

Only slightly more than 1 percent of Iraqis had access to the internet in 2009, though online access has been relatively free in recent years, unlike in many other countries in the region. However, in August 2009, authorities announced plans to increase censorship of websites and online content, and to require internet cafes to register or face closure.

Ireland

Status: Free

Legal Environment: 4

Political Environment: 6

Economic Environment: 5

Total Score: 15

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	15,F	15,F	16,F	15,F	15,F

Israel

Status: Free

Legal Environment: 7

Political Environment: 14

Economic Environment: 8

Total Score: 29

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	28,F	28,F	29,F	28,F	31,PF

Status change explanation: Israel improved from Partly Free to Free to reflect the lifting of the blanket ban on foreign reporters visiting Gaza that had been imposed in late 2008, as well as generally vibrant coverage of political events by the Israeli press throughout 2009.

Israel features a lively, pluralistic media environment in which press freedom is generally respected. Nevertheless, due to ongoing conflicts with Palestinian groups and neighboring countries, media outlets are subject to a military censor, and journalists sometimes face travel restrictions.

Legal protections for freedom of the press are robust. While the country's basic law does not specifically address the issue, the Supreme Court has affirmed that freedom of expression is an essential component of human dignity. The legal standing of press freedom has also been reinforced by court rulings citing the principles laid out in the declaration of independence. 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 to operate a newspaper, while broadcasters are covered by a separate regulatory regime. The Government Press Office (GPO) requires journalists operating in Israel to have proper accreditation to attend official press conferences, gain access to government buildings, and pass through Israeli military checkpoints. Foreign journalists, including some who are strongly critical of Israeli policies, are generally accredited. However, the GPO has occasionally refused to provide press cards—especially to Palestinians—on security grounds, thus preventing the affected reporters from entering Israel. In February 2009, Israel did not renew the work visas of non-Israeli journalists with the Qatar-based satellite television station Al-Jazeera and limited the station's access to military spokespeople after Qatar cut trade ties with Israel.

Under a 1996 Censorship Agreement between the media and the military, the censor has the power—on the grounds of national security—to penalize, shut down, or stop the printing of a newspaper, or to confiscate its printing machines. In practice, however, the censor's role is quite limited, and journalists often evade restrictions by leaking a story to a foreign outlet and then republishing it. In January 2009, two Palestinian journalists—Hadir Shaheen and Mohammed Sarhan of Al-Alam television in Ramallah—were indicted in Israel for reporting on the

deployment of Israeli soldiers to Gaza without clearance from Israeli censorship authorities; after being released to house arrest, they were sentenced in June to two months in prison.

A long-standing law forbidding Israeli citizens from traveling to “enemy states” such as Lebanon and Syria without permission from the Interior Ministry has on occasion been applied to journalists, 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 barred from entering the Palestinian territories without explicit military approval. However, under an informal arrangement, the military ignores the presence of Israeli journalists in the West Bank. Israeli journalists have been prohibited from entering the Gaza Strip since 2006 under a military decree that cites their personal safety. This ban was extended to all foreign journalists in November 2008 on similar safety grounds, though several officials have made statements indicating that they wanted to prevent damaging articles or limit negative coverage. The military temporarily lifted the Gaza ban in December 2008, only to reinstate it and declare the Gaza Strip a closed military zone later that month, at the onset of a major Israeli military operation in the territory. 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. A December 31 Supreme Court ruling called for a limited number of foreign journalists to be allowed entry into Gaza, but this was not heeded by the military until late January 2009, by which point a ceasefire had been declared. The restrictions on foreign journalists were lifted, as was the rule barring Israeli reporters from the border area, but the older prohibition on Israelis entering Gaza remained in place. In May, the authorities detained Amira Hass—an Israeli journalist with the Israeli daily *Haaretz* who had been reporting from Gaza for four months—for violating the ban on Israeli citizens visiting the territory.

Deliberate violence against or harassment of journalists is rare in Israel, but it does occur, with the principal targets being Arab (both local and foreign) journalists. In February 2009, the Israeli navy confiscated the film and equipment of two Al-Jazeera journalists aboard a ship that was trying to break Israel’s naval blockade of the Gaza Strip. The journalists claimed that the navy fired on the vessel and detained them using excessive force, but naval officials denied these charges. A number of journalists were attacked by Israeli security forces in Jerusalem in October, and one was reportedly injured by a stone-throwing Palestinian youth. The GPO has been known to impose obstacles, especially in airport security checks, for foreign journalists who are suspected of an anti-Israel political orientation. In August 2009, Golan Heights–based journalist Atta Farahat’s appeal for a commuted sentence was denied. Farahat, who wrote for the Syrian newspaper *Al-Watan*, is serving a three-year prison sentence for “communicating with a hostile country.”

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 are aimed at ultra-Orthodox readers, one focuses on the Arab population, one is printed in English, and another is in Russian. In addition, there are two daily newspapers that are distributed free of charge. A wide range of weekly newspapers and internet news sites operate, and these are also divided along religious, ethnic, and language lines. The major newspapers are

independent, and all newspapers are privately owned and provide a range of views. Some freely criticize government policies and aggressively pursue cases of official corruption.

A diverse selection of broadcast media is available, though ownership is concentrated. 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 Tsalal remain popular, while a diverse range of pirate radio stations also operate, serving the country’s ultra-Orthodox, Russian-speaking, and Arabic-speaking communities in particular. Israel has the region’s highest rate of internet usage, at nearly 52 percent, and the government generally does not restrict internet access.

This rating and report reflect the state of press freedom within Israel proper. The West Bank and Gaza Strip are covered in a separate report.

Israeli-Occupied Territories/Palestinian Authority

Status: Not Free

Legal Environment: 28

Political Environment: 34

Economic Environment: 22

Total Score: 84

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	84,NF	86,NF	84,NF	84,NF	86,NF

Press freedom in the Palestinian territories continued to suffer in 2009. Journalists faced harassment, detentions, and assaults in connection with the partisan power struggle between Fatah, which controls the West Bank, and Hamas, which controls the Gaza Strip, as well as with the Israeli occupation of parts of the West Bank. At least four journalists were killed covering the Israeli military offensive in Gaza in January, and media access to the territory was restricted throughout the year. According to the Palestinian Center for Development and Media Freedoms (MADA), there were 173 “violations of media freedoms” in the territories in 2009, 97 of which were committed by the Israeli security forces and settlers, and 76 of which were committed by the Palestinian security forces in the West Bank and Gaza or by Palestinian militant groups.

The Palestinian basic law and the 1995 Press and Publication Law provide for freedom of the press and freedom to establish media outlets, and state that there should be no censorship. However, restrictions are allowed if press activity threatens “national unity” and “Palestinian values.” This vague terminology gives authorities ample leeway to impede journalistic activity. According to Reporters Without Borders (RSF), the Hamas government in Gaza in 2008 introduced a new system of accreditation under which all journalists are required to register with the authorities. In the West Bank, the Ministry of Information of the Fatah-led Palestinian Authority (PA) regulates all television and radio station licenses.

Israeli security policies and military activities continued to restrict Palestinian media freedom in 2009. Israeli journalists have been prohibited from entering the Gaza Strip since 2006 under a military decree that cites journalists’ personal safety. This ban was extended to all

foreign journalists in November 2008, and—though lifted briefly by court order in December 2008—was maintained until the ceasefire in Gaza in late January 2009, when the restrictions on foreign journalists were removed. However, Israeli journalists are still barred from entering. During the war, Israeli forces bombed Hamas-affiliated media stations and a printing press, and destroyed satellite equipment on the roof of the Al-Johara media building, which houses more than 20 media organizations, including Iran’s English-language Press TV and the Arabic-language network Al-Alam. The Israeli Defense Forces (IDF) also interfered with a Gazan radio and television station, broadcasting calls to abandon Hamas. According to international press freedom organizations, at least five journalists were killed by Israeli forces during the war in Gaza.

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. In July, an Al-Watan television crew was detained by the IDF in a village near Ramallah while trying to film at a checkpoint. In August, two photographers for Agence France-Presse and Reuters alleged that soldiers tried to forcibly confiscate their cameras and fired tear gas at their vehicle as they covered a clash between the IDF and Palestinian militants.

Heightened tension between Fatah and Hamas damaged press freedom in both the West Bank and Gaza. Abuses included violence, arrests, threats, and restrictions on distribution and broadcasting, and the cumulative pressure drove many journalists to practice self-censorship. In the West Bank, Palestinian security services allied with Fatah arrested and harassed scores of Hamas-affiliated journalists, particularly those linked to the newspapers *Felesteen* and *Al-Resaleh* and the television station Al-Aqsa. In September, following the release of Ayad Srour of the Yafa Media Center in Hebron, RSF reported that a number of journalists were still being detained by the Palestinian authorities in the West Bank, including *Al-Ayyam* editor Farid Hamad, arrested in July 2008, and Mustapha Sabri of *Felesteen*, arrested in April 2009. By year’s end, many employees of Al-Aqsa had been arrested multiple times, including cameraman Oussid Amarena (arrested again in November), director of the West Bank office Mohammed Eshtiwi (arrested again in December), and former correspondents Tarek Abu Zeid and A’laa al-Titi (both arrested in November). In addition, PA officials in July banned Al-Jazeera from operating in the West Bank after a guest, Farouk Kaddoumi, accused PA president Mahmoud Abbas of collaborating with Israel to kill his predecessor, Yasir Arafat; the ban was lifted one week later.

In the Gaza Strip, several journalists with Fatah-affiliated and independent media outlets were detained and assaulted, and Hamas authorities restricted journalists’ freedom of movement. In June, the editor of *Al-Sabah* newspaper’s website, Sri Mohammed Qudwah, was arrested and his communications equipment confiscated. In August, the Reuters Gaza City bureau was raided after the agency issued a report about fighting in Rafah between Hamas and a Salafist group; meanwhile, the Hamas government banned journalists’ access to Rafah and all Gaza hospitals. In November, Hamas security forces raided the office of the Ramattan news agency in Gaza City to prevent a Palestinian National Action Committee press conference. Also that month, Hamas officials blocked an International Federation of Journalists–sponsored meeting that was intended to promote dialogue between journalists in Gaza and those in the West Bank. In December, Ziad Ismail Awad, a Fatah official and producer for a Kuwaiti television channel, was detained by Hamas security forces.

There are three daily West Bank Palestinian newspapers—*Al-Hayat al-Jadidah*, which is completely funded by the Fatah-controlled PA; *Al-Ayyam*, which is partially funded by the PA; and *Al-Quds*, a privately owned paper based in Jerusalem that is subject to Israeli military censorship. Distribution of these papers in Gaza was banned by the Hamas government in July 2008, though the bans on all but *Al-Hayat al-Jadidah* were subsequently lifted. Meanwhile, a June 2007 ban on Hamas-affiliated newspapers *Felesteen* and *Al-Resaleh* in the West Bank remains in place. Travel restrictions imposed by Israeli forces often curtail newspaper 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 Abbas. The PA has closed down Al-Aqsa in the West Bank towns of Ramallah, Jenin, and Tulkarm. In Gaza, Hamas officials in August 2008 closed down the Voice of the People radio station, which is operated by the left-wing Popular Front for the Liberation of Palestine, though the station was reopened four days later. PBC transmissions have been blocked in Gaza since the Hamas takeover in 2007. In addition, the Israeli military has utilized coercive tactics to restrict broadcasting by stations deemed to be advocating terrorism. In August 2009, Israeli soldiers confiscated the broadcasting equipment of Radio Bethlehem 2000, based in Beit Jala. About 8.3 percent of the population in the Palestinian territories uses the internet, and its use is not subject to restriction.

Italy

Status: Partly Free

Legal Environment: 11

Political Environment: 12

Economic Environment: 10

Total Score: 33

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	35,PF	35,PF	29,F	29,F	32,PF

Freedoms of speech and the press are constitutionally guaranteed and generally respected despite ongoing concerns regarding concentration of media ownership. The 2004 Gasparri Law on Broadcasting was heavily criticized for provisions that enabled Prime Minister Silvio Berlusconi to maintain his control of the private media market, largely through his ownership of the Mediaset Group. In October 2009, the Constitutional Court overturned a law that had granted Berlusconi protection from prosecution while he remains in office. The ruling opened the way for a number of court cases against him to proceed, including a tax fraud case involving Mediaset.

In June 2008, the lower house of Parliament approved a bill that would impose heavy fines or jail terms on journalists who use transcripts from wiretaps without a judge's permission. It had yet to pass the Senate at the end of 2009. The International Press Institute noted that the bill could "limit journalists' ability to provide the public with vital information." The draft law contains "provisions that restrict journalists' right to report on police investigations, and includes heavy punishments for breaching these restrictions." Reporters would face up to three years in prison and editors could be fined up to €465,000 (US\$576,000) for making reference to

preliminary police investigations, reporting on official investigation documents before hearings have begun, and publishing leaked police wiretaps. The European Federation of Journalists also criticized the draft law, stating, “Journalists are not supposed to hide information, whether the source is public or private, and their sources should be protected. Berlusconi’s draft law is contrary to international conventions and to the case-law of the European Court of Human Rights.”

Tensions between the press and prime minister escalated in 2009, as Berlusconi repeatedly tried to interfere in journalists’ efforts to cover conflicts between his private and political lives. Berlusconi’s private life came under intense scrutiny during the year after his wife filed for divorce and accused him of consorting with minors. Becoming Italy’s first head of government to take legal action against Italian and European media, Berlusconi sued several foreign newspapers for their coverage of his private life, particularly the claim that he had a sexual relationship with an 18-year-old girl. The Italian media group L’Espresso, which owns the newspaper *La Repubblica*, sued Berlusconi for defamation after the prime minister called the paper “subversive” and encouraged advertisers to boycott it. *La Repubblica* has been investigating the prime minister’s personal life, including accusations that he had paid for sex. *Videocracy*, a documentary criticizing Berlusconi’s media dominance, was boycotted in August by Mediaset as well as RAI, the state broadcasting network, with both refusing even to air the trailer. In addition, the newspaper *Il Giornale*, which is owned by Berlusconi’s brother, attacked the Catholic paper *Avvenire* after it ran stories criticizing the prime minister’s behavior. On October 3, almost 300,000 people turned out in Rome for a protest against Berlusconi’s harassment of the media that was organized by the European Federation of Journalists’ Italian affiliate.

Journalists occasionally face physical threats or attacks from organized crime networks and other political or social groups. According to Reporters Without Borders (RSF), there are currently about 10 journalists under police protection for their writing on organized crime. Roberto Saviano, a journalist who wrote the best-selling book *Gomorra* about the Neapolitan mafia, or Camorra, has been under police protection for threats on his life since the publication of the book in 2006.

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 indirect control over up to 90 percent of the country’s broadcast media through the state-owned outlets and his own private media holdings. He is the main shareholder of Mediaset, which owns several television channels; the country’s largest magazine publisher, Mondadori; and its largest advertising company, Publitalia. *Il Giornale*, the paper owned by Berlusconi’s brother, is one of the country’s nationwide dailies. The high concentration in the broadcast sector is a concern, as most Italians receive news and information through the broadcast media. The print sector is more diverse in both ownership and content. 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 that are critical of the government.

Approximately 49 percent of the population accessed the internet regularly in 2009, and politically focused blogs have become an important source of news for many Italians. 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 purveyors of child

pornography. An antiterrorism law passed after the 2005 bombings in London requires internet cafes to obtain a government license, allows internet surveillance, and obliges internet cafe users to show photo identification.

Jamaica

Status: Free

Legal Environment: 3

Political Environment: 7

Economic Environment: 6

Total Score: 16

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	15,F	17,F	15,F	15,F	15,F

Japan

Status: Free

Legal Environment: 2

Political Environment: 13

Economic Environment: 6

Total Score: 21

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	20,F	20,F	21,F	21,F	21,F

Jordan

Status: Not Free

Legal Environment: 20

Political Environment: 24

Economic Environment: 19

Total Score: 63

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	62,NF	61,NF	61,NF	63,NF	64,NF

Following a wave of arrests of journalists in 2008, the level of press freedom in Jordan remained relatively unchanged in 2009, as those arrested met with mixed outcomes in court. Jordan's constitution guarantees freedoms of expression and speech so long as their exercise does not "violate the law." Press laws include vague clauses and other restrictions that curb media freedom and allow journalists to be tried under Jordan's penal code, rather than its civil code. All

publications must obtain licenses from the state. The 2007 Press and Publications Law allows the courts to block publication of any printed material and withdraw licenses, but limits the government's ability to shut down printing presses. The law also prohibits detention for opinions expressed through "speech, writing, or through any other means," yet in 2008, Fayez al-Ajrashi, an editor who published criticism of Amman's mayor, spent 15 days in detention while authorities investigated allegations that he had "agitated sectarian tensions and created strife among people." He continued to await trial throughout 2009. The Press and Publications Law provides for fines of up to 28,000 dinars (US\$39,500) for speech that offends religion, the prophets, or the government.

The Press Association Law requires Jordanian journalists to belong to Jordan's press association, but the group does not accept internet-based journalists, leaving them in a state of legal limbo. In 2007, Jordan became the only country in the region to pass an access to information law, though press freedom groups criticized the legislation for including vague national security exemptions and an oversight mechanism that lacked independence. Under the law, any person has the right to acquire information and can complain to the Information Council if a request is denied. There were no registered complaints in 2009.

The 2003 Audio Visual Law officially ended the government monopoly on broadcasting and resulted in the licensing of dozens of privately owned radio stations. However, the law sets fees that are 50 percent higher for stations airing news and political programming, and allows the government to reject licenses without providing a reason. The Audiovisual Commission (AVC), created by the law to license and regulate private radio and television outlets, granted a license to Jordan's first privately owned television station, ATV, but then abruptly halted its planned launch in August 2007. As of the end of 2009, ATV had yet to begin broadcasting. During the year, the government rejected 13 applications for radio stations, including a station produced by women, called Zahrat al-Ghor, in the Jordan Valley. The women now produce programming aired on an Amman-based radio station called Radio Al-Balad. A Palestinian station in the West Bank city of Jericho downloads the women's program from Radio Al Balad's website and rebroadcasts it on a frequency available to the Jordanian side of the valley, circumventing the lack of a government license. Journalists complain that loopholes in the Audio Visual Law favor certain media. For instance, FAN radio is owned by Jordan's armed forces and thus has access to army communications towers around the country, while AMEN FM, a police-owned station, refuses to share traffic reports from police helicopters with other stations. Both stations benefit from taxpayer subsidies, further skewing the playing field against private outlets.

In December, the cabinet approved a code of conduct to outline the government's relationship with the media. According to the government, the code provides for "a free, independent media without government interference and influence," and would end state influence of media through advertising purchases, media subscriptions, gifts to journalists, and hiring of journalists employed by private outlets. The effects of the code remain to be seen. While many observers described it as a positive step, it could harm small news publications that rely on government subscriptions.

Editorial restrictions, whether official or unofficial, continue to prevent journalists from freely reporting or expressing viewpoints. In practice, the government tolerates a certain measure of criticism of officials and policies, and allows some room for Islamist movements to express their ideas. The line identifying what is permissible is unclear, however, leading nearly all journalists to self-censor as a precaution. Intelligence agencies watch journalists closely, and the government gave free rein to intelligence officials, police, and prosecutors to clamp down on

undesirable speech in 2009. There were also claims that the government used informants in newsrooms and recruited workers at printing presses to act as de facto censors. According to Jordan's Center for Defending the Freedom of Journalists (CDFJ), the government "used detention and prosecution or the threat of prosecution to intimidate journalists." In one case, Khalid Mahadin, a well-known columnist, was acquitted in April of defamation charges related to a piece in which he criticized the parliament and called on King Abdullah II to dissolve it. He was tried under Jordan's criminal code instead of media laws because his article was posted online rather than in print. In June, the poet Islam Samhan was sentenced to one year in prison and fined US\$14,000 for "slandering Islam" through the use of Koranic verses in his poetry.

Security forces continued to monitor and harass journalists, though in an unusual move that boded well for the media, the Public Security Department apologized after Yasser Abu Hilala, the bureau chief for Qatar-based satellite television station Al-Jazeera, was severely beaten by riot police in January while covering protests against Israel's military offensive in Gaza. King Abdullah telephoned Abu Hilala to "reiterate his objection to any assault against journalists," according to local news reports.

The government owns substantial shares in Jordan's two leading daily newspapers. Though independent print media—including many daily newspapers—do exist in Jordan, they are required to obtain licenses. According to the U.S. State Department, the Jordanian government influences the appointment of editors in chief at some major publications through positions on their boards or through undisclosed contacts. Few 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. In June, Jordanian authorities closed the local offices of two Iranian satellite channels, the Arabic-language Al-Alam and the English-language Press TV, ostensibly because they lacked proper accreditation and licenses to operate legally. At the time they were shut down, Reporters Without Borders (RSF) issued a statement calling on authorities to allow media to work freely even if their funding comes from a foreign source. According to RSF, Al-Alam submitted several requests to renew its accreditation without receiving a response. Press TV said its accreditation had been renewed automatically every year until 2009.

The government actively promotes access to the internet and claims to place no restrictions on its use. The internet was accessed by 28 percent of Jordanians in 2009, and the range of news and debate on many online fora remains lively. In 2008, the Ministry of the Interior issued new instructions requiring owners of internet cafes to install cameras and record users' personal data, such as their names, telephone numbers, and time of use. Also that year, 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.

Kazakhstan

Status: Not Free

Legal Environment: 26

Political Environment: 30

Economic Environment: 22

Total Score: 78

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	75,NF	75,NF	76,NF	78,NF	78,NF

The main obstacles to independent reporting in Kazakhstan in 2009 were legal restrictions, prohibitive libel and defamation judgments, self-censorship, and harassment, as well as the overwhelming extent of partisan ownership and presidential influence in the media sector. The constitution guarantees freedom of the press but also provides special protection for the president. A new privacy law signed by President Nursultan Nazarbayev in December mandated jail time for violations of privacy, a provision that critics warned could be used to discourage investigative journalism. Libel suits ending in prohibitively expensive judgments affected two media outlets in 2009. A US\$200,000 judgment against *Taszhargan*, the oldest opposition newspaper in Kazakhstan, led to the closure of the paper. And a US\$400,000 judgment against *Respublika*, an opposition newspaper with a long history of conflict with the authorities, left the weekly in dire financial straits. In September, the government seized its print run and froze all of its associated bank accounts. In both cases, the judgments appeared to be motivated by a desire to punish the newspapers for critical coverage. The country's 2010 chairmanship of the Organization for Security and Cooperation in Europe (OSCE) prompted pledges from the Nazarbayev administration to loosen media restrictions. This effort included the removal of the government registration requirement for broadcast outlets. However, legislation to restrict internet media was approved during the year.

Journalists and media outlets that were willing to criticize the government continued to face harassment and obstacles to reporting, including intimidation and physical attacks. In January, Yermek Boltay, a website editor for Radio Free Europe/Radio Liberty, was beaten in Almaty; the next month, opposition journalist Bakhytzhan Nurpeisov was similarly attacked and beaten. Ramazan Yesergepov, editor of the independent newspaper *Alma-Ata Info*, was sentenced in August to three years in prison for revealing classified information after the paper published internal memos from the National Security Committee in the course of an investigative report on corruption. Gennady Pavlyuk, a journalist from Kyrgyzstan, was murdered while in Almaty in December, though the killing was almost certainly linked to his journalistic activities in Kyrgyzstan, not Kazakhstan.

Major broadcast media are owned either by the state or by members or associates of the president's family. Government oversight extends to most of the country's broadcast transmission facilities, and it is assumed that the majority of national television broadcasters are at least partially government-owned. 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.

The state has increasingly contested internet freedom, as the internet represents a growing alternative to state-owned outlets. Most estimates put internet penetration at approximately 34 percent of the population. In July, Nazarbayev signed legislation that classifies websites as mass media outlets, giving the authorities greater latitude to shut them down under vaguely worded

extremism statutes. On various occasions the country’s two largest internet-service providers, KazakhTelecom and NurSat, have blocked access to the LiveJournal blogging platform. Opposition sites like Zona.kz and the websites of opposition newspapers like *Respublika* experienced cyberattacks in 2009. Nevertheless, the internet remained freer than print and broadcast media.

Kenya

Status: Partly Free

Legal Environment: 21

Political Environment: 19

Economic Environment: 17

Total Score: 57

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	61,NF	58,PF	59,PF	60,PF	60,PF

While Kenya’s constitution does not explicitly guarantee press freedom, Section 79 protects an individual’s right to freedom of expression. Nevertheless, the government routinely restricts this right by broadly interpreting several laws that criminalize press offenses, including the Official Secrets Act and the penal code. Section 77 of the penal code prohibits “exciting disaffection” against any public officer, and the code also allows the responsible government minister to prohibit publications without clearly stating the grounds and procedures for such a ban. 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; there were no reports of criminal libel laws being used to threaten journalists in 2009.

In January 2009, amendments to the Communications Act were signed into law. The measures came under attack for upholding a regulation that would allow the home affairs minister to raid media houses and confiscate equipment “in the interest of public safety and tranquillity.” The amendments also prescribed heavy fines and jail terms for media offenses, gave the government—particularly the Information and Home Affairs Ministries—authority over broadcast licenses and the production and content of news programs, and allowed it to exert political control over the Communications Commission of Kenya. While authorities argued that the amendments were intended to promote media professionalism, journalists and activists accused the government of trying to restrict press freedom. Following pressure from local media and international donors, in May 2009 President Mwai Kibaki directed the attorney general to revise the law in consultation with all stakeholders, and later that month, the controversial amendments were withdrawn.

Several potentially positive legal reforms have yet to be implemented. For example, the Information Ministry published a draft freedom of information policy and bill in 2007, but it has not been presented in Parliament. The independent Media Council of Kenya continued to operate, but it appeared to be hampered by lack of funds. Because it was chaired by a major media owner during 2009, questions were raised about its credibility. Council members were nominated by media stakeholders and appointed by the Information Ministry.

Extrajudicial attacks on the media by state and nonstate actors remained rare by regional standards. However, a number of journalists were killed, harassed, beaten, or arrested by security forces in 2009. In January, Francis Nyaruri, a journalist with the private *Weekly Citizen*, was found beheaded after publishing stories on police corruption. Witnesses in the case received death threats, and a lawyer and police officer went into hiding. In July, the Kenyan antiterrorism police unit interrogated editors and a reporter for the *Star* about the sources of a June article that claimed the unit had lost crucial files related to an accused Al-Qaeda member. A judge rejected police attempts to charge the journalists with contempt of court for jeopardizing a terrorism prosecution, and the police instead sought a court order directing the *Star* to retract its article and issue an apology. It is unclear if the scheduled October hearing took place. In August, the Nation Media Group (NMG) resisted pressure from the Ethiopian and Kenyan governments to withhold a documentary series on a separatist rebel group in Ethiopia. The series was aired after the company decided it was balanced and accurate.

Kenya's leading media, especially in the print sector, were often critical of politicians and government actions and remained pluralistic, rigorous, and bold in their reporting, although they also frequently pandered to the interests of major advertisers. There are currently five daily newspapers, one business daily, and several regional weekly newspapers that are delivered nationally. In addition, a number of irregularly published independent tabloids are highly critical of the government. Although the number of private broadcast media outlets has risen steadily, the government-controlled Kenya Broadcasting Corporation (KBC) remains dominant outside the major urban centers, and its coverage tends to favor the ruling party. Two private companies, the Standard Media Group and the Nation Media Group, run independent television networks and respected newspapers. There has been a significant expansion of FM radio, particularly ethnic stations, and their call-in shows have fostered increasing public participation as well as commentary that is unfavorable to the government. Unfortunately, many of these vernacular stations were accused of broadcasting ethnic hate speech in the violent wake of the December 2007 elections. The Media Council of Kenya cited the prevalence of politicians who doubled as radio station owners as a contributing factor behind the increased tensions. International news media, including the British Broadcasting Corporation and Radio France Internationale, are widely available in Kenya.

There were no reports that the government restricted internet access in 2009, but the authorities did reportedly monitor the internet during the postelection period in late 2007 and early 2008, as it was used to disseminate both information and hate messages. The share of Kenyans accessing the internet is estimated at about 10 percent, and in recent years there has been a growth in online news publications as well as blogging.

Kiribati

Status: Free

Legal Environment: 6

Political Environment: 8

Economic Environment: 13

Total Score: 27

Survey Edition	2005	2006	2007	2008	2009
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Total Score, Status	26,F	28,F	26,F	26,F	27,F
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Kosovo

Status: Partly Free

Legal Environment: 15

Political Environment: 20

Economic Environment: 18

Total Score: 53

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	NA	NA	NA	NA	NA

- Article 40 of the constitution provides for freedom of expression. However, the lack of international consensus on Kosovo's independence hinders efforts to protect and clarify media freedom.
- The judicial system is weak and caught between local and UN regulations. Two journalists from the daily newspaper *Koha Ditore* were threatened by a judge in 2009 regarding an article they were preparing to publish. Though a case was brought against him, the judge was later exonerated. There were no reports that officials used libel or other laws to punish journalists or restrict content during the year.
- Reporters frequently reported not being able to access public information.
- Since 2006, media have been regulated by an Independent Media Commission (IMC). The system for licensing broadcast media is complicated and inconsistent. However, a panel convened by the International Research and Exchanges Board noted that individuals who sit on the IMC are elected in an apolitical process.
- There is no official censorship, but journalists are often pressured by authorities and business interests. Self-censorship is considered to be a problem in some parts of the small country.
- IPKO, a private telecommunications and cable television provider, suspended the transmission of Rrokum TV in April. There are indications that IPKO came under government pressure to block the independent station. IPKO shareholders are believed to be government supporters.
- There were several reported incidents of violence during the year. In January, a group of journalists were assaulted by onlookers at the site of a bomb blast. TV Most reporter Mirjana Nedeljkovic and her cameraman, Dejan Tanasijevic, both had to be hospitalized for their injuries. In March, cameraman Bojan Kosanin was assaulted by police while his colleague Marijana Simic was kept in the car in which they were traveling. In May, Jeta Xharra, head of the Kosovo office of the Balkan Investigative Reporting Network (BIRN), and her colleagues received anonymous death threats after BIRN reported on government harassment of the media.
- Media outlets are for the most part privately owned.
- Editorial independence remains a weakness in Kosovo, with media generally deferring to business interests. Public broadcaster Radio Television Kosovo (RTK) is particularly in the thrall of political and economic interests. According to the South East Europe Media

Organization (SEEMO), this is troubling in part because RTK had previously set a good example in the region by representing the diverse population of Kosovo. The government also supports a newly established station, TV Klan Kosovo.

- Local newspapers, which rely on government advertising, are often critical of independent media and promote the government’s agenda. *Infopress*, one such newspaper, published editorials containing threats against Xharra in June. It is thought that these editorials prompted the anonymous harassment against Xharra and her colleagues.
- Although many media were able to sustain operations through aid donations, most outlets struggled financially. Public outlets have a slight financial advantage, as they are exempt from the value-added tax.
- About 20 percent of Kosovar households are estimated to have internet access. Blogs are not common sources for news, but they operate without impediments. Social-networking and video-sharing sites like Facebook, Twitter, and YouTube are gaining in popularity and are not blocked by the government.

Kuwait

Status: Partly Free

Legal Environment: 18

Political Environment: 21

Economic Environment: 16

Total Score: 55

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	58,PF	56,PF	56,PF	54,PF	55,PF

- Freedoms of speech and the press are protected under Articles 36 and 37 of the constitution, but only “in accordance with the conditions and in the circumstances defined by law.” Under 2006 amendments to the press law, press offenses are no longer criminal in nature; offenders now face steep fines instead. However, Kuwaiti law prohibits and continues to demand 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 suspected of violating these bans.
- The law requires newspaper publishers to obtain an operating license from the Ministry of Information (MOI). In March 2008, 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 despite a license limited to arts and culture. No revocations were reported in 2009. 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. Journalist Mohammed Abdelqader al-Jassem was arrested in November 2009 and spent 12 days in jail while he refused to post bail. The charges against him related to an August article in which he accused progovernment media of fueling religious tension in the country; the case was pending at

year's end. Charges were also pending against the daily *Al-Ruia* for an article relaying May 2009 remarks in which a member of parliament criticized divisions within the ruling family.

- The country has 14 Arabic and 3 English-language daily newspapers, all 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. Nonetheless, the Kuwaiti press practices a degree of self-censorship to avoid conflict with the government.
- The state owns nine local radio stations and five television stations. However, there are now 16 privately owned television stations, and satellite dishes are commonly used.
- 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; in late 2008, the government lifted a 2007 ban on the import and circulation of several Egyptian newspapers.
- An estimated 37 percent of the population used the internet in 2009. 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 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. A new internet censorship law proposed in 2009 would place greater restrictions on websites and blogs, but no action had been taken on the measure by year’s end.
- Zayed al-Zaid, publisher of the news website *Al-Aan*, was beaten in October 2009 while at a conference on transparency, presumably in response to *Al-Aan*’s coverage of corruption issues. Kuwaiti politicians spoke out against the attack, and the prime minister pledged a complete investigation.

Kyrgyzstan

Status: Not Free

Legal Environment: 23

Political Environment: 30

Economic Environment: 20

Total Score: 73

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	71,NF	64,NF	67,NF	70,NF	72,NF

- In recent years, Kyrgyzstan’s media environment has been considered one of the most liberal in Central Asia. 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. However, unlike in previous years, no new cases filed by public officials were reported in 2009.
- In April, the independent *Uchur* newspaper was sued by the Zhannat Hotel and ordered to pay almost US\$75,000 in moral and material damages; staff at the paper had only been informed of the libel lawsuit on the day the trial started.

- All media outlets must register to operate, and although a number of broadcasters have applied for permission, authorities have not approved any new licenses since 2006. Legislation passed in 2008—but yet to be fully implemented—maintains state control over the public broadcaster and places a number of restrictions on private radio and television outlets.
- In March 2009, Radio Free Europe/Radio Liberty (RFE/RL) affiliate Echo of Manas ceased carrying the service’s broadcasts after repeated government threats to revoke its license. Four more radio and television affiliates also halted RFE/RL programs under pressure.
- The media environment deteriorated in 2009 amid numerous violent attacks on journalists. Gennady Pavlyuk, an independent journalist with a history of exposing corruption in Kyrgyzstan, died after he was thrown from a window with his hands bound in Almaty, Kazakhstan. Pavlyuk was an ethnic Russian, lived in Kyrgyzstan, and headed the Kyrgyz bureaus of several Russian publications. As of 2009, the 2007 murder of journalist Alisher Saipov in the southern city of Osh remained unsolved, and the details of the government investigation were still concealed. Saipov, an ethnic Uzbek, lived and worked in Kyrgyzstan and was critical of both the Uzbek government and Kyrgyz relations with them.
- At least seven other journalists suffered physical attacks in 2009. In a typical example, opposition journalist Syrgak Abdyldayev was brutally beaten and repeatedly stabbed in March; he left the country in August after receiving death threats.
- 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.
- Unlike in many of its Central Asian neighbors, media in Kyrgyzstan express some diversity of opinion, although coverage remains somewhat biased. President Kurmanbek Bakiyev consolidated his power in 2009, winning reelection in July. The Organization for Security and Cooperation in Europe (OSCE), which monitored the election, noted that “broadcast media gave limited and unbalanced coverage of election contestants, and the state media displayed a strong bias in favor of the incumbent.”
- 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 country’s leading newspaper publisher.
- Approximately 50 state-owned and private television and radio stations operate in the country, with two television stations, both state-owned, broadcasting nationwide.
- State-owned media outlets benefit from government subsidies. However, the ability of authorities to use advertising to influence media content has receded as more private sources of advertising revenue become available.
- Internet news sites, blogs, and forums provided a lively alternative for those with access (approximately 40 percent of the population in 2009), though there were occasional reports that the government blocked independent news websites like RFE/RL and blogging platforms like LiveJournal. Internet access outside towns and cities remains limited.

Laos

Status: Not Free

Legal Environment: 26

Political Environment: 33

Economic Environment: 25

Total Score: 84

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	83,NF	81,NF	81,NF	83,NF	86,NF

- Article 44 of the 1991 constitution guarantees press freedom and other civil liberties, but 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 citizens’ rights.
- Publications must be approved by the Ministry of Information and Culture, which issues publishing licenses. Newspaper editors and broadcast producers are appointed mostly from the LPRP.
- Under a 2008 law, foreign media can now set up offices in Laos for the first time, but cannot invest in local media businesses. While the law contained some promising provisions, such as a vague right to access public information, it has so far served only to institutionalize the ruling party’s existing informal management and licensing of the media sector.
- Under the criminal code, individuals may be jailed for up to one year for reporting news that “weakens the state” or importing a publication that is “contrary to national culture.” There were no reports of new journalist incarcerations during 2009.
- Editors are government appointees assigned to ensure that the media functions as a link between the party and the people, as stated in the constitution. All editors are members of the Lao Journalists’ Association, headed by the minister of information and culture.
- The authorities do not allow the media to stray far from the party line, especially on issues of diplomatic concern, such as the repatriation of ethnic Hmong refugees from Thailand. The degree of editorial direction was especially evident during 2009, in both foreign-language and Lao-language publications. International media and rights groups were barred from visiting refugee villages after thousands of ethnic Hmong were forcibly repatriated from Thailand in December, raising concerns that they would face persecution from the government. Despite allegations that the refugees had little food and supplies, the English-language *Vientiane Times* described good living conditions in what it termed government-run “development villages.”
- Reports about socioeconomic problems, bureaucratic inefficiency, and corruption are allowed, but they must not denounce or embarrass individual officials. The Foreign Ministry, which also determines media content, prevents the media from criticizing “friendly countries,” particularly Vietnam and Burma. Most stories in the second half of 2009 referred to these countries only in the context of December’s Southeast Asian games, hosted in Vientiane.
- There are no international media agencies in Laos to date. 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’s provisions for foreign news bureaus had yet to be implemented by year’s end.
- 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. Newspaper circulation figures remain extremely low, and state-controlled broadcast stations face heavy competition from channels broadcasting from Thailand.

- A large number of citizens watch Thai television and radio, and wealthier individuals have satellite television access. Voice of America and Radio Free Asia have services in Laos, but most of the reporting is done from outside the country.
- Community radio is proliferating through the help of local and international development organizations, but it is still controlled by the government, which is working to introduce stations in the country's 47 poorest districts.
- Increasing economic liberalization has opened some space for the media in Laos. Media organizations are still run by government-approved heads, but they have begun looking to the private sector for funding. Private companies now buy airtime on government television channels. International agencies also work with private production houses to create material aired in the country.
- Language barriers and high monthly connection fees limit regular internet use to only around 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: 10

Economic Environment: 10

Total Score: 26

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	17,F	19,F	19,F	22,F	23,F

Lebanon

Status: Partly Free

Legal Environment: 18

Political Environment: 21

Economic Environment: 16

Total Score: 55

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	60,NF	60,PF	59,PF	55,PF	56,PF

- The constitution provides for freedom of expression and freedom of the press under Article 13. Although 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.

- Article 75 of the country's press law prohibits publishing news that "contradicts public ethics" or is "inimical to national or religious feelings or national duty"; violators are fined if found guilty. Journalists are also prohibited from insulting the president or foreign leaders. Those charged with press offenses may be prosecuted in a special publications court.
- According to the annual report of the Maharat Foundation, a local media freedom organization, Lebanon's press law limits the number of publications circulated per day, prohibits the release of publications without a license, and requires that individuals inform the Ministry of Information before owning or managing a printing press.
- Lebanese authorities use libel laws to deter journalists from criticizing officials. In July 2009, the host of the weekly talk show *Corruption*, Ghada Eid, was served with an arrest warrant for speaking unfavorably about a judge during her show. She was later released on bail set at 6 million Lebanese pounds (US\$4,000). In a later case involving another judge, the court sentenced Eid to three months in jail and a fine of 30 million Lebanese pounds. In November, Simon Abou Fadel, a reporter with *Al-Kalima* newspaper, was charged with insulting President Michel Suleiman while appearing on MTV, a private Lebanese television station.
- Media legislation enacted ahead of the June 2009 parliamentary elections required news outlets to "ensure equity, balance, and objectivity between all candidates and abstain from supporting or promoting any candidate." The law also called on journalists to abstain from libel or defamation.
- The Directorate of General Security (SG) is authorized to censor all foreign periodicals, books, and films before they are distributed, and to ban pornography and political or religious material that is deemed a threat to the national security of either Lebanon or Syria. For example, the SG censored five minutes of the film *One Man Village*, made by a Lebanese director, on the grounds that it threatened "civil accord." The SG also banned screenings of two of Italian director Paolo Benvenuti's films, claiming they were insulting to the Roman Catholic Church.
- Media in Lebanon are sharply divided according to religious and political affiliations. Most outlets are owned by politicians and influential families, and in the past they have been criticized for fueling violence.
- Political violence continued to threaten journalists' safety in 2009, and impunity for past attacks contributed to self-censorship among journalists. In May 2009, journalist Lucie Barsakhian's car was damaged by members of a political group. In June, Assi Azar, who writes for the website of Prime Minister Saad Hariri's party, was assaulted when he left for work. Also during the year, a crew from Al-Manar, the television station of the Shiite Islamist group Hezbollah, was attacked with stones and gunfire in Beirut.
- Lebanon hosts hundreds of periodicals and nearly a dozen daily newspapers. All national daily newspapers are privately owned, as are most television and radio outlets, including six television and satellite stations and nearly three dozen radio stations. The anti-Syrian MTV resumed broadcasting in April 2009 after being banned for seven years. Access to satellite television has grown substantially over the last decade.
- Roughly 24 percent of the population regularly accesses the internet. The government did not restrict such access in 2009, and there is no specific legislation to regulate internet usage.

Lesotho

Status: Partly Free

Legal Environment: 14

Political Environment: 19

Economic Environment: 15

Total Score: 48

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	42,PF	42,PF	42,PF	46,PF	48,PF

Liberia

Status: Not Free

Legal Environment: 17

Political Environment: 23

Economic Environment: 21

Total Score: 61

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	73,NF	64,NF	65,NF	65,NF	63,NF

- 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 bill was submitted to the legislature in 2008, but it had not been voted on by the end of 2009. Two other draft media laws were also introduced in 2008 and still awaited passage—one to establish an independent broadcasting regulator and the other to transform the state broadcaster into a public-service broadcaster.
- While it was hoped that the government would reform Liberia's criminal libel laws, there were a number of cases in 2009 in which government officials, including President Ellen Johnson-Sirleaf, sued members of the media. In September, the president filed a US\$5 million lawsuit against the editor of the *New Broom* newspaper, which had published a story suggesting that Johnson-Sirleaf received a US\$2 million bribe from a rubber plantation. Lawmaker James Biney also sued the paper in the same case. In December, the publisher and printer of the newspaper *Plain Truth* were questioned, charged with libel, and imprisoned by National Security Agency (NSA) officials for a story accusing Johnson-Sirleaf's administration of supplying arms to Guinean dissidents, as alleged by Guinea's military junta. The NSA is headed by the president's son. While none of these cases have resulted in rulings that call into question the independence of the judiciary, the mere threat of legal repercussions can lead to self-censorship.
- Two newspapers were closed in 2009 for allegedly failing to register properly. Observers noted that registration requirements were unevenly applied, with the authorities appearing to target critical publications.

- As in previous years, the incidence of harassment, intimidation, and physical attacks on journalists increased in 2009. Two sports journalists were assaulted by the police in January, though one of the officers responsible later apologized. In March, Nathaniel McClain of the *Renaissance* newspaper was handcuffed and beaten for photographing a group of police who were assaulting a customs officer. After reporter Solomon Ware of the Truth FM radio station was “elbowed” by the president pro tempore of the Senate in May, reporters refused to cover the chamber’s activities until the senator apologized later that month. In August, state security officers attacked a reporter from *Public Agenda* after he inquired about a car accident in which they were involved. In September, Monrovia mayor Mary Broh, accompanied by a group of police officers, stormed into the office of the *News* and threatened legal action over a story linking her to controversial US\$50 fees allegedly paid to the city by street peddlers.
- The media sector includes both state-owned and private outlets. Although a dozen newspapers publish regularly, distribution is limited to the capital and literacy rates remain low, meaning most Liberians rely on radio broadcasts for news. There were 15 independent radio stations in Monrovia and 24 community radio stations outside the capital, as well as three television stations.
- 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.
- According to the Liberia Media Center, most newspapers are owned and operated by journalists, who are rarely trained in business operations. However, broadcast outlets are typically owned by more experienced businesspeople, politicians, or partnerships.
- 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

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	95,NF	96,NF	96,NF	94,NF	94,NF

- Libyan media remain among the most tightly controlled in the world. While the law provides for freedoms of speech and the press within the confines of “the principles of the Revolution,” other legislation, including the 1972 Publication Act, contains provisions banning libel and slander and broadly restricts critical speech. 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 the country's leader, Mu'ammar al-Qadhafi.
- In addition to stifling criticism at home, al-Qadhafi filed defamation charges against journalists in Morocco and Uganda in 2009.
- Those who criticize the government from outside the country may be arrested upon entering Libya. There have been several cases in recent years in which the authorities have harassed or imprisoned Libyans who denounced the government on websites based in Europe. Secret police and informants are commonly used to root out dissident activities, leading opposition journalists and other government critics to practice significant self-censorship.
- While no journalists were imprisoned during 2009, the regime pursued a strategy of continuous harassment, frequently summoning journalists for questioning and forcing them to travel long distances on short notice. Impunity for past murders of journalists remains the norm.
- The government owns and strictly controls nearly all print and broadcast media, including the official Jamahiriya News Agency (JANA). 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-Akhdar*.
- The private media group Al-Ghad, run by the president's son, Saif al-Islam al-Qadhafi, was allowed to launch the satellite television station Al-Libiya, two radio stations, and two daily newspapers in 2007. However, this small step toward a more open media space was quashed in April 2009, when the government formally nationalized all Al-Ghad outlets. No justification was given for the nationalization, but independent sources claimed that the outlets were preparing to broadcast a report about human rights abuses against dissidents. In addition, Egyptian authorities reportedly complained about remarks made by an Al-Libiya commentator. The radio and television outlets were absorbed by the state-run Jamahiriya Broadcasting Corporation, and the newspapers are now part of the Public Press Foundation.
- 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. Few foreign publications have traditionally been available, though authorities are reportedly allowing a greater variety of international print media to appear on newsstands.
- Internet penetration remains relatively low; 5.5 percent of the population used the medium in 2009. Nevertheless, the government reportedly monitors internet communications, regularly blocks opposition websites, and 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

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	14,F	13,F	14,F	14,F	14,F

Lithuania

Status: Free

Legal Environment: 5

Political Environment: 9

Economic Environment: 7

Total Score: 21

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	18,F	18,F	18,F	18,F	18,F

Luxembourg

Status: Free

Legal Environment: 2

Political Environment: 3

Economic Environment: 7

Total Score: 12

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	11,F	11,F	12,F	12,F	12,F

Macedonia

Status: Partly Free

Legal Environment: 12

Political Environment: 18

Economic Environment: 16

Total Score: 46

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	51,PF	49,PF	45,PF	47,PF	47,PF

- Macedonia's constitution includes basic protections for freedoms of the press and 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. The Macedonian Journalists' Association reported in May 2009 that there were more than 160 pending cases against journalists, and that cases filed in 2007 and 2008 had already resulted in fines totaling US\$358,000. The association also said

that members of the ruling party had merely converted their criminal libel cases against journalists to civil suits, rather than dropping them as the party had promised in December 2008.

- The nongovernmental organization Pro Media reported in September that state agencies had not properly implemented a 2007 law on open access to public information, noting that information on procurement deals was the most difficult to obtain. The organization also found that 59 of 66 public entities did not yet accept information requests online.
- Both the Broadcasting Council, which regulates television and radio outlets, and Macedonian Radio and Television (MRTV), the public broadcaster, remain underfinanced and dependent on the government, as the license-fee system that is supposed to fund them is essentially inoperative.
- The parliament failed to fill three of the Broadcasting Council's nine seats before presidential and local elections in March 2009. Nevertheless, the Organization for Security and Cooperation in Europe (OSCE) reported that the council impartially and effectively enforced its regulations during the campaign period, though the courts were slow to adjudicate related lawsuits. MRTV showed some bias in favor of the ruling party, airing positive reports about government activities, but most private stations and print media offered relatively balanced political coverage. Macedonian-language outlets often devoted more attention to the main ethnic majority parties, while Albanian-language media focused on ethnic Albanian parties.
- On a number of occasions during the year, journalists and news outlets complained that the government of Prime Minister Nikola Gruevski was providing support to favored reporters and shutting out others in an attempt to control coverage of Macedonia's interactions with the European Union in Brussels.
- In December 2009, the Journalists' Association criticized MRTV for attacking former interior minister Ljube Boskoski on the air, in part by broadcasting footage related to his 2004 arrest on suspicion of war crimes. Boskoski, who was acquitted in 2008, had broken with the ruling party to run as an independent in the March presidential election, and had found fault with Gruevski's performance as prime minister. Separately, the Broadcasting Council admonished MRTV in January for repeatedly airing government sessions on a channel dedicated to the parliament.
- In June 2009, a member of parliament representing a small Romany party verbally attacked a group of journalists, accusing them of working for foreign intelligence agencies and threatening to have them jailed. The lawmaker, Amdi Bajram, later apologized, explaining that he felt the press and political leaders had ignored him and his ethnic group. In March he had reportedly threatened to burn down the offices of the daily *Dnevnik*.
- Macedonia has a large number of media outlets for its population, including five private nationwide television broadcasters (in addition to the public MRTV), dozens of local television and radio stations, and 10 daily newspapers. Ownership of the top print publications is concentrated in the hands of a few firms, including Germany's WAZ Media Group, which holds three leading dailies. The government is the country's biggest advertiser and reportedly favors outlets it perceives as friendly. A number of television stations and newspapers are owned by or linked to political party leaders, and outlets are typically divided along ethnic lines. Hundreds of journalists demonstrated in May 2009 to protest low pay and interference in their work by government and business interests.
- Access to the internet is restricted only by cost and infrastructural obstacles, with around 52 percent of the population accessing the medium in 2009.

Madagascar

Status: Not Free

Legal Environment: 17

Political Environment: 29

Economic Environment: 15

Total Score: 61

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	50,PF	49,PF	50,PF	48,PF	51,PF

Status change explanation: Madagascar's status declined from Partly Free to Not Free to reflect a serious deterioration in the political environment for the media in 2009, both before and after the overthrow of the government in March. Both main parties routinely ignored constitutional protections for media freedom while in power, using harassment, intimidation, and censorship to restrict media operations. As a result, news coverage became extremely partisan and polarized, while diversity of views receded.

- A coup swept the former mayor of Antananarivo, Andry Nirina Rajoelina, to the presidency in March 2009, and the ensuing dismissal of the parliament, a virtual suspension of the constitution, and the end of any semblance of judicial independence all contributed to a dangerous and violent year for journalists and the media.
- With the breakdown of democracy and constitutional governance in 2009, the laws protecting freedom of the press were routinely ignored or selectively applied by authorities both before and after the coup.
- Both governments closed media outlets for political reasons. The closure of Rajoelina's VIVA TV by the government of President Marc Ravalomanana at the end of 2008 precipitated the turmoil of 2009. In April, the Rajoelina government exacted its revenge by closing the Ravalomanana-owned TV Mada. In addition, at least five newspapers were forced to stop publishing.
- There were several acts of violence against journalists during the year, with perpetrators on both sides of the political divide. In February 2009, security forces shot and killed Ando Ratovonirina of privately owned Radio et Television Analamanga (RTA) at a pro-Rajoelina demonstration in the capital, marking Madagascar's first killing of a reporter in the course of his work since 1992. In March, Christian Rivo Rakotonirina, the editor of an online newspaper, was attacked and left in a coma by Ravalomanana supporters, and reporter Sitraka Rafanomezantsoa of the daily newspaper *Malaza* was severely beaten by thugs reportedly hired by the Ravalomanana government. Rajoelina supporters similarly assaulted reporters for pro-Ravalomanna outlets, and both governments resorted to politically motivated arrests and censorship. After the coup, hopes for a reversal of the censorship policies of the previous regime were shattered when the government ordered state-owned media not to cover opposition demonstrations.
- In 2009 there were approximately 250 radio stations and 39 television stations, though the government retains a monopoly on nationwide broadcasting. Thirteen private daily

newspapers and many more that appear less frequently were published throughout the country, but the number fluctuated due to several closures and reopenings. Major political figures own several of the private media outlets. Ravalomanana, for instance, owns the Malagasy Broadcasting System, which operates television and radio stations, and Rajoelina owns VIVA TV. The state-owned media include Television Malagasy and Malagasy National Radio.

- While there were no reports that the government restricted internet usage or monitored e-mail, allegations of technical sabotage of websites from both political camps surfaced during the year. Given the extremely chaotic, violent, and restrictive media environment within the country, access to information from abroad via the internet took on added importance. However, the polarization that plagued the traditional media was also evident in cyberspace, and only about 1.6 percent of the population had practical access to the internet in 2009.
- In addition to standard internet platforms, citizens used mobile-telephone text messaging and microblogging technologies to communicate during the political crisis, providing another source of information and viewpoints for those who could access them.

Malawi

Status: Partly Free

Legal Environment: 17

Political Environment: 21

Economic Environment: 18

Total Score: 56

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	54,PF	55,PF	53,PF	55,PF	56,PF

- Freedoms of speech and the press are constitutionally guaranteed but sometimes restricted in practice. The government has occasionally used libel and other laws to put pressure on journalists.
- In February 2009, the Malawian Communications Regulatory Authority (MACRA) temporarily closed the Mzimba community radio station and arrested its manager on the grounds that the station did not comply with regulations as stipulated in the Communications Act. However, sources from Mzimba claimed that the station had been ordered off the air by a cabinet minister who was unhappy with its criticism of the government. The manager, Sam Lwara, was eventually charged with conduct likely to cause a breach of peace and released on bail. The case had yet to be resolved at year's end.
- MACRA and Joy Radio were involved in a number of legal tussles during 2009. The police in Blantyre closed down the radio station following allegations that it was airing campaign material outside the stipulated election period, and several journalists were arrested. The station was off the air during the May presidential and parliamentary elections, and only reopened weeks after the polls. Since then, Joy Radio has withdrawn programs deemed confrontational by the government. In October, the Supreme Court of Appeal ordered MACRA to pay Joy Radio about 13.8 million kwachas (US\$98,000) in compensation for loss of business during the closure.

- The government does not exercise overt censorship, but more subtle threats to freedom of expression often result in self-censorship, especially in government-controlled media.
- In September 2009, two reporters with the Blantyre Newspapers Limited group were harassed by police for photographing city workers as they dismantled unlicensed vendors' stalls.
- The print media present a broad spectrum of opinion; 11 independent newspapers are available, and of the eight major papers in circulation, six are privately owned and most are editorially independent. The state-owned Malawi Broadcasting Corporation (MBC) operates the country's two 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 in 2009, accusing them of favoring the government and the ruling party. 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 threaten the economic viability of many independent broadcasters.
- There are no government restrictions on the internet, although only around 4.6 percent of the population is able to access the medium.

Malaysia

Status: Not Free

Legal Environment: 24

Political Environment: 23

Economic Environment: 17

Total Score: 64

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	69,NF	65,NF	68,NF	65,NF	65,NF

Despite Prime Minister Najib Abdul Razak's initially positive rhetoric and actions toward the media after taking office in April 2009, his government continued to employ the full arsenal of restrictions and censorship tactics used by his predecessors.

The constitution guarantees freedom of expression under Article 10, but allows for a host of limitations on this right. The Sedition Act, the Internal Security Act (ISA), and harsh criminal defamation laws are used regularly to impose restrictions on the press and other critics, and all transgressions are punishable by several years in prison—in many cases without trial. For example, Raja Petra Kamaruddin, founder and editor of the website *Malaysia Today*, was detained and accused of demeaning Islam in 2008, then released on procedural grounds. However, he was later charged under the 1948 Sedition Act and with criminal defamation under the penal code, and is thought to have fled to London to escape the charges, which many observers consider to be politically motivated.

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. In late March 2009, two opposition party newspapers—*Suara Keadilan*, published by the People’s Justice Party (PKR), and *Harakah*, published by the Islamic Party of Malaysia (PAS)—received three-month suspensions in what was widely seen as an attempt to prevent the parties from communicating with voters ahead of by-elections on April 7. The suspensions were lifted early by Najib following his April 3 inauguration. In August, officials from the Ministry of Home Affairs seized 400 copies of the inaugural issue of a magazine of political cartoons called *Gedung Kartun*. While a ministry spokesman claimed that the magazine was confiscated primarily due to its lack of a publication permit and for content checking, its editor disputed this explanation. The 1988 Broadcasting Act allows the Information Ministry to decide who can own a broadcast station and what type of television service is suitable for the Malaysian public. Broadcast outlets also practice self-censorship. Florence Looi, host and producer of the NTV7 program *Point of View*, was taken off the air in July and reassigned to field reporting, apparently for having asked her guests to rate the performance of Najib during his first 100 days in office.

The country has no freedom of information legislation, and officials are reluctant to share controversial data for fear of being charged under the Official Secrets Act. In April, Najib barred *Merdeka Review* reporter Wong Shu Qi and photographer Saw Siow Feng from covering the announcement of the new cabinet line-up. It was suspected that the move stemmed from the online outlet’s commentaries criticizing pro-Najib stories from the Chinese-language paper *Sin Chew Jit Poh*. Earlier in the year, the opposition-controlled government of Penang State banned the English-language daily *New Straits Times* from its official functions.

Due to these extensive legal restrictions, the ability of officials to censor both print and broadcast media, and the self-censorship practiced by many journalists, physical harassment and intimidation is less of a danger than arbitrary arrest or being threatened with legal action, and no cases of physical attacks were reported during the year.

Although media are primarily privately owned, the majority of both print and broadcast outlets are owned either by political parties in the ruling coalition or by businessmen with close political connections. For example, Media Prima Berhad, which includes NTV7, is closely linked to the main ruling party, the United Malays National Organization (UMNO). Other stations in the Media Prima group include TV3, Channels 8 and 9, radio stations Fly FM and Hot FM, and various newspapers in the New Straits Times Press Berhad group. Coverage at most outlets tends to favor the government and provide minimal exposure for the opposition.

Malaysia was estimated to have almost 17 million internet users as of June 2009, or roughly 57 percent of the population. Despite a thicket of restrictions on the traditional media, the country remains committed to a policy of refraining from internet censorship, as guaranteed in Section 3(3) of the Communications and Multimedia Act (CMA) and in the Multimedia Bill of Guarantees. Online news organizations and bloggers are nevertheless subject to harsh defamation laws, and in 2009 there were several warning signs of possible government crackdowns in the future. Bloggers and internet news providers tread carefully so as not to post material that might be deemed seditious or defamatory and run the risk of arrest.

Two bloggers—Ahiruddin Attan, also known as Rocky Bru, and Jed Yoong, a former writer for the opposition publication *Rocket*—were questioned by police in February 2009 over critiques of the monarchy in Perak state that appeared on their blogs. A few weeks later, a number of people were charged with posting critical comments about the Perak royal family online. As the Center for Independent Journalism noted, provisions of the CMA guarantee that it should not be used to censor the internet, and this was the first time the law had been used to

charge people for comments posted online. In August 2009, the online *Malaysian Insider* reported that the government was studying the feasibility of an internet filter. In September, the Malaysian Communications and Multimedia Commission asked Malaysiakini, an independent news website, to take down two videos related to a controversial protest against the relocation of a Hindu temple in Shah Alam. However, Malaysiakini refused to comply with the request.

Maldives

Status: Partly Free

Legal Environment: 17

Political Environment: 17

Economic Environment: 16

Total Score: 50

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	68,NF	70,NF	68,NF	66,NF	56,NF

- The Maldives made gains in media freedom in 2009, as the environment for free and unfettered reporting continued to improve. However, a slowdown of legal reforms and continuing official interference in editorial policies at the public broadcast outlets remained areas of concern.
- The 2008 constitution protects freedom of expression, but also places restrictions on speech deemed “contrary to the tenets of Islam.” The overall legal framework protecting free expression remained weak in 2009, with many proposed media reform bills still awaiting passage.
- In June 2009, the first criminal defamation case in many years commenced against Hameed Abdul Kareem, former editor of *Manas* magazine, who was accused of defaming Chief Justice Sheikh Mohamed Rasheed Ibrahim. However, in November the parliament passed an amendment to the penal code that abolished criminal defamation.
- A 2008 law called for the establishment of a Media Council tasked with developing a code of conduct for media workers and investigating complaints from the public. Although the council would ostensibly be independent, consisting of media workers and members of the public, critics argued that the body could be used to improperly punish journalists and that a purely self-regulatory mechanism would be preferable. The Media Council law had not been implemented by the end of 2009.
- Government promises to create a more editorially independent public broadcaster remained unrealized in 2009, as legislation to that end stalled in the parliament. Both local and international watchdogs noted that the state-owned Television Maldives and Voice of Maldives Radio still suffered from progovernment bias.
- While the Commonwealth Expert Team observing the May 2009 parliamentary elections did not conduct dedicated media analysis, they noted that newspaper coverage “appeared to be forthright and openly covered a variety of political topics.”
- The Maldives Journalist Association accused the government of interference with the private media in a number of cases, citing “the summoning of officials of private television stations DhiTV and VTV to the Department of Information on various occasions; the obtaining of

audio material from DhiFM for review and later taking points off from DhiFM's Broadcasting License for alleged 'incitement to violence'; and the entry into DhiFM private radio station by police."

- Journalists remain subject to some harassment. A spate of attacks in mid-2009 included separate assaults on editor Ahmed Zahir of the private daily *Haveeru* by governing party supporters in Male, and reporter Ibrahim Rasheed of Television Maldives by members of the opposition Dhivehi Rayyithunge Party as he covered the arrival of former president Maumoon Abdul Gayoom at a police station.
- An estimated 200 private broadcast outlets and publications operated throughout the country, 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. Moreover, broadcasters remain subject to high annual licensing fees and must be relicensed every year. The number of private radio stations has increased to at least six, while the country's first private television channels, DhiTV and VTV, began operating in 2008.
- Some print publications are owned by Gayoom allies or other political actors, who exercise considerable control over content. Most newspapers are not profitable and rely on financial backing from businessmen with strong political interests.
- Private media came under further financial pressure in September, when the government began publishing its notices and advertisements in the weekly official gazette. Previously, such notices had been printed in a range of media outlets and had been a major source of revenue for private publications.
- The government generally did not interfere with the internet, which was accessed by about 28 percent of the population in 2009, a significant increase from the previous year. Although blocks on opposition-oriented websites, such as the *Dhivehi Observer*, had been lifted in 2008, several internet sites that were deemed unfit for public consumption were reportedly blocked in late 2008 and early 2009 on orders from the Ministry of Islamic Affairs. The blocked sites tended to be religious rather than political, with several accused of promoting Christianity and one Islamic site allegedly criticizing the ministry.

Mali

Status: Free

Legal Environment: 9

Political Environment: 8

Economic Environment: 8

Total Score: 25

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	23,F	24,F	24,F	27,F	26,F

- Mali's constitution protects the right to free speech, and the country's broadcast and print media have ranked among the freest in Africa in recent years.
- Severe criminal punishments for libel still exist under a 1993 law, and the accused face a presumption of guilt despite improvements to the law in 2000, but no journalist has been prosecuted under this law since 2007.

- The media in Mali regularly work to hold the government accountable to the people. In December 2009, for example, the press called for the government to release information on how the funds generated from the privatization of the country's telecommunications company were being spent after officials were initially reluctant to do so.
- Unlike in 2008, there were no reports in 2009 of journalists being harassed in the course of their work. However, in February a journalist for Radio Kayira, Nouhoum Keita, was arrested and jailed on charges of fraud that were unrelated to his work as a journalist. On a Radio Kayira program aired prior to his arrest, Keita claimed that government officials had set him up. He was released in April.
- In a country where the adult literacy rate is only 26.2 percent, according to the UN Development Programme, most Malians get their news either from word of mouth or from over 200 radio stations operating in the country, half of which are fully independent and many of which openly criticize the government.
- While the more than 40 independent newspapers have limited readerships due to the low literacy rate, they are influential among the country's elite and often set the agenda for the radio stations that reach the rest of the population.
- The overall quality of the media in Mali is limited by the lack of adequate journalism training and the country's high poverty level, which leads many low-paid journalists to take bribes.
- The government does not restrict access to foreign media.
- Although the government does not restrict internet use, only about 2 percent of the population was able to access this resource in 2009. Most used internet cafes, as high costs remained a barrier to home access.

Malta

Status: Free

Legal Environment: 4

Political Environment: 9

Economic Environment: 9

Total Score: 22

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	18,F	18,F	17,F	20,F	22,F

Marshall Islands

Status: Free

Legal Environment: 2

Political Environment: 6

Economic Environment: 9

Total Score: 17

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	17,F	17,F	17,F	17,F	17,F

Total Score, Status	13,F	15,F	17,F	17,F	17,F
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Mauritania

Status: Partly Free

Legal Environment: 18

Political Environment: 21

Economic Environment: 17

Total Score: 56

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	65,NF	57,PF	55,PF	56,PF	58,PF

- Political uncertainty in Mauritania eased somewhat following July 2009 elections in which General Mohamed Ould Abdel Aziz, who had ousted former president Sidi Ould Cheikh Abdellahi in an August 2008 coup, won the presidency. However, the political changes did not dramatically alter the media landscape. Press freedom remained somewhat constricted, with a new focus on circumscribing online media during the year.
- The constitution provides for freedom of speech and of the press. Legal and regulatory reforms enacted in 2006 eliminated the requirement for prepublication government approval for newspapers, established journalists' legal right to protect sources, and created the High Authority for the Press and Broadcasting (HAPA).
- Criminal defamation laws remain in force and are sometimes used to charge journalists. Those accused sometimes spend time in detention or endure long delays in the resolution of their cases.
- While journalists seemed to enjoy relative calm in 2009 despite the elections, there were a number of incidents of violence or harassment directed against the media. In January, Sidi Mohamed Ould Abderrahmane of Agence Nouakchott d'Information, a private news agency, was detained for covering a demonstration. He was later released, but the images on his camera were destroyed. In February, Isselmou Ould Abdelkader, a former legislator, was released on bail after spending three months in jail for comments he made on television. His remarks also led to the dismissal of the program's host, Sidi Ould Lemjad, and Limam Cheikh Ould Ely, the director of Mauritania TV. In March, Abdallahi Ould Tfagha Moctar and Mohamed Lemine Ould Moustapha, reporters for the Sahara Media newswire, were detained briefly for filming the entrance of the Nouakchott prison. In May, Mamouni Ould Moctar, a reporter with Agence Nouakchott d'Information, was harassed by political party activists. Also that month, police beat journalists and briefly detained Hachem Sidi Salem, a local correspondent for the satellite television station Al-Hurra, for covering a sit-down strike by members of the National Bar Association.
- Though the Mauritanian media express a variety of views, journalists practice a degree of self-censorship in their coverage of issues such as the military, foreign diplomatic missions, corruption, and Sharia (Islamic law).
- There are 30 regularly published and privately owned newspapers. The two daily newspapers, *Horizons* and *Chaab*, are government owned, as are all broadcast media.

However, Radio France Internationale rebroadcasts locally, and Mauritians have access to international satellite television.

- The HAPA provides state subsidies to 35 independent newspapers, and most papers have access to the state’s printing press.
- Internet access is not restricted by the government, but the internet was used by only about 2.3 percent of the population in 2009. There is a noticeable growth in the use of blogs and online news outlets, though bloggers and other online content creators face the threat of arrest and detention. At various points during the year, Abou al-Abbass Ould Brahim, Hanevy Ould Dahah, and Djibril Diallo of the news website *Taqadoumy* were arrested as a result of their writings. While Brahim and Diallo were released after several days’ detention, Dahah was sentenced in August to a six-month prison term and a fine.

Mauritius

Status: Free

Legal Environment: 6

Political Environment: 8

Economic Environment: 13

Total Score: 27

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	28,F	26,F	26,F	26,F	26,F

Mexico

Status: Partly Free

Legal Environment: 16

Political Environment: 30

Economic Environment: 14

Total Score: 60

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	42,PF	48,PF	48,PF	51,PF	55,PF

Media freedom declined in 2009 as it became significantly more dangerous to practice journalism in Mexico. Reporters became direct targets of drug traffickers, were harassed by state security forces, and faced local officials who were determined to silence independent scrutiny of their work. Freedom of expression is enshrined in Articles 6 and 7 of the constitution, and journalists attempt to be more critical than they were during the 71-year rule of the Institutional Revolutionary Party, which ended in 2000. However, conditions for reporting have deteriorated considerably since then, criminal defamation and insult laws remain in place, and reform of the concentrated broadcast sector is stalled.

The federal criminal defamation law was eliminated in 2007, but civil insult laws remain on the books, as do criminal defamation statutes in 17 states. During 2009, rights organizations reported several cases of harassing lawsuits, mostly by state and local officials but in one instance by a large company and in another by a federal judge. Citizens' right to public information was affirmed in 2007 through an amendment to Article 6 of the constitution. The amendment stated that all levels of government would be required to make their information public, but that information can be temporarily withheld if it is in the public interest to do so and the practice is regulated by law.

Violence has become the preeminent threat to media freedom in Mexico. According to the New York-based Committee to Protect Journalists, eight journalists were killed in 2009, a new record. Local press freedom organizations recorded even higher statistics. In addition, another journalist disappeared during 2009, for a total of nine since 2003. Scores of Mexican journalists have died violently since 2000, and these cases are rarely resolved.

Despite an alarming increase in attacks on journalists, authorities accused reporters of aiding drug traffickers and undermined proposals for greater media protections. The National Human Rights Commission told state, federal, and military prosecutors that their inaction on violence against the press created a climate of "institutionalized impunity." The Office of the Special Prosecutor for Attention to Crimes Against Journalists was weak by design and produced no significant advances in investigations after several years of work. The Chamber of Deputies disbanded the Special Commission on Aggression Against Journalists after passing legislation to federalize investigations and prosecutions of crimes against journalists that lacked the statutory authority to make it effective. Under pressure, the chamber later reconstituted the commission with a chairwoman but no membership. State prosecutors were similarly ineffective during the year. In the few local-level cases that yielded convictions, the suspects were allegedly tortured or strong exculpatory evidence was overlooked. The Center for Journalism and Public Ethics (Cepet) and the Committee to Protect Journalists suggested that these cases entailed the "fabrication of guilty parties." Meanwhile, both Cepet and the National Social Communication Center/Article 19 (Cencos) found that local political authorities and police were the top source of aggression against journalists. Domestic press organizations have notably increased their capacity to systematically document abuses and highlight the government's acquiescence.

Cencos recorded 244 attacks on or intimidation of journalists and media outlets, while Cepet documented 140. Both cited an increase in the overall number of attacks compared with previous years. Drug gangs were the most violent aggressors. For example, in May gunmen broke into the home of *La Opinion Milenio* reporter Eliseo Barron Hernandez in Durango state and kidnapped him in front of his family. His body appeared the next day in a drainage canal. Suspects linked to the Zetas and the Gulf cartel, both drug trafficking groups, took responsibility for the killing. Similarly, after six months of denouncing threats, journalist Jose Bladimir Antuna Garcia of *El Tiempo de Durango* was kidnapped and found dead 10 hours later. His body carried a note that said, "This happened to me for giving information to the military and for writing what I shouldn't. Take good care of your texts before publishing an article."

Media installations were also attacked to intimidate or pressure outlets into publishing drug traffickers' messages. One was attacked with a grenade in Sinaloa, another with gunfire in Coahuila, and a third by a group of heavily armed gunmen in Nuevo Leon. The severed heads of pigs were left at a fourth media office in Sonora. These attacks and threats fueled pervasive self-censorship in the professional press; citizens in northern Mexico often turned to the Twitter microblogging service and other social media to exchange information about gun battles. Drug-

related violence against the press occurred along the northern border and in the states of Durango, Guerrero, and Quintana Roo, but other attacks occurred throughout the country, and as noted above, the most frequent aggressors were local and state-level government officials or their security forces. Cencos identified nine high-risk states, but 28 of 31 states and the Federal District registered numerous attacks or threats. The most cases occurred in Oaxaca and Veracruz, and were due to critical coverage of local officials and elections. According to Cepet, “entire zones exist with constant risk of death for being a journalist,” and criminal groups “dispute with authorities the right to demand silence and impose an agenda.”

There are numerous privately owned newspapers, and diversity is fairly broad in the urban print media. However, private broadcast ownership is highly concentrated, and television news coverage is driven by particular corporate interests. Advertising is occasionally used to influence editorial content. The head of the National Lottery reportedly tried to secure a newspaper’s support for his preferred gubernatorial candidate by buying ads, state officials in Guanajuato continued to pressure newspapers by withholding ads, and the Supreme Court agreed to hear a case in which *Proceso* magazine alleged that it was unfairly barred from receiving state advertising.

Approximately 26 percent of the population had access to the internet in 2009. While content is not restricted, internet service is costly and the market is not well diversified. Proposals to open the industry to competition and strengthen noncommercial media remained stalled in part because politicians reportedly feared reprisals from large media corporations.

Micronesia

Status: Free

Legal Environment: 2

Political Environment: 8

Economic Environment: 11

Total Score: 21

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	18,F	20,F	20,F	21,F	21,F

Moldova

Status: Not Free

Legal Environment: 20

Political Environment: 24

Economic Environment: 21

Total Score: 65

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	65,NF	65,NF	65,NF	66,NF	67,NF

Press freedom continued to decline in the first half of 2009 as the ruling Communist Party restricted independent reporting ahead of two rounds of parliamentary elections in April and July. President Vladimir Voronin used his government's tight control over the media, along with widespread voting fraud, to increase the Communist Party's parliamentary majority in the April vote. The official results sparked mass protests and a brutal police crackdown, along with an aggressive media blackout on broadcast and internet coverage of the unrest. Nevertheless, the Communists lacked the parliamentary votes to elect Voronin's chosen successor as president, prompting the second round of elections in July. A group of reformist parties emerged from the new voting with a majority, formed a coalition called the Alliance for European Integration (AEI), and established a new government.

A variety of media restrictions remained in force under Voronin's government, but the reformist government amended the Audiovisual Code so that it could appoint new members to two media regulatory agencies, leading to a shift in the political bias of the state-owned media. Journalists and media outlets continued to experience harassment from the authorities even after the change in government. In September, media regulators asked the pro-Communist Omega television station to stop broadcasting its Russian-language news reports because it lacked a license to do so, according to local news reports. Lack of judicial independence also remained a problem. Though defamation was dropped from the country's criminal code in May and only 10 new civil defamation cases were reported in 2009, according to the Chisinau-based Independent Journalism Center (IJC), the constitution still forbids defamation of the state and the nation. Reporters were often unable to obtain basic public information from the government because many officials ignore the Access to Information Law. Distribution of broadcast licenses and privatizations of state outlets are politicized. In May, the pro-Communist media regulator arbitrarily revoked the license of the independent television channel PRO TV.

Intimidation of the local independent media as well as journalists from neighboring Romania increased before and after the April 2009 elections. In February and March, police officers arrived several times without a warrant to search the premises of Albasat, a local television station near Chisinau, citing suspected financial irregularities. In April, the Communist government cracked down aggressively on all media coverage of the police response to postelection protests. Journalists filming the violence were attacked by police officers, and Moldovan authorities expelled or denied visas to some two dozen Romanian journalists, according to press reports. There were no violent attacks reported during the July parliamentary elections, but investigating sensitive topics like government corruption remained risky. The South East Europe Media Organization noted that individual intimidation and aggression against journalists increased following the elections. On separate occasions in July, reporters were forcibly removed from public meetings by authorities, including bodyguards of Prime Minister Zinaida Greceanii. In December, several investigative journalists from the Chisinau-based independent newspaper *Ziarul de Garda* and their families received threats over the telephone and via e-mail in retaliation for reporting on allegations of corruption in the National Railway Company of Chisinau, the IJC reported.

In the separatist Transnistria region, media are highly restricted and politicized. Most local broadcast media are controlled by the Transnistrian authorities or by companies, like Sheriff Enterprises, that are linked to the separatist regime. Any critical information regarding the separatist authorities is promptly suppressed and the journalists responsible harassed. The Transnistrian State Security Ministry opened a criminal investigation against the Russian news agency Regnum in January and searched its bureau in the separatist capital of Tiraspol in

February after it published an article that allegedly called for “a violent seizure of power and a change of the constitutional system” in the region, according to the Center for Journalism in Extreme Situations (CJES). Print media in Transnistria are required to register with the separatist Ministry of Information in Tiraspol rather than the internationally recognized Moldovan government in Chisinau.

The state broadcaster, Teleradio Moldova, consistently favored progovernment politicians and criticized the opposition ahead of the parliamentary elections in April and July, according to European election monitors. Only government-controlled broadcasters have national reach; there is little private broadcasting, and most programs are rebroadcasts from either Romania or Russia. The government also influences the media through financial subsidies and advertising. Following the April elections, the government forced advertisers to stop working with the independent and opposition media, according to local press reports and CJES.

Although the underdeveloped telecommunications infrastructure and high fees for internet connections have limited usage, internet access is generally not restricted by the authorities, and access grew around 36 percent of the population in 2009. During the April postelection protests, authorities blocked access to several social-networking websites because protesters were using them to communicate amid the media blackout, according to local press reports. The following month, the state internet-service provider MoldData warned the oppositionist website Unimedia that it could be shut down for publishing “illegal material,” namely “hateful comments” posted by users.

Monaco

Status: Free

Legal Environment: 3

Political Environment: 7

Economic Environment: 6

Total Score: 16

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	14,F	16,F	16,F	16,F	16,F

Mongolia

Status: Partly Free

Legal Environment: 14

Political Environment: 13

Economic Environment: 12

Total Score: 39

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	35,PF	34,PF	36,PF	38,F	41,PF

Montenegro

Status: Partly Free

Legal Environment: 11

Political Environment: 16

Economic Environment: 10

Total Score: 37

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	NA	NA	37,PF	38,PF	37,PF

Morocco

Status: Not Free

Legal Environment: 25

Political Environment: 24

Economic Environment: 17

Total Score: 66

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	63,NF	61,NF	62,NF	64,NF	64,NF

- Freedom of the press remained restricted in 2009. 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.
- Libel remains a criminal offense that carries large fines, and legal cases are a primary method of curbing critical journalism in Morocco. In January, the independent daily *Al-Jarida al-Oula* was fined 160,000 dirhams (US\$19,000) for defamation after a trial in which the newspaper was not represented by legal counsel or staff. In March, Ali Anouzla, the paper's managing director, and Jamal Boudouma, its publisher, returned to court and were each sentenced to two-month suspended jail terms and fined 200,000 dirhams for defamation and insults against the judiciary.
- In March, journalist and blogger Hassan Barhoun was sentenced to six months in prison and a fine of 5,000 dirhams for allegedly "circulating false news." In April, the sentence was increased to 10 months after the public prosecutor accused Barhoun of collusion in a corruption case.
- According to the Committee to Protect Journalists, in June the Moroccan courts ordered three independent dailies to pay fines for insulting Libyan leader Mu' ammar al-Qadhafi, after the Libyan embassy in Rabat issued complaints. Five journalists from the three newspapers were each fined the maximum amount designated under the press law, 100,000 dirhams, and ordered to pay damages of one million dirhams.
- In October 2009, *Al-Michael* newspaper publisher Idriss Chahtane was sentenced to one year in prison and a fine of 10,000 dirhams for running articles about the king's health. Two

journalists with the paper, Rachid Mohamed and Mostafa Hiran, were sentenced to two months in prison and fined 5,000 dirhams each. In November, *Al-Michaal* was banned on the grounds that Chahtane was serving a prison sentence.

- King Mohamed VI and his government wield considerable control over the editorial content of domestic broadcast media. Oversight includes the authority to appoint the heads of all public radio and television stations, and the president and all four board members of the High Authority for Audio-Visual Communication, which is responsible for issuing broadcast licenses.
- The government has the power to revoke licenses and suspend or confiscate publications. In August, the Ministry of Interior (MOI) issued an order to seize and destroy over 100,000 copies of *TelQuel* and *Nichane* (*TelQuel*'s Arabic-language sister publication) after the newspapers published results of an opinion poll on the king's decade in power, despite the fact that the results were positive. The Moroccan National Press Syndicate (SNPM) described the act as "doubly illegal" due to the absence of legislation forbidding the publication of opinion polls and the fact that the publications were seized without a judicial order.
- In September, the newspaper *Akhbar al-Youm* was banned because it published a cartoon of a member of the royal family at his wedding ceremony. The latter filed a suit against the paper, but the MOI was the government authority that issued the ban. Publisher Taoufik Bouachrine and cartoonist Khalid Gueddar were sentenced in October to suspended three-year prison terms and ordered to pay a total of 100,000 dirhams in fines as well as three million dirhams in damages for "lacking respect toward the royal family." In a parallel case brought by the interior minister, they received additional one-year suspended prison sentences and fines of 100,000 dirhams each for allegedly distorting the star of Morocco's flag in the same cartoon.
- Self-censorship is widespread, as many journalists fear heavy fines, prison sentences, or extralegal intimidation and physical violence in retribution for their stories. However, some journalists continue to push the boundaries and report on sensitive subjects such as the military, national security, religion, and sexuality.
- Physical attacks on journalists are less common than legal actions, but they do occur occasionally. In November, the SNPM reported that journalist Moustafa Hajri of the daily *Al-Massae* was assaulted by police while covering demonstrations against price increases in Rabat.
- 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. Alternative viewpoints and resources such as online media or independent broadcasts from abroad are not easily accessible to the population.
- There are 17 dailies and 90 weekly publications in circulation, and it is estimated that more than 70 percent of them are privately owned. Broadcast media are still dominated by the state, and FM radio stations are largely prohibited from broadcasting programs of a political nature. However, residents can access critical reports through pan-Arab and other satellite television channels.
- Foreign publications are widely available in Morocco, and the Ministry of Communication accredited 115 foreign journalists during the year. However, the ministry 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. The ministry also banned some foreign publications that reprinted *Akhbar al-Youm*'s controversial September cartoon.

- Approximately 32 percent of the population regularly accessed the internet in 2009. There is no official legislation regulating internet content or access, but the government occasionally blocks certain websites and online tools, including Google Earth and the LiveJournal blogging platform. Testing by the OpenNet Initiative revealed that Morocco no longer filters a majority of sites that recognize or advocate for an independent Western Sahara.
- In February a Casablanca court sentenced Fouad Mourtada to three years in prison for “usurping an identity” by creating a falsified but nondefamatory profile of the king’s brother on the Facebook social-networking site. The king pardoned Mourtada the following month. In September, blogger Mohammed Erraji was arrested and charged with insulting the king in a blog entry. 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: 16

Economic Environment: 14

Total Score: 42

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	45,PF	43,PF	40,PF	40,PF	41,PF

- The 1990 constitution provides for press freedom but allows restrictions to ensure respect for human dignity, for the imperatives of foreign policy and national security, and for the charter itself.
- Though the 1991 press law defends a journalist’s right to conceal sources, harassment aimed at identifying sources takes place on a regular basis. In August 2009, police insisted that a journalist reveal his sources for an article written in April concerning military officers in the Cabo Delgado region.
- Defamation of the president is illegal, and libel laws are sometimes used to prosecute media outlets.
- According to the Media Institute of Southern Africa (MISA), radio broadcast outlets were subjected to overly bureaucratic and possibly politicized procedures to obtain operating licenses. MISA advocated a new law that would clearly delineate the difference between commercial and public radio.
- Reporters occasionally receive threats from authorities and other public figures. In March 2009, provincial governor Ildefonso Muanantatha made threatening public statements against journalist Bernardo Carlos, who had been critical of the government.
- There were occasional reports that police, local officials, and political party activists harassed journalists, and reporters admitted that self-censorship was common. In September 2009,

Alfane Momade Antonio of Nacala Community Radio was attacked by members of the Mozambican National Resistance (RENAMO) opposition party while traveling to meet with and interview the head of the RENAMO campaign in Nacala. Antonio had previously reportedly been critical of RENAMO.

- In a positive step, in August authorities in South Africa arrested Anibal dos Santos Jr. after his third escape from a Mozambican prison, where he was serving a 30-year sentence for the 2000 murder of journalist Carlos Cardoso.
- The government retained a majority stake in *Noticias*, the main national daily. That paper, in addition to the daily *Diario de Mocambique* and the weekly *Domingo*, largely reflected the views of the government and provided marginal, often critical coverage of RENAMO, though they demonstrated a willingness to examine government actions. Several smaller private papers provided more critical coverage of the government.
- There are dozens of private community and regional radio stations, though the most influential radio station, Radio Mocambique, relies on state funding and tends to be less critical of the government. The state also supplies a majority of the operating budget for Televisao de Mocambique (TVM), which has the largest viewership. TVM's news coverage was moderately balanced in 2009, but it retained a bias in favor of the government and the ruling party.
- Printing supplies must be imported from South Africa, and the government did not exempt these supplies from import duties. Some newspapers found it less expensive to print in South Africa and import the final product. Other journals only published electronic versions, severely limiting their readership. Periodicals printed on paper had restricted readership beyond Maputo due to high transportation costs.
- Public access to the internet continued to expand, particularly in the larger cities, though a lack of infrastructure in rural areas and installation costs limited overall use. Internet penetration in 2009 was about 2.7 percent. Individuals and groups could engage in the peaceful expression of views via the internet, although opposition party members alleged that government intelligence agents monitored e-mail.

Namibia

Status: Partly Free

Legal Environment: 9

Political Environment: 13

Economic Environment: 12

Total Score: 34

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	29,F	30,F	30,F	30,F	30,F

Status change explanation: Namibia declined from Free to Partly Free to reflect the government's increased negative rhetoric toward the press and biased coverage in favor of the ruling party surrounding the November 2009 elections.

- Press freedom in Namibia worsened in 2009 as a result of growing government influence and pressure on the media. The ruling South West Africa People's Organization (SWAPO) party and government officials displayed increased intolerance of media criticism, leading to the suspension of and subsequent restrictions on popular call-in radio shows. In addition, coverage of November's presidential and parliamentary elections by the state-owned Namibian Broadcast Corporation (NBC) was heavily biased toward the ruling party.
- The constitution guarantees freedoms of speech and the press, and the government generally respects these rights in practice. However, government pressure has led to some self-censorship.
- Under the Communication Act of 2009, the Communication Regulatory Authority of Namibia (CRAN) was established to oversee licensing, frequency allocation, and competition in the telecommunications and broadcast sectors. It is also tasked with "establishing telecommunications data interception centers," according to the U.S. State Department.
- On a positive note, in August, the Editor's Forum of Namibia created a media ombudsman office headed by Clement Daniels, a human rights lawyer. The ombudsman is to receive and settle complaints made by the public against the media.
- The NBC banned all chat and call-in radio programs in March 2009 after leading members of the ruling party objected to alleged insults against current president Hifikepunye Pohamba and former president Sam Nujoma. The shows that replaced the canceled programs have a far more restrictive format, with just one hour of airtime a day and tighter screening of listener calls. The government continued to monitor the new programming throughout the year.
- SWAPO also urged the *Namibian*, an independent daily, to stop printing reader text messages that allegedly insulted party leaders. In October, Justice Minister Pendukeni Iivula-Ithana publicly labeled the paper's editor, Gwen Lister, "a big snake." According to the Media Institute of Southern Africa (MISA), the minister warned that Lister would be held responsible for the wrongdoings of her white ancestors if she was not more careful about the paper's reporting on SWAPO leaders. Since 2001, the government has banned ministries and departments from advertising in the paper or purchasing it with state funds.
- In July 2009, the National Assembly adopted a controversial Information and Communication Bill that allows the interception of e-mail, telephone calls, mobile-phone text messages, and internet banking transactions. Opposition parties and press freedom advocates argued that the bill did not include adequate oversight mechanisms to prevent abuse by government officials. The government countered that such mechanisms were included and that no "right" to interception was granted. The National Council approved the measure in September, and it became law in November.
- There are currently three independent dailies and four independent weeklies, with a handful of other papers owned by the state or ruling party. There are at least 12 private radio stations, two community radio stations, and one private television station, One Africa TV. SWAPO holds a majority stake in Namibia's only satellite television provider.
- In November 2009, shortly before the elections, the NBC cancelled its policy of granting free airtime to political parties for election broadcasts; 40 percent of the airtime had been allocated equally among parties, with the other 60 percent allocated according to their share in the previous elections. The policy was cancelled after two opposition parties appealed for an equal airtime allocation before the High Court. Opposition parties and press freedom organizations accused the NBC of heavily pro-SWAPO coverage during the election campaign.

- Nearly 6 percent of Namibians have access to the internet. Though there are no official restrictions on access, the new legislation enacted in November allows intelligence services to monitor e-mail and internet usage.

Nauru

Status: Free

Legal Environment: 4

Political Environment: 11

Economic Environment: 13

Total Score: 28

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	29,F	30,F	28,F	28,F	28,F

Nepal

Status: Partly Free

Legal Environment: 16

Political Environment: 28

Economic Environment: 15

Total Score: 59

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	69,NF	77,NF	58,PF	57,PF	57,NF

- The media environment in Nepal remained generally constant from 2008 to 2009, with a continuation of high levels of violence and intimidation toward journalists. Nevertheless, conditions in recent years have represented an improvement over the period that ended in 2006, when massive street protests toppled the direct rule of King Gyanendra Bir Bikram Shah Dev and led to a peace accord with Maoist rebels.
- The law guarantees freedom of the press, and Nepalese media were active and provided diverse views in 2009, but a number of threats to media freedom remain. In December 2008, the Federation of Nepali Journalists and the government signed a 10-point agreement to address the federation's complaints regarding attacks on the media and insufficient press freedom safeguards. The agreement called for the formation of a high-level taskforce to recommend policy changes, but it had yet to be implemented at the end of 2009.
- While the 2007 Freedom of Information Act was generally welcomed by press freedom groups, it has been criticized for its requirement that applicants submit reasons for their requests, and its lack of a public-interest override that would allow the disclosure of classified or private information.
- Violence against journalists and impunity for the perpetrators remained serious problems in 2009. Journalist Uma Singh was beaten to death in Janakpur in January 2009 by a group of

approximately 15 men. Police arrested several suspects but did not identify a motive for her murder, despite the fact that Singh’s recent articles about the dowry system had caused some controversy in the area. The year also featured frequent nonfatal attacks on journalists, including the December beating of Teeka Bista following her publication of critical articles about the Communist Party of Nepal (Maoist). The assault left her hospitalized with severe back and head injuries.

- Supporters of political parties—most commonly groups affiliated with the Maoists or the Nepali Congress party—regularly threatened or attacked critical journalists. On several occasions during the year, Maoists threatened journalists and stole and destroyed copies of critical newspapers.
- The southern Terai region remained a hostile environment for journalists. In August 2009, members of the Madhes Terai Forum, a political party based in the area, stole and burned 15,000 copies of three Nepali-language newspapers in the street. Also in August, members of the Terai Madhes Democratic Party attacked three journalists covering a party dispute.
- 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.
- There were no reports that foreign media were banned or censored in 2009.
- There were also no reports that the authorities monitored e-mail or blocked websites, though the internet was accessed by little more than 2 percent of the population.

Netherlands

Status: Free

Legal Environment: 3

Political Environment: 7

Economic Environment: 4

Total Score: 14

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	11,F	11,F	13,F	13,F	13,F

- Media in the Netherlands are free and independent. Rules against insulting the monarch and royal family are rarely enforced, but they were invoked in August 2009 after the Associated Press published pictures of the royal family on vacation. A Dutch court ruled that the Associated Press should pay €1,000 (US\$1,400) every time the pictures are republished, up to a maximum fine of €50,000.
- The Netherlands lacks specific national legislation ensuring the right of journalists to protect their sources, though this right can be invoked under Article 10 of the European Convention on Human Rights. A draft law addressing the matter was released by the justice minister in late 2008 but had not been enacted by the end of 2009.

- In July 2009, an Amsterdam court ruled that the General Intelligence and Security Service (AIVD) had illegally tapped the telephone of journalist Jolande van der Graaf. She had written two articles for the newspaper *De Telegraaf* that contained classified information and refused to identify her source. In December, an independent review committee found that the wiretapping was justified, and the AIVD was exonerated.
- Dutch cartoonist Gregorius Nekschot remained under investigation for images that allegedly violated antidiscrimination laws by offending Muslims and other minorities. He had been arrested in May 2008 and jailed overnight, but had not been prosecuted by the end of 2009.
- In March 2009, the European Court of Human Rights upheld police measures in 2002 against the magazine *AutoWeek*, which was threatened with closure and subjected to searches after the publishers refused to give up photographs related to an article about illegal street racing.
- The 2004 murder of controversial filmmaker Theo van Gogh by a radical Islamist has created a climate of fear among journalists and artists interested in pursuing controversial topics, particularly those related to immigration and the role of Islam in the Netherlands.
- An appeals court in January 2009 overturned an earlier ruling not to prosecute politician Geert Wilders for allegedly inciting hatred and discrimination through editorials in which he called the Koran fascist and said it should be banned, as well as his controversial film *Fitna*. Wilders's trial was scheduled for January 2010. He faced up to 16 months in prison and a fine of nearly US\$13,000 if convicted.
- In September 2009, prosecutors decided to pursue discrimination charges against the Arab European League (AEL) for allegedly anti-Semitic cartoons, while complaints about the circulation of allegedly anti-Islamic cartoons were dismissed.
- Despite a high concentration of newspaper ownership, a wide variety of opinions are expressed in the print media.
- The state allocates public radio and television programming to political, religious, and social groups according to their membership size. While every province has at least one public television channel, public broadcasting has faced stiff competition from commercial stations since their legalization in 1988.
- International news sources are widely accessible. The internet is not restricted by the government and was used regularly by roughly 90 percent of the population in 2009.

New Zealand

Status: Free

Legal Environment: 3

Political Environment: 5

Economic Environment: 6

Total Score: 14

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	12,F	13,F	13,F	13,F	14,F

Nicaragua

Status: Partly Free

Legal Environment: 14

Political Environment: 20

Economic Environment: 13

Total Score: 47

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	42,PF	44,PF	42,PF	43,PF	45,PF

- The constitution provides for freedom of the press but allows restrictions through libel laws.
- Judges are often aligned with political parties, and some have barred journalists from covering certain stories. Cases of judicial intimidation have also been reported. However, in February 2009, after an international outcry, the attorney general’s office dropped criminal charges against CINCO, a nonprofit media research organization run by Carlos Fernando Chamorro, one of the most critical journalists in the country. The government had launched an inquiry into whether CINCO and other nonprofit organizations illegally channeled foreign funding to civil society groups.
- The administration of President Daniel Ortega continued to demonize the independent and opposition press during the year, calling certain journalists and media outlets “enemies” of the government while favoring progovernment outlets. In July, the president described the independent media as “terrorists, agents of the CIA,” and “sons of Goebbels.”
- Ortega’s administration is highly secretive, and he has given no press conferences since taking office in 2007, according to the Committee to Protect Journalists. There have been reports of preferential treatment for journalists who are loyal to the ruling party. For example, the Ministry of Health excluded independent media from its 2009 press conference announcing the arrival of the H1N1 influenza virus.
- A bill proposed by Martha Marina González, a Sandinista legislator and the party’s representative in the country’s official Journalists’ Guild, would require media professionals to belong to the guild in order to work as a journalist.
- The government often harasses critical media outlets. In June officials shut down Radio La Ley in Sebaco, and armed civilians seized the station’s equipment. Four opposition radio stations—Radio Amor, Radio La Portenisima, Radio Hit, and Radio Kabu Yula—ceased operations under government pressure during the year.
- Ivan Olivares, a journalist for the magazine *Confidencial*, was stabbed by progovernment protesters while covering their clashes with opposition supporters. In August, members of the civil society group Coordinadora Civil, including the journalist Mario Sanchez Paz, were attacked on the grounds of a cathedral by government supporters and employees of the Managua mayor’s office. Police were present but did not intervene.
- 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 mogul Angel Gonzalez, noted for his holdings in Guatemala and Costa Rica, also owns significant outlets in

Nicaragua. Several media outlets are owned and controlled by Ortega’s family and party, the Sandinista National Liberation Front. The government owns the official Radio Nicaragua.

- There are no government restrictions on the internet, which was used by less than 4 percent of the population in 2009.

Niger

Status: Not Free

Legal Environment: 25

Political Environment: 26

Economic Environment: 17

Total Score: 68

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	53,PF	56,PF	58,PF	63,NF	64,NF

- Media freedom significantly deteriorated in Niger in 2009, primarily due to government interference with the country’s media regulator and an increase in legal harassment of journalists. The crackdown came as President Mamadou Tandja sought to extend his rule by dissolving the parliament in May and pushing through an August constitutional referendum that removed term limits and delayed the next presidential election.
- Although Niger’s constitution guarantees freedom of expression, it is often not respected in practice. Restrictions on coverage of an ongoing civil conflict, government control of media licensing, the requirement that journalists be accredited, a biased judiciary, and an aggressive application of criminal libel laws all limit media freedom and contribute to widespread self-censorship.
- Libel remains a criminal offense, and journalists who attempted to report on official wrongdoing frequently faced charges in 2009. In April, the publisher of independent weekly *Le Courier* was arrested under a defamation complaint brought by the managing director of a state-owned water company. In August, the managing editors of eight publications were questioned for allegedly defaming Tandja’s son and two others. While six of the eight were released after a few hours, two remained in jail pending trial.
- Boussada Ben Ali, publisher of the weekly *L’Action*, was detained in January for an article questioning the finance minister’s involvement in a contract for medical equipment and an oil deal between Niger and China. Ben Ali was convicted of “disseminating false news likely to disturb public order,” and received a three-month jail sentence.
- Journalists were frequently summoned for questioning or detained in connection with stories or broadcasts, particularly those concerning corruption or coverage of political events, including opposition to the constitutional amendments on presidential term limits.
- The privately owned Dounia Media Group, which operated television and radio stations in Niamey, came under sustained harassment by the authorities. For example, two Dounia journalists were arrested in April for allegedly “broadcasting false information”; they were released on bail the next day. In late June, Dounia outlets were unilaterally shuttered by the president of the Supreme Council for Communications (CSC), the country’s media regulator,

who accused them of broadcasting a call for Tandja’s resignation. However, the closure was reversed several days later after the stations won a legal appeal.

- In July, Tandja used emergency powers to amend the law on the CSC, granting more extensive authority to the council’s president and allowing him to unilaterally close media outlets on vaguely defined national security grounds. The CSC was also reduced in size to seven members, with presidential appointees filling four of the seats. The overhaul considerably undermined the independence of the CSC during the year. Independent media houses suspended operations for a week in late July to protest the changes.
- Because arrests and legal harassment constituted the government’s main method of media control in 2009, cases of physical attacks were less common.
- Both local and foreign journalists face restrictions on covering the ongoing insurgency in the north.
- 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. Some stations air programming from foreign services like Voice of America and Deutsche Welle. Radio is the most widely accessible source of news. Three private television stations operate alongside two state-run stations.
- Restrictive press licensing legislation and a heavy tax on private media outlets hinder the development of the private media sector.
- Although the government does not restrict internet access, only less than 1 percent of the population accessed it regularly in 2009 owing to the country’s high poverty rate and lack of infrastructure.

Nigeria

Status: Partly Free

Legal Environment: 15

Political Environment: 22

Economic Environment: 17

Total Score: 54

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	52,PF	54,PF	55,PF	53,PF	54,PF

Although the 1999 constitution guarantees freedom of expression and of the press, the state often uses arbitrary actions and extralegal measures to suppress political criticism, and a culture of impunity for crimes against journalists persists. Libel is a criminal offense, and the burden of proof rests with the defendant. Journalists face criminal prosecution for coverage of sensitive issues such as government 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 a long-awaited freedom of information bill—which among other provisions would criminalize the destruction or falsification of any official record by any officer, government administrator, or public

institution—but then president Olusegun Obasanjo declined to sign it. In 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 Act. In a legal victory for journalists, an appellate court ruled in June 2009 that President Umaru Yar'Adua could not sue the private daily *Leadership* until his term ended; he had filed the case over a 2008 article about his poor health. The National Broadcasting Commission (NBC) is responsible for licensing broadcast media and upholding the broadcast code, and some analysts allege that these processes are opaque and politically biased. In May, the NBC suspended the license of a radio station in southwest Nigeria, Adaba 88.5 FM, for two weeks after it failed to pay a fine of 500,000 naira (US\$3,350) for violations of the broadcast code. The station had been providing commentaries on regional political issues.

Journalists face arbitrary arrests and detention, threats, and other forms of intimidation by various authorities. One journalist was killed in 2009. Bayo Ohu, assistant news editor of the *Guardian*, was assassinated by six gunmen in front of his children in September. He had been investigating a fraud scandal in the Customs Department. The police were still investigating the incident at year's end. In December, Ohu's colleague at the *Guardian*, Saxone Akhaine, received a death threat.

Several other instances of intimidation occurred in the southeastern state of Imo. In August, Steve Uzoechi, a correspondent for the privately owned *National Daily* newspaper, was threatened by two government consultants and forced to go into hiding because of his investigation of a state government buyback scandal worth US\$40 million. Jude Ohanele of Development Dynamics, a freedom of expression organization based in Owerri, the capital of Imo state, was driven into hiding in September after two agents from the State Security Service (SSS) came to his office demanding to see him and saying they needed to interrogate him. Also in Owerri, Radio Nigeria correspondent Wale Oluokun was beaten by four government security agents in September. The incident was linked to a report Oluokun filed on a protest by visually impaired youth.

Various security agencies used arbitrary detention and extrajudicial measures to deter political activism and press coverage of sensitive issues such as official corruption, violence in the oil-rich Niger Delta, or Yar'Adua's health. After private broadcaster Channels Television was shut down in 2008 for reporting that Yar'Adua might resign for health reasons, many media outlets refused to comment on the president's health in 2009, even as it deteriorated late in the year. SSS agents detained the editor of the *People's Daily* newspaper in December following a report on succession plans in the event of Yar'Adua's death. The editor, Ahmed Shekarau, was required to reveal his sources for the story.

While national media outlets are considered to be relatively free in their reporting, their local counterparts experience frequent harassment and intimidation by government officials. Security forces continued to restrict journalists' access to the Niger Delta. In June, six journalists were harassed and three attacked by police after they attempted to report on the government-ordered demolition of several buildings on public land in Delta state. Officials later apologized for the incident. In November, three journalists were detained for two days for a story discussing a conflict between Nigerian soldiers and residents of Port Harcourt.

There are more than 100 national and local publications, the most influential of which are privately owned. However, a number of state and local governments own print and broadcast media, as do individuals directly involved in politics. The print sector is generally vibrant and outspoken in its criticism of unpopular state policies. Licensing fees and taxes for broadcast

media remain high, and many outlets experience financial difficulties, limiting their viability. The only two nationwide broadcast networks are state-owned: the Federal Radio Corporation of Nigeria and the Nigerian Television Authority. Radio tends to be the main source of information for Nigerians, while television is used mostly in urban areas and by the affluent. Private television stations must ensure that 60 percent of their programming is produced locally. A 2004 NBC ban on the live broadcast of foreign programs, including news, on domestic services remains in force. Foreign broadcasters, particularly the Voice of America and the British Broadcasting Corporation, are important sources of news in the country.

Approximately 28 percent of Nigerians accessed the internet in 2009. There were no reports that the government restricted access or monitored e-mail, although online news sites that were critical of the government occasionally experienced disruptions, possibly because of authorities' attempts to impair service. Unlike in 2008, no local or expatriate bloggers were arrested in 2009.

North Korea

Status: Not Free

Legal Environment: 30

Political Environment: 40

Economic Environment: 29

Total Score: 99

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	97,NF	97,NF	97,NF	98,NF	98, NF

- North Korea remained the most repressive media environment in the world in 2009. 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 outlets 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 foreign journalists as liars attempting to destabilize the government, and authorities sharply curtail the ability of foreign journalists to gather information by seizing their mobile telephones upon arrival, preventing them from talking to people on the street, and constantly monitoring their movements.
- In March 2009, two U.S. journalists, Euna Lee and Laura Ling, were arrested at the Chinese border and incarcerated in North Korea for committing “hostile acts.” In June, they were sentenced to 12 years in a labor camp. They were later freed after former U.S. president Bill Clinton traveled to Pyongyang to negotiate their release in early August.
- In 2007, a Japanese journalist and several North Korean refugees launched *Rimjinkang*, the first newsmagazine to be based on independent reporting from inside the country. The

reporting is conducted by specially trained North Koreans—most of them refugees along the country’s border with China—who have agreed to go back into North Korea and operate as undercover journalists using hidden cameras.

- Internet access is restricted to a handful of high-level officials who have received state approval, and to about 200 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

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	10,F	10,F	11,F	10,F	10,F

Oman

Status: Not Free

Legal Environment: 25

Political Environment: 27

Economic Environment: 19

Total Score: 71

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	72,NF	70,NF	71,NF	71,NF	71,NF

Pakistan

Status: Not Free

Legal Environment: 19

Political Environment: 26

Economic Environment: 16

Total Score: 61

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	61,NF	61,NF	63,NF	66,NF	62,NF

Media freedom in Pakistan remained constrained by official attempts to restrict critical reporting and by the high level of violence against journalists. 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.

Broadcast media are regulated by the Pakistan Electronic Media Regulatory Authority (PEMRA), which has occasionally used its power to halt broadcasts and shutter media offices. Ordinances issued in late 2007 as part of the imposition of martial law barred the media 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 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 broadcasting 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 call-in segments—in order to resume broadcasting. Although the guidelines were routinely flouted in 2009, the Information Ministry served dozens of legal notices accusing broadcasters of violating the code of conduct.

Reform of the legal environment stalled in 2009 despite official promises to rescind the ordinances, and the government continued to engage in sporadic efforts to temporarily suspend certain broadcasts or programs. For example, during March 2009 demonstrations demanding the reinstatement of Chief Justice Iftikhar Chaudhry, authorities temporarily shut down the cable service of GEO TV and Aaj Television in several cities around the country—a development that prompted Information Minister Sherry Rehman to resign in protest. A number of stations were also blocked for several hours in the wake of a terrorist attack on the army headquarters in October. Later that month, the National Assembly’s information committee unanimously approved legislation that would allow restrictions on media, including a ban on live coverage of events that the government would not like broadcast, with proposed fines for violators similar to those laid out in the 2007 ordinances. Media watchdogs condemned the proposed legislation, which was pending at year’s end. In November, eight prominent broadcast media houses banded together to draft a voluntary code of conduct for depictions of violence. In general, while political pressure on the media eased, officials and military officers allegedly continued to call and complain about critical coverage.

The physical safety of journalists remained a major concern. Although instances of intimidation by the security and intelligence forces—including physical attacks or arbitrary arrest and incommunicado detention—appear to have declined somewhat, Islamic fundamentalists, thugs hired by feudal landlords or local politicians, political party activists, and police harassed journalists and attacked newspaper offices on a number of occasions in 2009. According to the Committee to Protect Journalists, at least four journalists were killed during the year, all in the troubled northwestern region of the country. While some reporters were deliberately targeted, others were killed or injured as they attempted to cover unfolding political events or military operations, or were among the victims of large-scale suicide bombings. Impunity is the norm for such crimes, and many murder cases from previous years remain unsolved.

Conditions for reporters covering the ongoing conflict in the Federally Administered Tribal Areas (FATA) and parts of North West Frontier Province (NWFP) were particularly difficult in 2009, as a number of correspondents were detained, threatened, expelled, or otherwise prevented from working, either by the Taliban and local tribal groups or by the army and intelligence services. In a number of instances, journalists' homes were attacked by militants in retaliation for their reporting. The takeover of the Swat Valley by Islamist militants had particularly negative implications for media freedom, as the space for independent reporting was constricted and cable television broadcasting was banned. During two major military offensives during the year—against Taliban-affiliated militants in the Swat Valley in April and the South Waziristan tribal area in October—reporters faced bans on access, pressure to report favorably on the offensives, and severe restrictions if they chose to become “embedded” with military units. Dozens of local journalists were forced to flee the area. Foreign journalists sometimes encounter visa and travel restrictions that can inhibit their reporting, and they are subject to arrest and deportation if found in areas that are not specifically covered by their visas. In 2009, a local press report accusing the *Wall Street Journal's* correspondent in Pakistan of being a spy led him to leave the country.

Media remain much more tightly restricted in the FATA, where independent radio is allowed only with permission from the FATA secretariat and no newspapers are published, 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, with reporters facing pressure from both Balochi nationalists and the government. In August 2009, Balochistan's widely circulated *Daily Asaap* suspended publication, citing harassment from the security forces, and remained closed at year's end.

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-to-air 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 private all-news cable and satellite television channels—such as GEO, ARY, Aaj, and Dawn, some of which broadcast from outside the country—have arisen to provide live domestic news coverage, commentary, and call-in talk shows, informing viewers and shaping public opinion on current events. International television and radio broadcasts are usually available. In October 2009, PEMRA directed a number of FM radio stations to stop carrying British Broadcasting Corporation programs. Authorities occasionally attempt to exert control over media content through unofficial “guidance” to newspaper editors on placement of front-page stories or permissible topics of coverage. Provincial and national authorities have used advertising boycotts to put economic pressure on media outlets that do not heed unofficial directives, although this tactic appears to have declined recently. 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 11 percent of the population able to gain access, although blogs are growing in popularity and many traditional news outlets provide content over the internet. The Prevention of Electronic Crimes Ordinance, issued in November 2008, criminalized “cyber terrorism”—broadly defined as using or accessing a computer,

network, or electronic device for the purposes of frightening, harming, or carrying out an act of violence against any segment of the population or the government—and provided for harsh penalties in cases resulting in a death. The e-mail accounts of some journalists are reportedly monitored. Access to some websites is periodically blocked, particularly those involving Balochi nationalist issues or other sensitive subjects. Following a spate of jokes about the president that circulated via e-mail, in July 2009 the government announced that official agencies had been tasked with tracing such electronically transmitted jokes and that offenders could face a 14-year prison sentence.

Palau

Status: Free

Legal Environment: 1

Political Environment: 5

Economic Environment: 8

Total Score: 14

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	13,F	14,F	14,F	14,F	14,F

Panama

Status: Partly Free

Legal Environment: 17

Political Environment: 18

Economic Environment: 9

Total Score: 44

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	44,PF	43,PF	43,PF	44,PF	44,PF

- Freedom of the press is protected by law, with some exceptions. The law allows the prosecution of journalists for vague charges related to exposing private information, and sets serious penalties for leaking government information to the press.
- Although there has been discussion about repeal, journalists are still subject to *desacato* (disrespect) laws that are meant to protect government officials from public criticism. In September 2009, Rafael Berrocal of *La Prensa*, the country's leading newspaper, was convicted of calumny and libel against a former vice president who died in 2006. Berrocal faced 200 days in prison or a US\$400 fine; his appeal was pending at year's end.
- In February, Jean Marcel Chery and two colleagues with the daily *El Siglo* were sentenced to two years in prison and a fine for illegally entering the home of Supreme Court Justice Winston Spadafora in 2001.

- Despite the existence of transparency legislation, access to public information remains limited. The government is centralizing official communications in the State Communication Ministry, which restricts media access to official sources.
- Government officials, including President Ricardo Martinelli, are critical of the media and journalists. Government and Justice Minister Jose Raul Mulino and Attorney General Ana Matilde Gomez have repeatedly rebuked coverage of certain issues, such as crime, and advocated for greater regulation of the press. According to the Inter-American Press Association, former president Ernesto Perez-Balladares publicly threatened *La Prensa* editor Fernando Berguido and journalists Santiago Fascetto and Monica Palm over the publication of articles on concessions to his family members and associates for the operation of casinos.
- The risk of legal repercussions and judicial intimidation have encouraged self-censorship among Panamanian journalists.
- No physical attacks on the media were reported in 2009. Journalists in Panama remain fairly safe compared with colleagues in other countries in the region.
- All Panamanian media outlets are privately owned, with the exception of one state-owned television network and one radio station. Media cross-ownership is prohibited.
- 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 is accessed by nearly 28 percent of the population.

Papua New Guinea

Status: Free

Legal Environment: 4

Political Environment: 10

Economic Environment: 10

Total Score: 24

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	29,F	29,F	30,F	28,F	26,F

Paraguay

Status: Partly Free

Legal Environment: 18

Political Environment: 23

Economic Environment: 18

Total Score: 59

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	56,PF	57,PF	60,PF	60,PF	59,PF

- The law protects freedom of the press, but journalists were subjected to some government harassment in 2009. While President Fernando Lugo defends press freedom, he frequently criticizes private media for failing to support him.
- With criminal libel laws still in place, journalists continue to be harassed by authorities. A progovernment group launched verbal attacks against the newspaper *ABC Color* in 2009, using the slogan “ABC lies.” The newspaper’s managing director, Aldo Zuccolillo, was the target of at least 20 criminal charges stemming from defamation suits. In addition, Military Justice Major Gustavo Davalos Insfran threatened to take legal action against an *ABC Color* correspondent in Villa Hayes, Cirilo Ibarra, for reporting about a garbage dump on land owned by the Defense Ministry.
- Journalists were subject to physical harassment, intimidation, and violence due to their reporting. In January 2009, Martin Ocampos Paez, director of a community radio station, was killed at his home in Concepcion after commenting on the complicity of the police and local officials with drug trafficking. In February, prison guards assaulted Channel 13 journalist Richard Villasboa and camera operator Blas Salcedo after they attempted to report on a penitentiary. Also that month, journalist Aldo Lezcano received a death threat after reporting on a veterans’ group. In September, journalist Javier Nunez was shot as he photographed individuals stealing fuel from the state oil company.
- Most major newspapers, television stations, and radio stations are privately owned. The government owns and operates a public radio broadcaster, Radio Nacional del Paraguay. A government news agency called IPParaguay was launched in January 2009 as part of Lugo’s plan to expand the state media, particularly in the broadcast sector.
- Distribution of official advertising is a major concern. *ABC Color* reported that the government had purchased ads on 51 community radio stations, which are not allowed to air commercials, and only three of which are operating with the proper permits. The communications minister acknowledged government support for several broadcasters that were in the process of getting permits, and claimed that such advertising amounted to less than US\$100 a month per station.
- About 15 percent of the population uses the internet, which is unrestricted.

Peru

Status: Partly Free

Legal Environment: 14

Political Environment: 19

Economic Environment: 11

Total Score: 44

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	40,PF	39,PF	42,PF	44,PF	44,PF

- 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 2009.

- Laws expanding access to public information were enacted in 2002 and 2003, and the willingness of many government agencies to provide information has grown, though a 2005 measure tightened restrictions on certain categories and extended the timelines for the release of classified information.
- Defamation remains a criminal offense that can result in imprisonment, though there were no new cases against journalists in 2009.
- Politicians frequently react to criticism, particularly corruption allegations, by suing journalists, press outlets, and activists. In August 2009 the government submitted a bill that would have expanded the correction and right-of-reply requirements for media outlets, but it was shelved after significant outcry from press freedom groups and opposition politicians.
- The hostile climate for the press is evidenced by numerous instances of physical attacks and verbal threats from local authorities, private actors such as coca growers, and the police. Topics like the Shining Path guerrilla movement, corruption, and drug trafficking are considered particularly dangerous to cover. No journalists were killed in 2009, but dozens were subject to threats, intimidation, and assaults. For example, in August, a journalist reporting on machinery prices and spending discrepancies in the region of La Libertad received a death threat demanding that he stop his investigation. The same month, Marco Villanueva was shot and wounded by muggers after they realized he was a journalist. They blamed him for the arrest of a friend whose picture Villanueva had published in the newspaper *Diario de Chimbote*. In November, a group of eight journalists covering a political demonstration in the Apurimac region were assaulted by police.
- Impunity remained a problem during the year, as most cases of violence or harassment of journalists by public officials and private citizens went unpunished.
- High levels of social conflict sometimes create tension between the government and press outlets. In June 2009 the government rescinded the broadcast permit of Radio La Voz de Bagua. Technical reasons were cited, but officials also claimed that the station had instigated violence during its coverage of indigenous protests that eventually resulted in the deaths of over 30 people. The station and press watchdog groups complained of censorship and arbitrary application of the law. A similar incident had occurred in 2008. In September 2009, the government ordered the shutdown of a cable television antenna in northeastern Peru. The station, Canal 19, was accused of not having a proper contract for operations and holding debt with the building manager. A day before the closure, it had broadcast a report accusing a former government official of corruption and other political manipulation during his time in office.
- 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. In December 2009, President Alan Garcia pardoned former television station owner Jose E. Crousillat, who was supposedly gravely ill. Crousillat had been serving a prison term for selling his station's editorial line to Vladimiro Montesinos, an intelligence chief under former president Alberto Fujimori. The controversial pardon stirred speculation that the government was seeking to exert influence over broadcast media ownership.
- Radio is an important news medium, especially in the countryside.
- The media corruption that was endemic during Fujimori's presidency in the 1990s continues to some extent, with journalists occasionally accepting bribes in exchange for slanted coverage, and owners using media outlets to promote their broader business interests.

- The internet is not restricted by the government, and about 27 percent of the population has access.

Philippines

Status: Partly Free

Legal Environment: 13

Political Environment: 24

Economic Environment: 11

Total Score: 48

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	35, PF	40,PF	46,PF	45,PF	45, PF

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. Violence and threats against journalists remain extreme, however, and in 2009 the country came to be considered the world's most deadly environment for the press following the murder of 29 journalists in a single incident in November. The murders were part of a larger election-related massacre near the town of Ampatuan, in Manguidanao province. A high rate of impunity for such crimes is also a critical concern.

The constitution guarantees freedoms of speech and expression. There are no restrictive licensing requirements for newspapers or journalists, and few legal limitations such as privacy or obscenity laws. However, new national security legislation introduced in 2007 may serve to limit journalists' traditional rights and access to sources. Also that year, 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 legislative elections, called on the heads of government agencies to implement a vaguely defined security-clearance procedure approved by the national security adviser.

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 have been disputed by local human rights groups, while the latter lacked any sort of enforcement capacity. In 2008, the Supreme Court granted the first writ of *amparo* ordering protection of a journalist who was targeted in a murder plot. The writ is a new tool that the government and judiciary hope will help alleviate the spike in extrajudicial and journalist killings in recent years. In a positive development, the perpetrator of the 2006 murder of radio journalist Armando Pace was convicted and sentenced to life in prison in 2009.

The country's penal code makes libel a criminal offense punishable by a prison term and, in some cases, large fines. Defamation suits continued to receive attention in 2009, though they were not quite as common as in 2008. In September, as he launched his candidacy for the 2010 presidential election, former president Joseph Estrada filed a libel complaint against the *Philippine Daily Inquirer* for a front-page story that accused his administration of coercing a Chinese-Filipino tycoon into selling his shares of the country's largest telecommunications firm.

The mere threat of libel charges is often enough to hush criticism of officials and public figures. Mike Arroyo, the president's husband, has posed a particular threat with frequent libel suits.

Although a censorship board has the power to edit or ban content for both television and film, government censorship does not typically affect political material. Both the private media and the country's many publicly owned television and radio stations address numerous controversial topics, including alleged election fraud, ongoing counterinsurgency campaigns, and high-level corruption cases. Political and controversial developments in 2009—including new presidential candidacies and President Arroyo's decision to run for Congress after her term ended—were covered widely by local and national media outlets. Especially thorny issues such as Arroyo's partnership with the Ampatuan clan, a Manguidanao political family deemed responsible for the November massacre, were not off-limits.

However, exposing local-level crime and corruption, or criticizing the government, army, or police, can prove lethal. In addition to the Maguindanao massacre, there were continued death threats, a number of assassination attempts, and several other killings of journalists during 2009. The November massacre occurred when members of the press were invited to accompany the family members of local vice mayor Ismail Mangudadatu on their trip to file his candidacy for governor. A total of 57 people were killed when the group was allegedly ambushed by Ampatuan gunmen. Recognized widely by press freedom groups as the single greatest instance of journalist murders in the world, the journalists were not directly targeted because of their work but, rather, killed as part of the larger political attack against challengers of the dominant local Ampatuan clan. By year's end, the primary suspect in the massacre had been indicted, but several postponements related to a petition for bail impeded progress in the case. In addition, witnesses and their family members reported receiving repeated threats. A coalition of media watchdog groups called for an independent investigation of the murders and for trials in an independent court, especially in light of the government's political ties with the Ampatuans.

The massacre brought the total number of journalists confirmed to have been killed in connection with their work in 2009 to 33, according to the Committee to Protect Journalists (CPJ). The organization has counted a total of 68 journalists killed in the Philippines since 1992, and reports a 90 percent impunity rate. Radio broadcasters outside major urban centers, known for sensational political reporting intended to attract high ratings, are the most common targets. 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 it difficult to identify the motives for and perpetrators of journalist murders.

As of the end of 2009, only five convictions for the murder of journalists had ever been secured. The crimes are often carried out by hired gunmen, and no mastermind of such a slaying has been fully held accountable. The intimidation of witnesses remains a critical obstacle to securing convictions. Furthermore, local police tend to hesitate before taking action against influential officials who are suspected of crimes against the press. In a significant development in October 2008, murder charges were filed against two agricultural officials who allegedly ordered the 2005 killing of investigative reporter Marlene Garcia-Esperat. (The hired gunmen had been convicted and sentenced to life in prison in 2006.) In April 2009, a local court denied the two suspects' motion to dismiss the charges, and in August the Supreme Court moved the case to Manila in response to a request from the Freedom Fund for Filipino Journalists based on concerns about witness safety and political complications for the local court. The case was still pending at year's end, and the defendants returned to work at the Department of Agriculture.

Most print and electronic media outlets are privately owned, and while some television and radio stations are owned by the government, 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 elicit favorable coverage. About 6.5 percent of the population made use of the internet in 2009, and the government did not restrict access.

Poland

Status: Free

Legal Environment: 8

Political Environment: 9

Economic Environment: 7

Total Score: 24

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	20,F	21,F	22,F	24,F	24,F

Portugal

Status: Free

Legal Environment: 4

Political Environment: 6

Economic Environment: 6

Total Score: 16

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	14,F	14,F	14,F	16,F	16,F

Qatar

Status: Not Free

Legal Environment: 20

Political Environment: 24

Economic Environment: 22

Total Score: 66

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	62,NF	61,NF	63,NF	64,NF	65,NF

Romania

Status: Partly Free

Legal Environment: 13

Political Environment: 15

Economic Environment: 15

Total Score: 43

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	47,PF	44,PF	42,PF	44,PF	44,PF

- Press freedom is protected by the constitution and generally respected by the government in practice.
- Defamation remains a criminal offense, and politicians have used civil lawsuits to combat media criticism, but no new cases were reported in 2009.
- Public television broadcaster TVR is headed by a former official of the Social Democratic Party (PSD), and staff members have complained of politicization. In June 2009, a news director at TVR 1 reportedly threatened two employees with salary cuts and dismissal after they objected to the broadcast of an interview with a PSD leader just before European Parliament elections. Nevertheless, the Organization for Security and Cooperation in Europe (OSCE) praised TVR 1 for its balanced and impartial if limited coverage of the presidential election in November and December.
- While some private broadcast and print outlets offered balanced election coverage, those controlled by two powerful businessmen—Sorin Ovidiu Vantu and Dan Voiculescu, a Conservative Party senator—aired largely negative reports about the incumbent, President Traian Basescu. *Adevarul*, a leading newspaper owned by billionaire Dinu Patriciu, did not cover the campaign at all. All three men faced allegations of financial crimes, and Basescu claimed that they had aligned against him after he refused to grant concessions in their cases.
- Unlike in previous years, no major cases of violence or threats of violence aimed at journalists were reported in 2009.
- Although there is a variety of small outlets, the media sector is dominated by a handful of owners with both political and business interests, and to a lesser extent by foreign media companies. In addition to TVR, the top television outlets are Antena 1, controlled by Voiculescu, and Pro TV, owned by the Bermuda-based Central European Media Enterprises. Similarly, the country's media magnates own a number of important newspapers, while others are held by Germany's WAZ Media Group and Switzerland's Ringier AG.
- In some cases, political leaders use their economic clout to discourage media scrutiny. A press distribution company owned by Constanta municipal officials stopped distributing the newspaper *Ziua de Constanta* in April 2009 after it published critical articles about local authorities.
- Access to the internet is widely available, with no reports of government interference. Close to 35 percent of the population used the internet in 2009, and Romania is considered a regional leader in high-speed broadband connections. Costs have also decreased due to competition.

Russia

Status: Not Free

Legal Environment: 24

Political Environment: 33

Economic Environment: 24

Total Score: 81

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	68,NF	72,NF	75,NF	78,NF	80,NF

Russian media freedom continued to decline in 2009, with the Kremlin relying on alternatively crude and sophisticated media management to distract the public from widespread corruption and the country's economic crisis. Most state and private media engaged in blatant propaganda that glorified the country's national leaders and fostered an image of political pluralism—claiming that President Dmitry Medvedev was leading the process of Russian modernization while Prime Minister Putin was working to maintain stability.

Although the constitution provides for freedom of speech and of the press, officials 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 February, police in the city of Samara raided the office of the newspaper *Samarskaya Gazeta*, seizing nine computers that allegedly contained pirated software, the Moscow-based Center for Journalism in Extreme Situations (CJES) reported. In April, a court in Moscow convicted a journalist from the independent newspaper *Novaya Gazeta*, Vyacheslav Izmaylov, of libel for an article about abductions in the North Caucasus republic of Chechnya. He was ordered to pay 110,000 rubles (US\$3,640) in damages to Chechen president Ramzan Kadyrov, the U.S. State Department reported. Authorities have used “extremism” charges against a number of government critics, including journalists. In June, media regulators tried to close the weekly newspaper *Chernovik* in the North Caucasus republic of Dagestan by filing an extremism case at a local court. The case appeared to be retaliation for the paper's criticism of abuses committed by police and Federal Security Service (FSB) officers during counterinsurgency operations in the republic, according to the Committee to Protect Journalists (CPJ) and the U.S. State Department.

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, police torture, the activities of opposition parties, and the country's economic crisis. In February, police in the northern city of Yekaterinburg seized 150,000 copies of the local Communist Party newspaper *Pravda Primorya*, which contained articles about the local legislative elections, according to the U.S. State Department. In March, police reportedly detained journalists from the Associated Press, the ITAR-TASS news agency, *Kommersant* newspaper, and TV Center, as well as the online news sites Politonline.ru and Gazeta.ru, for attempting to cover an opposition rally in Moscow. In August, prosecutors in the Khakassia region of Siberia briefly opened a libel case against the editor of the news website New Focus, Mikhail Afanasyev, after he raised questions about the death toll and rescue efforts stemming from a major accident at a local hydroelectric facility. The case was closed amid criticism from

human rights activists, but in early September two men attacked and beat Afanasyev, leaving him unconscious.

International journalists and press freedom advocates were occasionally denied entry into the country during the year. In October, the Russian embassy in Paris refused to issue visas to two representatives of the Paris-based organization Reporters Without Borders, preventing them from traveling to Moscow to participate in a press conference with the newspaper *Novaya Gazeta* on the third anniversary of the murder of investigative reporter Anna Politkovskaya. Authorities also worked aggressively to restrict coverage of human rights abuses in the North Caucasus. In October, a television crew from the Moscow-based station REN-TV was reporting on corruption allegations against the former president of Ingushetia, Murat Zyazikov, but they were forced to flee after being attacked by local police in their hotel room and threatened by Zyazikov's brother.

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 with impunity. The nonprofit Glasnost Defense Foundation reported a total of 59 attacks on journalists in 2009, leading to eight deaths. According to CPJ, at least three journalists were murdered in retaliation for their reporting, one more than in the previous year. Two of the murders occurred in Russia's politically unstable North Caucasus region, and all remained unsolved at year's end, though suspects were arrested in one of the cases. In January, Anastasiya Baburova, a 25-year-old freelancer for *Novaya Gazeta* who specialized in reporting on neo-Nazi groups, was shot and killed in central Moscow while walking down the street with a prominent human rights lawyer, who was also killed. In July, Natalya Estemirova, a human rights activist who reported on abuses in Chechnya for *Novaya Gazeta* and for the human rights news website Kavkazsky Uzel, was abducted by several men in a car in broad daylight in the Chechen capital of Grozny and found dead later that day in a neighboring region with several gunshot wounds. In August, Abdulmalik Akhmedilov, the editor of the Dagestan political monthly *Sogratl* and deputy editor of the newspaper *Hakikat*, was shot and killed in his car in the regional capital of Makhachkala. Akhmedilov was known for criticizing the government's human rights abuses. In November, Olga Kotovskaya, the former editor in chief and creative director of an independent broadcaster, Kaskad, fell to her death from a 14th-storey window in Kaliningrad. The day before, she had won a legal dispute over Kaskad's ownership with the Kaliningrad region's former vice governor, and journalists and opposition politicians denounced her death as a political murder. In another case, Vyacheslav Yaroshenko, editor in chief of the Rostov-on-Don newspaper *Korrupsiya i Prestupnost*, died in June of head wounds suffered in an apparent attack that left him unconscious at the entrance to his apartment building. Yaroshenko's colleagues and press freedom groups called for an investigation into his death, but local authorities declined to open one, arguing that he died of an accidental fall.

Authorities' failure to investigate or solve the vast majority of crimes against journalists has created an atmosphere of impunity. Suspects who are identified rarely receive serious punishments. In December, the relatives of Magomed Yevloyev, an influential internet journalist in Ingushetia who was shot and killed by a police officer in 2008, were outraged when a court sentenced the officer to two years at a minimum-security prison for negligent homicide. Several journalists were forced into exile as a result of aggressive harassment by authorities during the year. In May, a journalist for the Volgograd-based newspaper *Svobodnoye Slovo*, Yelena Maglevannaya, fled to Finland after she was convicted of "spreading disinformation" and threatened with psychiatric detention in retaliation for reporting on the torture of a Chechen

prisoner, Agence France-Presse reported. High rates of murder and impunity, as well as a range on ongoing abuses, have all encouraged widespread self-censorship.

Authorities continued to exert significant influence on media outlets and news content through a vast state-owned media empire. The government owns, in whole or in part, two of the 14 national newspapers, more than 60 percent of the more than 45,000 registered local newspapers and periodicals, all six national television networks, and two national radio networks. This allowed the government to ensure that the media were filled with pro-Kremlin propaganda and avoided coverage of rising unemployment, bank failures, declining industrial production, and the falling value of the ruble. International radio and television broadcasting is 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 in 2009, 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. The economic crisis also led to a drastic decline in advertising revenue for the country's few remaining independent media outlets, according to IREX. 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 accessible mostly to urban, educated, and affluent audiences. Nevertheless, internet access in rural areas has improved, as connections have reportedly been established at most of Russia's schools.

Online media have developed rapidly and an estimated 30 percent of the population is now online, and the internet remains relatively freer than other news media in Russia, with most websites remaining available and a wide range of views being expressed. However, the authorities have increasingly engaged in intentional content removal and manipulation of online expression. Kremlin allies have purchased several independent online newspapers or created their own progovernment news websites, and they are reportedly cultivating a network of bloggers who are paid to produce pro-Kremlin propaganda. The FSB continued widespread monitoring of e-mail and web posts during 2009, while government officials harassed some news websites and bloggers. In September, freelance journalist and human rights activist Aleksandr Podrabinek was forced into hiding after receiving numerous threats and having his Moscow apartment building picketed by members of the pro-Kremlin youth group Nashi in retaliation for an online article criticizing veterans for ignoring Soviet crimes committed during World War II.

Rwanda

Status: Not Free

Legal Environment: 26

Political Environment: 33

Economic Environment: 24

Total Score: 83

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	84,NF	85,NF	84,NF	84,NF	85,NF

- Article 34 of Rwanda’s constitution stipulates that “freedom of the press and freedom of information are recognized and guaranteed by the state,” but other clauses broadly define circumstances under which these rights can be restricted, and in practice the media remain under the tight control of the government.
- A new law passed in August 2009 gave the Media High Council (MHC) the power to grant and revoke licenses for journalists and news outlets. The MHC has been criticized for focusing more on policing the media than protecting press freedom. The legislation also upheld criminal penalties for press offenses, including statements supporting or denying the country’s 1994 genocide, crimes against humanity, or war crimes. The vague language of the law similarly prohibits the publication of material deemed in “contempt to the head of state” or that “endangers public decency.”
- Rwandan journalists can be prosecuted under penal code provisions on defamation and privacy infringement that carry potential prison sentences. In November, Jean Bosco Gasasira, editor of the independent bimonthly *Umuwugizi*, was convicted of defamation and invasion of privacy for an article detailing an alleged extramarital affair between the country’s deputy prosecutor and the head of the National Council for Women. He was fined US\$5,720. The prosecution had also called for a jail term and the closure of *Umuwugizi*, but neither penalty was imposed by year’s end.
- In December, the newspaper *Umuseso* was taken to court for allegedly defaming the Kigali city mayor and a cabinet minister. The MHC directed the newspaper to reveal its sources, and the paper’s deputy editor was interrogated for over six hours by officials from the National Prosecuting Authority. A few days earlier the information minister had declared that the days of *Umuwugizi* and *Umuseso* “were numbered” after they published articles criticizing President Paul Kagame.
- Dominique Makeli, who worked with state-owned Radio Rwanda, was sentenced to life in prison by a *gacaca* (special community court) in September for inciting genocide on national radio in 1994.
- Rwanda published a draft law on access to information that required information requests to be processed in a timely manner, suggested a strong system of oversight and enforcement by an ombudsman, and laid out an extensive system of proactive disclosure.
- Both state-owned and private media outlets regularly practiced self-censorship to avoid government interventions.
- The state-owned media, which reach the largest audiences, include radio and television outlets and the only English-language daily, the *New Times*. There were a handful of privately owned periodicals in English, French, and Kinyarwanda that published intermittently, but even in the vernacular print sector, state media predominated.
- Although there were a dozen private radio stations, their geographic reach was limited, and they avoided any coverage that could be deemed oppositionist or critical of the regime. Government officials regularly appeared as guests in the private media, unlike opposition supporters.
- No attempts have been made to transform the state radio and television outlets into editorially and financially independent public broadcasters. Both remained subservient to the ruling party.
- Foreign media outlets can generally broadcast freely. However, in April 2009, Rwanda banned the vernacular service of the British Broadcasting Corporation (BBC) from operating

in the country, accusing it of ethical violations in reporting on the 1994 genocide. Two months later, the service was allowed to resume operations on the condition that it comply with the state's content and editorial restrictions.

- During the year, the state proposed establishing minimum start-up capital requirements for new newspapers, radio stations, and television stations. The sums were criticized as prohibitively large, and observers argued that the plan was designed to tighten government control over media in the run-up to elections in 2010.
- Critical newspapers such as *Umuseso* and *Umuvugizi* reported that they had been barred from government press conferences and state advertising purchases.
- The government was not known to filter internet content in 2009. About 3 percent of the Rwandan population accessed the internet, and most online news content that originated from within Rwanda was produced by state media. Critical bloggers and publishers were generally based abroad.

St. Kitts and Nevis

Status: Free

Legal Environment: 4

Political Environment: 9

Economic Environment: 7

Total Score: 20

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	23,F	21,F	20,F	19,F	19,F

St. Lucia

Status: Free

Legal Environment: 2

Political Environment: 9

Economic Environment: 4

Total Score: 15

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	16,F	18,F	16,F	16,F	15,F

St. Vincent and the Grenadines

Status: Free

Legal Environment: 4

Political Environment: 7

Economic Environment: 6

Total Score: 17

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	16,F	16,F	17,F	17,F	17,F

Samoa

Status: Free

Legal Environment: 7

Political Environment: 13

Economic Environment: 9

Total Score: 29

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	25,F	29,F	30,F	29,F	29,F

San Marino

Status: Free

Legal Environment: 4

Political Environment: 6

Economic Environment: 7

Total Score: 17

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	16,F	17,F	17,F	17,F	17,F

Sao Tome and Principe

Status: Free

Legal Environment: 4

Political Environment: 10

Economic Environment: 14

Total Score: 28

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	28,F	29,F	29,F	28,F	28,F

Saudi Arabia

Status: Not Free

Legal Environment: 28
Political Environment: 30
Economic Environment: 25
Total Score: 83

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	80,NF	79,NF	82,NF	81,NF	82,NF

- The media environment in Saudi Arabia is among the most repressive in the Arab world. The Basic Law does not guarantee press freedom and condemns any defamation of religious beliefs. Article 39 of the law, in reference to freedom of expression, states that “all acts that foster sedition or division or harm the state’s security and its public relations or detract from man’s dignity and rights shall be prohibited.”
- Freedom of expression is subject to strict guidelines imposed by a range of additional laws. There is no freedom of information legislation. The Law of Printed Materials and Publication allows censorship of nearly all types of media, affecting printing presses, bookstores, film, television, radio, and the local offices of foreign news outlets. Under the law, authors must submit manuscripts to the Ministry of Interior for approval before publication.
- All newspapers must obtain licenses from the government, and a media outlet can be legally banned or temporarily suspended if it is deemed to promote “mischief and discord.” The Ministry of Culture and Information (MCI) holds authority to appoint and dismiss senior editors, and provide guidelines on coverage of controversial matters.
- In August, the MCI closed down the Jeddah and Riyadh offices of the Lebanese Broadcasting Corporation (LBC), alleging that it had violated media policy. A few days earlier, LBC had aired a program in which a man related his sexual experiences in the country. The man and three friends who accompanied him on the show were arrested, sentenced to prison terms, and given lashes according to Sharia (Islamic law). In October, the court also sentenced LBC journalist Rosanna al-Yami to 60 lashes and a two-year travel ban, but the king waived the lashes several days later.
- All journalists must register with the MCI, and foreign journalists face visa obstacles and restrictions on their movement. Both local and foreign publications are often banned, censored, or delayed.
- Journalists who offend authorities can face fines, detention, interrogation, dismissal, and harassment. As a result, self-censorship is widespread, and media outlets often avoid criticizing the royal family, Islam, or religious authorities. However, there were isolated instances during 2009 in which the government did not punish journalists for critical reporting. After the November floods in Jeddah, for example, journalists were able to comment on the government response without repercussions.
- Harassment of journalists through legal means is more common than physical harassment.
- The government owns and operates all domestic broadcast media, and content is heavily censored. Most privately owned print media are connected to the government or royal family, which exert control through means including the approval or rejection of new editors.
- Although satellite dishes are considered illegal, millions of them are reportedly used to access foreign programming, and there have been no government crackdowns on the practice.

- Bribery and a culture of giving gifts to journalists are widespread. The gifts can include small items, larger purchases, or various favors and concessions.
- About 38 percent of the population used internet in 2009, but the government heavily censors internet traffic. Legal access to the internet is only available through the government. A 2001 cabinet resolution prohibits internet users from publishing or obtaining content that is “contrary to the state or its system.” The authorities continue to block blogs, websites, and pages on the Twitter microblogging service that comment on political, social, religious, and human rights issues. In July 2009, prominent blogger Raafat al-Ghanem was arrested and detained for criticizing the Committee for the Propagation of Virtue and Prevention of Vice. He had also supported the blogger Laitaibi and writer Khaled Omair, who were arrested in early 2009 after organizing a Riyadh protest against an Israeli military campaign in Gaza.

Senegal

Status: Partly Free

Legal Environment: 20

Political Environment: 22

Economic Environment: 15

Total Score: 57

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	37,PF	44,PF	46,PF	49,PF	53,PF

The deterioration of media freedom in Senegal continued in 2009, as President Abdoulaye Wade stepped up his assault on the press. The government regularly employed provisions of the 1977 penal code—including Article 80, which assigns prison terms for threatening national security—to detain, prosecute, fine, and incarcerate critical journalists. In addition, the National Council for the Regulation of Broadcasting (CNRA) was used to shut down community radio stations that defied government rules restricting political coverage ahead of local elections.

Article 8 of the 2001 constitution ostensibly protects freedom of expression and of the press. However, the law allows police to arrest and imprison journalists for libel. In April 2009, El Malick Seck of *24 Heures Chrono* received a presidential pardon after serving seven months of a three-year sentence he had incurred for an editorial implicating Wade and his son in a money-laundering scandal. However, Seck still faced potential prison terms as well as fines and damages exceeding US\$60,000 for criminal defamation in two other cases. In September, a regional tribunal in Kaolack jailed reporters Papa Samba Sene of the private daily *L’As* and Abdou Dia of Radio Futurs Medias. They were accused of criminal defamation, publishing false news, and criminal conspiracy. The complaint behind the indictment was filed by a regional governor who was accused of involvement in embezzling seeds meant for local farmers. The two reporters spent 12 days in pretrial detention before being released pending trial. Some cases can remain unresolved for years. In August 2009, journalist and media owner Madiambal Diagne was exonerated on criminal charges stemming from a 2004 article about executive interference in the judiciary. However, two of Diagne’s colleagues at the magazine *Week-End* were sentenced in June to three months in jail for defaming a deputy speaker of the parliament. Although Wade

claimed to have instructed his new prime minister to proceed with the decriminalization of press offenses, there was no evidence in 2009 that such a process was under way.

Official rhetoric against the press is strident, and police often pressure journalists to reveal their sources. Police are also regularly used to harass media outlets. In August 2009, three journalists with *Le Quotidien*, which is also owned by Diagne, were interrogated by police following the publication of articles that accused Wade of excessive spending on a trip abroad. Despite threats, however, no further legal action was taken against the journalists.

Regulatory bodies like the CNRA continue to draw criticism for unfair enforcement of standards designed to ensure equitable access to the airwaves. In March 2009, the CNRA suspended the broadcasting operations of three community radio stations in the suburbs of Dakar for two months. They were accused of violating regulations by covering political issues during a local election campaign. In August, the police forcibly shut down Walfadjri FM and seized its equipment for failure to pay royalties of 50 million CFA francs (US\$104,400) as ordered by a special court. In September, the Walfadjri broadcasting facilities were vandalized, and equipment was destroyed. Separately, a court suspended distribution of the June issue of the monthly *L'Essentiel* for an article that was deemed insulting and likely to disturb the public peace, according to the Media Foundation for West Africa.

The threat of legal action has led to a rising level of self-censorship among some journalists. However, there were fewer cases of physical assault or harassment against journalists in 2009 than in the previous year.

Many private, independent print publications continue to publish regularly. In addition, a number of community, private, and public radio stations operate across the country, with more than 80 radio frequencies allocated to date. Critics allege that Wade's associates in politics, business, and the religious community receive preferential treatment in the allocation of frequencies and fees. Radio is the most important source of news due to high illiteracy rates. The four private television channels that now operate carry mostly entertainment programming. The only national television station, state-owned Radio Television Senegal, generally favors the government in its news coverage. The government has been accused of selectively granting or withholding state subsidies to influence media outlets. Foreign satellite television and radio stations, including Radio France Internationale and the British Broadcasting Corporation, are available and unrestricted. Internet access is also unrestricted, though the International Telecommunication Union reports that just over 7 percent of the population had access in 2009.

Serbia

Status: Partly Free

Legal Environment: 11

Political Environment: 16

Economic Environment: 8

Total Score: 35

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	40,PF	40,PF	39,PF	39,PF	39,PF

- The constitution protects freedom of the press, which is generally respected in practice. However, there were reports of some government interference during 2009.
- Libel remains a criminal offense and is punishable with imprisonment or large fines.
- In August, the parliament adopted amendments to the 1998 Public Information Law that threaten to increase self-censorship and could lead to the closure of several media organizations, according to local and international media freedom organizations. Possible violations include operating a media outlet without registration and failure to honor the “presumption of innocence” when reporting on an individual charged with a crime. The penalties assigned by the amended law include harsh fines and jail time. Lawmakers did not consult members of the media before passing the legislation.
- The parliament also adopted the Law on National Councils of National Minorities in 2009, which allows government bodies to transfer control of public media outlets to the minority councils. Such a move would allow the outlets to continue to avoid privatization.
- There is no official censorship, but journalists at times practice self-censorship, and many avoid politically charged topics including war crimes and the secession of Kosovo.
- Independent journalists continue to face threats for reporting on sensitive political, economic, or cultural issues, and there is a climate of impunity for crimes committed against journalists. The 1999 murder of journalist Slavko Curuvija remains unsolved. Press freedom groups have criticized the government for making comments that seemed to justify attacks on the media.
- Several bomb attacks on radio and television stations were reported in 2009, including attacks aimed at Television B92 and Television Pink. In December, journalists with B92 faced threats and harassment after airing “(Lack of) Power of the State,” a report on extremist soccer fans.
- The public broadcaster RTS1 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 a given outlet.
- An estimated 42 percent of the Serbian population accessed the internet in 2009.
- Internet access is unrestricted, though there were isolated reports of government monitoring of e-mail.

Note: This report does not reflect conditions in Kosovo, which is now covered separately.

Seychelles

Status: Partly Free

Legal Environment: 19

Political Environment: 20

Economic Environment: 19

Total Score: 58

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	58,PF	60,PF	60,PF	59,PF	59,PF

Sierra Leone

Status: Partly Free

Legal Environment: 15

Political Environment: 23

Economic Environment: 17

Total Score: 55

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	59,PF	59,PF	56,PF	59,PF	56,PF

- The constitution guarantees freedom of expression, but the Public Order Act (POA) of 1965—which allows for prison terms of one to three years for criminal libel and rejects the use of truth as a defense—continues to threaten the observance of this freedom in practice.
- In November 2009, the Supreme Court upheld the criminal and seditious libel provisions of the POA, rejecting a lawsuit in which the Sierra Leone Association of Journalists argued for their repeal. Section 32 of the law was invoked in May against Sylvia Blyden, publisher and editor of the *Awareness Times* newspaper, who was charged for “publishing false statements against the president” in an article concerning an alleged extramarital affair. She initially went into hiding, but turned herself in later that month.
- In August 2009, the legislature passed the Broadcasting Act, which would merge the Sierra Leone Broadcasting Service (SLBS) with United Nations Radio to create a public-service broadcaster, the Sierra Leone Broadcasting Corporation (SLBC). However, the president returned the bill to lawmakers for revisions following complaints from civil society organizations, notably the Sierra Leone Association of Journalists, about provisions that would allow him to unilaterally appoint the director general and deputy director general of the new broadcaster. A revised bill had not passed by year’s end.
- During the year, discussions continued on a draft Right to Access Information Bill. Among other provisions, it would guarantee freedom of information in Sierra Leone.
- Despite improvements in the government’s attitude toward the media and a significant decline in the number of attacks against journalists, some violent incidents were reported during 2009. In February, four female journalists from the SLBS and Eastern Radio were kidnapped in Kanema for reporting on female genital mutilation. Their captors were apparently supporters of the practice. The journalists were forced to walk naked through the streets, but were released after a few hours. In May, Sitta Turay, editor in chief of the biweekly *New People* newspaper, was stabbed in his office by loyalists of the ruling party for allegedly defaming the president. He subsequently went into hiding until he was assured protection by the information minister.
- The number of newspapers and radio stations in the country has grown significantly in recent years. Dozens of 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.

- Poor journalistic training and corruption within the media sector continue to weaken the quality of news coverage, which is at times politicized and inaccurate.
- Just 0.3 percent of the population accessed the internet in 2009, though at least five internet-service providers were operating in the country.

Singapore

Status: Not Free

Legal Environment: 24

Political Environment: 23

Economic Environment: 21

Total Score: 68

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	66,NF	66,NF	69,NF	69,NF	68,NF

- Freedoms of speech and expression are guaranteed by Article 14 of the constitution, but these rights are limited in practice.
- The Newspapers and Printing Presses Act (NPPA), the Defamation Act, and the Internal Security Act (ISA) constrain press freedom, allowing the authorities to restrict the circulation of news that is deemed to incite violence, arouse racial or religious tensions, interfere in domestic politics, or threaten public order, the national interest, or national security. The Sedition Act, in effect since the colonial period, outlaws seditious speech, the distribution of seditious materials, and acts with “seditious tendency.”
- The defamation and other restrictive press laws are used to intimidate the press, quiet political opposition, and deter investigative journalism. Media also face harsh punishments for perceived personal attacks on government officials.
- Foreign media in Singapore are subject to many of the same pressures and restrictive laws as domestic outlets. In March 2009, *Wall Street Journal* editor Melanie Kirkpatrick was found guilty of contempt of court for two articles and an editorial published in the *Wall Street Journal Asia* in 2008. She was ordered to pay a fine of SG\$10,000 (US\$6,600).
- In November, the *Far Eastern Economic Review* paid a SG\$405,000 (US\$290,000) settlement for a suit related to a 2006 article that allegedly defamed Prime Minister Lee Hsien Loong and his father, former prime minister Lee Kuan Yew. The settlement came after an appellate court upheld a lower court’s 2008 judgment against the magazine. The article in question was based on an interview with leading opposition politician Chee Soon Juan, the secretary general of the Singapore Democratic Party. The original ruling was made by summary judgment, and the case never went to trial.
- In October 2009, British freelance journalist Benjamin Bland’s application to renew his work visa was rejected by the Manpower Ministry. When Bland inquired as to why his application was rejected, the ministry’s senior assistant director said that the reasons could not be disclosed. Bland had written for a variety of prestigious local and international news publications.

- As a result of the potential legal repercussions for critical speech, the vast majority of print and broadcast journalists practice self-censorship when reporting on domestic and foreign policy issues.
- Films, television programs, music, books, and magazines are sometimes actively censored by the Media Development Authority.
- Cases of physical attacks and harassment against members of the press are rare, and none were reported in 2009.
- All domestic print and broadcast media outlets, internet-service providers (ISPs), and cable television services are owned or controlled by the state or by companies with close ties to the ruling People's Action Party.
- Under the ISA and the Undesirable Publications Act (UPA), the distribution of specific publications can be banned. The government is also empowered to prevent the transmission of television and radio content.
- The NPPA requires annual licensing of all media outlets, which is regulated by the Ministry of Information, Communication, and the Arts.
- Though Singaporeans generally have unrestricted access to the internet, it is monitored by the government and subject to the same laws as traditional media. All ISPs must be licensed by the government. The internet was accessed by approximately 77 percent of the population in 2009.

Slovakia

Status: Free

Legal Environment: 7

Political Environment: 9

Economic Environment: 7

Total Score: 23

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	21,F	20,F	20,F	22,F	23,F

Slovenia

Status: Free

Legal Environment: 8

Political Environment: 10

Economic Environment: 7

Total Score: 25

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	19,F	20,F	21,F	23,F	24,F

Solomon Islands

Status: Free

Legal Environment: 5

Political Environment: 13

Economic Environment: 11

Total Score: 29

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	30,F	30,F	30,F	30,F	30,F

Somalia

Status: Not Free

Legal Environment: 27

Political Environment: 35

Economic Environment: 22

Total Score: 84

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	83,NF	83,NF	85,NF	84,NF	84,NF

The media environment in Somalia varies significantly, with different conditions in chaotic southern Somalia, the autonomous Puntland region, and the breakaway region of Somaliland. In January 2009, Sheikh Sharif Sheikh Ahmed, a former leader of the Union of Islamic Courts (UIC) that was ousted from power by Ethiopian troops in 2006, became the president of the internationally supported Transitional Federal Government (TFG). However, the TFG controlled only a small portion of southern Somalia, while the Islamist militant group Al-Shabaab, formerly a UIC-aligned militia, seized large swathes of the country and most of the capital, Mogadishu.

Somalia's charter provides for freedom of the press, but owing to the lawless conditions in much of the country, journalists continue to face restrictions on their reporting in practice. There is no freedom of information law to guarantee access to public information. A media bill approved by the Transitional Federal Assembly in late 2007 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 remain unclear.

The struggle between the TFG, Al-Shabaab, and another militant group, Hisbul Islam, has dramatically affected the media environment in southern Somalia. Media outlets have aligned themselves with political factions as a means of survival, making neutral or objective reporting a rarity. Journalists working for international broadcasters such as the British Broadcasting Corporation (BBC) and Voice of America (VOA) have also faced pressure from the government and the extremist groups. Frequent incidents of harassment, arbitrary arrest, and violence against journalists continued to encourage high levels of self-censorship. Direct censorship also remained a problem, as Al-Shabaab forced several radio stations to either shut down or cease broadcasting of any music in 2009.

Numerous journalists have been killed in the capital, either for supporting the wrong political faction or as accidental casualties in armed clashes. Such attacks on the media made Somalia the second deadliest place in the world for journalists in 2009. Of the nine journalists killed during the year, two were specifically targeted. Said Tahlil Ahmed, director of the independent HornAfrik radio station in Mogadishu, and Mukhtar Mohamed Hirabe, director of Radio Shabelle, were killed in February and June respectively. Radio Shabelle suffered the highest number of losses in 2009, accounting for four of the nine deaths. In the most dramatic incident, a Shabaab suicide bomber attacked a university graduation ceremony in December, killing nearly two dozen people. The victims included three journalists and a number of TFG officials.

Dozens of radio stations broadcast in Mogadishu and in other parts of the country. In October 2009, the TFG launched Radio Mogadishu, a new outlet meant not only to carry government-sponsored news and information, but also to provide space for a variety of groups and individual Somalis to voice their opinions. In late 2009, a joint United Nations–African Union radio station started preparations to begin broadcasting in 2010. Like Radio Mogadishu, the new station was intended to offer a platform for voices that may be critical of the extremists and more sympathetic to the TFG.

The status of press freedom was visibly better in Puntland, the self-declared autonomous region, but restrictions remained harsh, and coverage of political and security issues was particularly dangerous for journalists. Despite the Puntland president's stated commitment to greater openness, two online journalists were jailed in 2009 for insulting the region's leaders. In addition, the government accused VOA of fomenting instability in Puntland, suspending its local broadcasts in October, and a VOA correspondent was arrested for unknown reasons by Puntland intelligence officials in December.

Somaliland, a region whose claims of independence have not been internationally recognized, enjoys more press freedom than the rest of the country. However, in its annual report on media freedom in Somaliland, released in December 2009, the National Union of Somali Journalists (NUSOJ) noted that the judiciary has repeatedly failed to punish perpetrators of attacks against journalists and media outlets, and has continued to try journalists on trumped-up charges. In August, Yasin Jama Ali of the Berberanews website was banned from practicing journalism for 10 years for committing a "crime against the Somaliland nation." The site's editor in chief was sentenced to three years in prison, and the outlet was barred from operating in Somaliland. Also during the year, several Somaliland journalists faced threatening text messages and harassment from Al-Shabaab. Fearing retaliation, some outlets refrained from openly reporting and condemning the activities of the group.

An ongoing political crisis in Somaliland, combined with the approach of long-delayed elections scheduled for 2010, led to increased political harassment of journalists and government sensitivity over media reports. In July, managing director Mohamed Osman Mire and news editor Ahmed Suleyman Dhuhul of the Hargeisa-based Radio Horyaal—the only private radio station in the region—were arrested and detained for 15 days for allegedly inciting violence with reports on a meeting between the president and clan leaders regarding a land dispute. The two were convicted in August, but escaped six-month jail terms by paying a large fine. Osman was detained again in September after he allegedly accused the interior minister of intimidating Radio Horyaal employees. The small number of independent television stations operating in Somaliland have come under similar intimidation and harassment. In July, Horn Cable

Television’s offices were raided by police, and the station was subsequently shut down for allegedly inciting clan violence through false reporting.

The Somaliland 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, although the BBC is available in the capital. Radio Horyaal circumvents the ban on private broadcasting by having its recorded programming transmitted on shortwave from a studio in Belgium. There is one government-owned television station, Somaliland National Television, and a number of Somali-language satellite stations are also accessible.

While radio dominates in the south of Somalia, newspapers are the most vibrant medium in Somaliland. Most of these outlets are not economically sustainable and are heavily subsidized by the diaspora as well as political parties and their interests. While the repeatedly postponed regional elections have led to the establishment of more newspapers, the delays have also caused greater polarization in the media. There are seven independent daily newspapers in Somaliland, one government daily, and two English-language newspapers.

The Somali diaspora in Europe, North America, and the Gulf states have established a rich internet presence. Internet service is available in large cities in Somalia, and users enjoy a relatively fast and inexpensive connection. Nevertheless, owing to pervasive poverty and the internal displacement of many Somalis, access is limited. Only 1 percent of the Somali population had internet access in 2009. Although there were no reports of government restrictions on the internet, some factions reportedly monitored internet activity.

South Africa

Status: Partly Free

Legal Environment: 9

Political Environment: 13

Economic Environment: 10

Total Score: 32

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	26,F	27,F	28,F	28,F	30,F

Status change explanation: South Africa declined from Free to Partly Free to reflect the threat posed by top government officials’ hostile rhetoric toward the media, as well as official encroachments on the editorial independence of the South African Broadcasting Corporation (SABC), which dominates the national broadcast landscape. An additional factor behind the decline was the passage of the Film and Publications Act, which legitimizes some forms of prepublication censorship and creates a legal distinction between government-recognized publications and other outlets.

Freedoms of expression and of the press are protected in the constitution and generally respected in practice, and South Africa has vibrant press freedom advocacy and journalists’ organizations. Nevertheless, several apartheid-era laws and a 2004 Law on Antiterrorism permit authorities to

restrict information about the police, national defense forces, prisons, and mental institutions, and to compel journalists to reveal sources. In September 2009, the controversial Film and Publications Amendment Act was implemented. Introduced by the Home Affairs Ministry to protect against child pornography and hate speech, the legislation was widely criticized by press freedom advocates as a means of prepublication censorship. The act requires any publisher not recognized by the press ombudsman—or any person who wishes to distribute, broadcast, or exhibit a film or game—to submit a wide range of potentially pornographic or violence-inciting materials to a government board, which can approve or ban them. Separately, in February, then president Kgalema Motlanthe refused to sign a version of the Broadcasting Amendment Bill because of a clause allowing Parliament to fire board members of the state-owned SABC or dismiss the entire board. An amended bill that requires “proper inquiry by Parliament” before such dismissals was pending at year’s end.

Government ministers and other political figures continued to display intolerance of media criticism in 2009. There has been an increase in the use of court 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 gag orders to stop reporting on corruption scandals. In December 2008, 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 ongoing suit also targeted the *Sunday Times* itself and Johncom, the newspaper’s holding company. Journalists are occasionally harassed and assaulted.

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 U.S. State Department notes that 46.4 percent of South Africans have access to print media. Though a variety of publications exist, their content tends to lack diversity as a result of the concentration of ownership among large media groups. The SABC dominates broadcast media. While officially editorially independent, the SABC has come under fire for displaying a pro-ANC bias, for reflecting internal ANC rifts in its management struggles, and for practicing self-censorship. In April 2009, the SABC canceled a scheduled program on political satire that was inspired by the “Zapiro” controversy. After the *Mail & Guardian* posted a leaked copy of the program on its website, the SABC accused the paper of theft. In October, SABC internal auditors investigating the leak searched the offices of the broadcaster’s investigative reporting unit and subjected staff to lie-detector tests. Separately, the entire SABC board was dissolved by Parliament in 2009 amid a R839 million (US\$100 million) loss for the 2008–09 fiscal year and wide-ranging reports of financial mismanagement. In December, a new 12-member board—headed by former minister of arts, culture, science, and technology Ben Ngubane—was appointed in consultation with opposition parties.

For primarily socioeconomic reasons, most South Africans receive the news via radio outlets, the majority of which are controlled by the SABC. While the Independent Communications Authority of South Africa (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. The SABC’s three stations claim most of the television market, but the country’s two commercial television stations, e.tv and M-Net, are reaching growing proportions of the population. International broadcasts are unrestricted. 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 9 percent of the population enjoying regular access during 2009. 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

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	29,F	30,F	30,F	30,F	30, F

Spain

Status: Free

Legal Environment: 5

Political Environment: 14

Economic Environment: 5

Total Score: 24

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	22,F	21,F	22,F	23,F	24,F

Sri Lanka

Status: Not Free

Legal Environment: 23

Political Environment: 32

Economic Environment: 17

Total Score: 72

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	56,PF	58,PF	63,NF	67,NF	70,NF

Despite the end of the government's long-running war with the Liberation Tigers of Tamil Eelam (LTTE) rebel group in May 2009, media freedom remained severely restricted in Sri Lanka, with journalists subject to several forms of legal harassment and physical intimidation. Although the constitution provides for freedom of expression, it and other laws and regulations place significant legal limits on the exercise of this right. Some of the restrictions cite grounds that are

not recognized in international law, and there is a lack of effective procedural and substantive controls such as proportionality and effective judicial review.

The 1979 Prevention of Terrorism Act (PTA) contains extremely broad restrictions on freedom of expression, such as a prohibition on bringing the government into contempt. The decades-old Official Secrets Act bans reporting on classified information, and those convicted of gathering secret information can be sentenced to up to 14 years in prison. Although no journalist has ever been charged under the law, it is frequently used to threaten them. Journalists are also occasionally threatened with contempt of court charges or questioned regarding their sources. The 1973 Press Council Act, which prohibits disclosure of certain fiscal, defense, and security information, had not been enforced in more than a decade, in keeping with an unwritten agreement between the government and media groups. However, in July 2009 the government stated that it was bringing the law back into force. It allows for the imposition of punitive measures, including prison terms, for offenses including publication of internal government communications or cabinet decisions, matters affecting national security, and economic issues that could influence price increases or food shortages. There is no enforceable right to information in the constitution or separate legislation. In fact, the Establishments Code, the formal administrative code governing civil servants, actively discourages access to information even on public-interest grounds.

In 2006, unofficial prepublication censorship on issues of “national security and defense” was imposed by the government’s new Media Center for National Security, which assumed the authority to disseminate all national security and defense-related information to the media and public. Emergency regulations that were reintroduced in 2005 following the assassination of Foreign Minister Lakshman Kadirgamar—and extended by Parliament on a monthly basis since then—allow the government to bar the publication, distribution, performance, or airing of any print or broadcast material deemed likely to cause public disorder. The regulations have been used a number of times to arrest and detain journalists, sometimes for months without charge. Senior journalist J. S. Tissainayagam, editor of the now-defunct *North Eastern Monthly* magazine, was sentenced to a 20-year prison term in late August 2009, a year after becoming the first journalist indicted under the PTA. He had originally been detained in March 2008. A number of reports noted serious judicial flaws in connection with his trial. Tissainayagam’s former colleagues Vetrivel Jasiharan and Vadivel Vallarmathy, who were also charged under the PTA, were released in October 2009 after 19 months in detention, as a court found that there was insufficient evidence to prosecute them. Separately, N. Vithyatharan, editor of the Tamil daily *Sudar Oli*, was detained without charge for two months after being accused of having links to the LTTE; he was released due to lack of evidence.

Broadcast licensing decisions sometimes appear to be arbitrary and politically influenced. New licensing rules announced in October 2008 barred ownership of broadcast outlets by individuals who have formal political affiliations, and banned content deemed to be “detrimental to national security,” with license suspensions for violators. Following criticism of the new regulations from local groups, the government decided to delay their implementation, and they made no further progress in 2009.

Journalists throughout Sri Lanka, particularly those who cover human rights or military issues, face regular intimidation and pressure from government officials at all levels. Official rhetoric is markedly hostile toward critical or “unpatriotic” journalists and media outlets, with prominent leaders, including Defense Secretary Gothabaya Rajapaksa, often making statements that equate any form of criticism with treason. State-controlled media and the Defense Ministry

website have been used to smear and threaten individual journalists and other activists. As a result, levels of self-censorship have risen considerably. In 2009, visas for a number of foreign correspondents, including Ravi Nessman of the Associated Press, were not renewed as a result of their coverage, forcing them to leave the country. Other foreign news teams were deported, including a three-person team from Britain's Channel 4 News that was expelled in May following attempts to cover events in the war zone.

The level of threats and harassment against local journalists and media outlets continued to rise in 2009. 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. The offices of the country's largest independent broadcasting company, Maharaja Broadcasting, were attacked in January, presumably in retaliation for its coverage of the war. The assault temporarily knocked a half-dozen television and radio stations off the air. A number of journalists received death threats in 2009, while others faced attempted or actual kidnapping and assaults. The victims included Poddala Jayantha, general secretary of the Sri Lanka Working Journalists' Association; Dilesha Abeysundera, a journalist at the weekly *Irudina*; Frederica Jansz and Munza Mushtaq, of the Leader Publications media group; and Upali Tennakoon, editor of the weekly *Rivira*. In the most serious incident, prominent editor Lasantha Wickrematunga of the *Sunday Leader* was shot dead by unknown assailants as he drove to work in Colombo. He had previously received threats and posthumously published an article predicting his own murder. His widow, Sonali Samarasinghe, herself a prominent journalist, received threats and fled the country weeks after the murder. Several dozen other journalists have gone into exile in the past two years as a result of threats. Previous crimes against journalists have not been adequately investigated or prosecuted, leading to a climate of complete impunity.

As the conflict with the Tamil Tigers intensified in early 2009, coverage of the war zone in northern Sri Lanka became almost impossible. Journalists were restricted by bans on physical access to the area, some of which remained in place after the war's end. For example, reporters were denied entry to cover local elections held in Vavuniya and Jaffna in August. Media access to government-run camps for displaced civilians was also restricted, with journalists only allowed to visit select portions of certain camps at the government's discretion. The facilities held over 450,000 people at their peak, and most remained in the camps from May to December.

On the positive side, the destruction of the LTTE ended severe restrictions that the rebels had placed on media in their territory. These had included the seizure or banning of certain Tamil-language newspapers, as well as threats and attacks against journalists and media staff. However, threats from other Tamil factions continued. In June, the entire staff of the *Uthayan* newspaper, based in Jaffna, received death threats from an unknown Tamil group. Mainstream Tamil political parties and authorities condemned the threats, and security officials provided additional police protection to the paper. Also during the year, unidentified perpetrators seized newspapers prior to distribution and threatened Tamil outlets they accused of being "pro-terrorist."

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. As political tensions rose at the end of the year ahead of a presidential election scheduled for January 2010, biased coverage became even more pronounced, and outlets perceived to favor one side or the other faced harassment. In recent years ownership has also become more consolidated, with many private outlets now owned by

government officials or their close associates. 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. The gradual reopening of the key A9 highway to the north of the island during 2009 helped to ease production difficulties for northern newspapers, which had been hampered by shortages of newsprint and other key supplies during the war’s final phases.

Access to the internet and to foreign media has been increasingly restricted. The British Broadcasting Corporation (BBC), which had been intermittently jammed by the state-owned Sri Lanka Broadcasting Corporation (SLBC) in 2008, announced in February 2009 that its World Service would cease to provide content to the SLBC, citing the latter’s censorship and blocking of its output as well as vilification of its war reporting. On several occasions during the year, the authorities confiscated editions of the *Economist* with critical articles as they arrived in the country, preventing their distribution.

Almost 9 percent of the population used the internet in 2009, with many residents deterred by the high costs involved, although mobile-telephone usage continued to grow exponentially. Starting in 2007, the government ordered the country’s two largest internet-service providers to restrict access to TamilNet, a pro-LTTE news site; it was blocked intermittently throughout 2009. Restrictions on internet content have increased since the escalation of fighting at the end of 2008. Other websites that reportedly faced periodic blocking during 2009 included the Lanka News Web and the *Sri Lanka Guardian*, as well as the sites of international human rights organizations like Human Rights Watch. The news website Lankadissent reportedly chose to cease operating in January 2009 for fear of becoming the target of reprisals.

Sudan

Status: Not Free

Legal Environment: 26

Political Environment: 28

Economic Environment: 22

Total Score: 76

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	86,NF	85,NF	81,NF	78,NF	78,NF

- Press freedom remained restricted in 2009 as Sudan prepared for scheduled 2010 elections that would be the first held since 1986 and were set to include ballots for representatives at the local, regional, and national levels. An unresolved insurgency in the Darfur region and tensions surrounding the possible secession of autonomous Southern Sudan also continued to make reporting problematic for both foreign and local journalists.
- Article 29 of the 2005 Interim National Constitution, adopted in connection with that year’s peace agreement between the Khartoum government and rebel forces representing Southern Sudan, nominally protects freedom of the press and citizen expression.

- In June 2009 the government replaced the highly restrictive 2004 Press and Printed Press Materials Law. However, media freedom organizations have criticized the new law for falling short of international standards. It states that “no restrictions will be placed on freedom of the press except on issues pertaining to safeguarding national security and public order and health,” and contains loosely defined provisions related to the encouragement of ethnic and religious disturbances and incitement of violence. The law also gives the National Press and Publication Council the authority to shut down newspapers for three days without a court order. However, some of the most criticized components of earlier drafts—including fines of more than US\$20,000 for violators of the law—were removed from the final version.
- Would-be journalists who are not supporters of the government have difficulty joining the profession, and all journalists must pass a challenging Arabic language exam regardless of the language they intend to use in their work.
- State-imposed prepublication censorship was a common occurrence for much of 2009. Officials from the National Intelligence and Security Service (NISS) were employed at each newspaper to review articles prior to printing. Authorities forced the newspaper *Al-Maidan* to remove dozens of articles, leaving it without enough material to publish on several occasions. The newspapers *Ajras al-Hurriya* and *Al-Sudani* also occasionally faced direct censorship during the year. In September, President Omar al-Bashir eliminated the direct formal censorship of newspapers by the NISS, but the decree did not apply to television or radio broadcasts. The decision had been encouraged both by internal pressure from media owners and unions and by the increasing presence of international organizations ahead of the elections scheduled for April 2010. Nonetheless, government officials continued to caution the media against coverage of certain topics and directly interfered with advertisers.
- Journalists faced harassment, attacks, and intimidation by both state and nonstate forces. Those who criticized the government publicly or privately risked arrest.
- Foreign journalists in Sudan have occasionally experienced difficulties in their reporting and are generally viewed with suspicion by the authorities. In addition to denying visas, the Sudanese government expelled two foreign correspondents from the country in 2009. Egyptian-Canadian journalist Heba Aly was deported in February in response to her research on the manufacturing of Sudanese weapons. In March, Zouhir Latif, a Tunisian freelance journalist working for France 24 and *Al-Hayat*, was expelled after being arrested by intelligence agents and having his videos and computer confiscated. Latif’s arrest is believed to be linked to his work in Darfur.
- Press freedom conditions in Southern Sudan tended to be somewhat better than in areas controlled directly by Khartoum. However, in the run-up to the 2010 elections there were numerous reports of journalists being harassed and beaten by security forces and members of political organizations. In January 2009, *Juba Post* editor Isaac Billy Gideon was detained for nine hours after publishing a piece in 2008 that accused a senior Southern general of improperly selling land to Somali businessmen. In May, Southern military police detained and questioned journalists Abdulgadir Mohammed and Adil Badir, seizing their mobile telephones. In October, after false rumors that Southern Sudanese president Salva Kiir had died, Southern police entered the compound of the United Nations Mission in Sudan and demanded that the UN-affiliated Radio Miraya FM be temporarily shut down.
- There are several private daily and weekly newspapers that cover local and national news, but most operate in the north. Experts have argued that there is little difference between the private and state-run media, as all are subject to serious government interference.

Newspapers are generally too expensive for most Sudanese. The government runs one Arabic and one English-language newspaper.

- The state dominates the broadcast media, which are the main source of information for much of Sudan’s population. Television programming continues to be formally censored, and radio content must reflect the government’s views. International broadcasters are quite popular in the country. The British Broadcasting Corporation is relayed in Khartoum and other parts of the north, and in Juba in the south. Some opposition and clandestine stations can also be received in the country.
- Authorities reportedly put pressure on advertisers, prohibiting them from placing ads in newspapers that are deemed critical of the government.
- Internet penetration in Sudan is relatively high for sub-Saharan Africa, with almost 10 percent of the population able to access the medium in 2009. The government is believed to monitor the internet, reading private e-mail and correspondence. It also blocks websites, especially those with explicit sexual content, ostensibly to preserve ethical standards. The Sudanese blogosphere is quite active, and despite the country’s multiple conflicts, online debates are less adversarial than in neighboring countries such as Ethiopia and Eritrea.

Suriname

Status: Free

Legal Environment: 4

Political Environment: 12

Economic Environment: 7

Total Score: 23

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	20,F	23,F	22,F	23,F	23,F

Swaziland

Status: Not Free

Legal Environment: 24

Political Environment: 27

Economic Environment: 25

Total Score: 76

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	79,NF	77,NF	76,NF	76,NF	76,NF

- Swaziland’s absolute monarchy continued to exert strict state control over the media in 2009.
- Freedom of expression is restricted, especially regarding political issues or the royal family. Of six media bills proposed along with a new constitution in 2007, only one—a Media Commission Bill that calls for strict government regulation of the media sector, including

stringent accreditation and registration requirements for outlets and journalists—is being considered by parliament.

- There are very few legal protections for journalists and media workers, and harsh defamation laws are used to stifle the press. In March 2009, a weekly columnist for the *Times of Swaziland* was fined an undisclosed number of cattle for insulting the king.
- However, in recent years the courts have dismissed a number of defamation penalties and overturned attempts to limit media coverage of political or culturally sensitive issues.
- The government routinely warns against negative news coverage, and journalists are subject to harassment and assault by both state and nonstate actors. Journalists including the editor of the *Times of Swaziland*, Mbongeni Mbingo, were summoned by authorities in May 2009 after reporting on an angry verbal exchange between Senate President Gelane Zwane and Senator Ndileka Dlamini. In June, organizers at an HIV/AIDS workshop dismissed journalists who were covering the event after complaints from members of Parliament. In August the prime minister threatened to close media outlets that reported on an upcoming royal trip. Finally, in September, the Senate president directly threatened a *Times of Swaziland* journalist who was covering a parliamentary proceeding with professional retribution. As a result of such threats, many journalists practice self-censorship on sensitive subjects.
- There are two major newspapers in circulation, one independent and the other generally progovernment. Both continued to criticize government corruption and inefficiency in 2009, but avoided negative coverage of the royal family. At least two recently introduced publications were threatened with closure in 2009 for failing to register with the government, a procedure that requires the purchase of a US\$100 bond.
- The Swaziland Television Authority, which is both the state broadcaster and the industry regulator, dominates the airwaves and generally favors the government in its coverage.
- There is one government-owned radio station and one independent radio station, Voice of the Church, which focuses on religious programming. Four radio license applications approved in 2008 were disqualified by the Swaziland Radio Regulator in 2009 for failing to meet all 12 of the regulator’s evaluation criteria. However, Swazis with sufficient funds could freely purchase and use satellite dishes to receive signals from both independent South African and international news media.
- The government does not restrict internet-based media, though only 7.6 percent of the population used the internet in 2009.

Sweden

Status: Free

Legal Environment: 2

Political Environment: 4

Economic Environment: 4

Total Score: 10

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	9,F	10,F	11,F	11,F	11,F

Switzerland

Status: Free

Legal Environment: 5

Political Environment: 3

Economic Environment: 5

Total Score: 13

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	11,F	11,F	12,F	13,F	13,F

Syria

Status: Not Free

Legal Environment: 29

Political Environment: 33

Economic Environment: 21

Total Score: 83

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	83,NF	84,NF	83,NF	83,NF	83,NF

- Although Article 38 of the constitution provides for freedoms of speech and the press, these rights are severely restricted in practice. The 2001 Press Law allows for broad state control over all print media and forbids reporting on topics that are deemed sensitive by the government, such as issues of “national security” or “national unity,” as well as the publication of “inaccurate” information. Individuals found guilty of violating the Press Law face one to three years in prison and fines ranging from 500,000 to 1 million Syrian pounds (US\$10,000 to US\$20,000). The law also stipulates that the prime minister grants licenses to journalists, which can be rejected for reasons concerning the public interest. Under Articles 9 and 10, the Ministry of Information must approve all foreign publications and has the power to ban them if they challenge “national sovereignty and security or offend public morality.”
- The 1963 State of Emergency Law allows authorities to arrest journalists under ambiguous charges of threatening “national security.” The law “prohibits acts of speech inciting sectarianism” and “false information” that is in opposition to the “goals of the revolution.” Defamation remains a criminal offense.
- Criticism of the government can lead to lawsuits, fines, harassment, and dismissal. Several journalists were reportedly removed from their positions for this reason in 2009. Charges are often arbitrary, ambiguous, or simply not specified. In April 2009, Syrian Kurdish journalist Faruq Haji Mustafa, who wrote for the London-based daily *Al-Hayat* and the Lebanese daily *Al-Safir*, was arrested and held incommunicado; he was eventually released in June. In August, Ahmad Takrouni was dismissed as editor of a regional newspaper after it published an article claiming that regional identity was more important than national identity.

- Local media freedom advocates are routinely harassed. In September, authorities closed down the Damascus office of the Syrian Center for Media and Freedom of Expression without providing a reason, although the organization still operates out of its French office.
- Despite the positive step of allowing privately owned print media in 2001, the government strictly controls the dissemination of information. The Ministry of Information and the Ministry of Culture and National Guidance routinely censor both domestic and foreign publications. Currently, all Kurdish-language publications are banned, though they are still available in some areas. In July, authorities closed down local offices of the Dubai-based Al-Mashriq satellite television channel, claiming that it filmed a Damascus market without permission. The government also halted the production of the television program *Alama Farika* and the weekly periodical *Al-Khabar* without sufficient reason, and prohibited the circulation of an October issue of the Lebanese daily *Al-Akhbar* due to an opinion article mentioning an improvement in Syrian-Saudi relations and noting a visit by the Saudi king.
- Journalists face frequent harassment, including banishment from the country, neglected accreditation requests, and extralegal intimidation through arrest, detention, and torture. In July, Palestinian journalist Helmi Musa, a writer covering Israel for *Al-Safir*, was detained for several days while participating in a political seminar in Damascus. In August, freelance journalist Ibrahim al-Jaban was arbitrarily banned from working at the television station Al-Suriya. In November, journalist Ma'an Aqel was arrested and held incommunicado through the end of the year.
- The government and the ruling Ba'ath Party own most newspaper publishing houses. There are a small number of periodicals affiliated with minor regime-aligned political parties, as well as privately owned newspapers like *Al-Watan*, *Al-Iqtissad*, and *Al-Khabar*.
- Nearly all of Syria's radio and television outlets are state owned, with a handful of private stations that do not broadcast news or report on political issues. These include Al-Medina radio and the television stations Ad-Dounia and Al-Rai. Satellite television is widely available.
- Approximately 18 percent of Syrians accessed the internet in 2009. Critical journalists have increasingly used the medium to voice their dissent. However, the government has stepped up its online censorship and monitoring, as well as harassment of critical bloggers. By year's end, roughly 241 sites were banned in Syria, including the blog-hosting platform Blogger.com, the microblogging service Twitter, and the social-networking site Facebook. In September, authorities discontinued access to the website of a Lebanese nongovernmental organization that covers press freedom. In 2005, the Press Law was reformed to crack down on electronic publications, requiring that editors of electronic media be at least 25 years old, Syrian nationals, and current residents of Syria, and that they not be employees of a foreign government. Proposed reforms introduced in 2009 would extend the Press Law's penalties, including jail sentences, to internet users. In September, blogger Karim Arbaji was charged with undermining national morale and received a three-year prison sentence.

Taiwan

Status: Free

Legal Environment: 7

Political Environment: 9

Economic Environment: 8**Total Score: 24**

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	21,F	20,F	20,F	20,F	23,F

Taiwan's media environment is one of the freest in Asia, with a vigorous and diverse press that reports aggressively on government policies and alleged official wrongdoing. Nevertheless, actions by media owners, a revival of "embedded marketing" amid economic difficulties, and government influence over the editorial content of publicly owned outlets all posed threats to media independence during 2009.

The constitution provides for freedoms of speech and of the press, and the government and independent courts generally respect these rights in practice. However, several incidents during the year raised concerns over the use of legal action by media owners to silence critics. In June, owners of the Want Want China Times Group sent legal notifications to journalists and press freedom advocacy organizations, threatening to file defamation suits for their criticism of the company's actions. It had faced a public outcry over advertisements in the *China Times* that denounced the National Communications Commission (NCC) and its decision to impose restrictions related to cross-ownership and Want Want's 2008 purchase of the China Times Group. In a separate case in August, after two employees from ERA TV revealed on their private blogs that the station had delayed relaying calls from victims of Typhoon Morakot to the authorities, the station dismissed the pair and sued them for defamation; the suit was pending at year's end. 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 in 2009.

Media coverage is often critical of the government, and news outlets were especially exacting on the official response to Typhoon Morakot in 2009, ultimately contributing to the replacement of the prime minister. Nevertheless, political polarization poses a challenge to press freedom, with most major news outlets seen as sympathetic to one of the two main parties. 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.

Given that most Taiwanese can access about 100 cable television stations, the state's influence on the media sector is 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, observers expressed concern that personnel changes and reform measures initiated by the government or its allies in the legislature were aimed at influencing the editorial content of nonpartisan public media outlets. Local media monitoring groups and international observers noted in 2009 that criticism of the government in coverage by the Central News Agency (CNA) appeared to be markedly toned down since the end of 2008, when the former spokesperson for President Ma Ying-jeou's electoral campaign was appointed as the agency's deputy president and CNA staff reported receiving editorial directives to alter certain content. In a positive development, proposed legislation requiring item-by-item government approval of Public Television Service (PTS) programming was dropped in mid-2009 after public protests, and the outlet's budget was also unfrozen. However, local press freedom

advocates and the Control Yuan watchdog entity criticized subsequent government measures to expand the PTS board and prematurely end the contracts of the broadcaster's management.

Media owners have exercised influence over the editorial content of their outlets. After Want Want owner Tsai Eng-Meng, a businessman with significant commercial interests in mainland China, purchased the China Times Group in November 2008, several incidents pointed to increased editorial pressure to soften criticism of the Ma administration and Beijing. This also raised concerns over the potential direct or indirect influence of the Chinese government on free expression in Taiwan. Anecdotal evidence suggested a broader increase in self-censorship on topics deemed sensitive to Beijing, particularly the treatment of minorities such as Tibetans, Uighur Muslims, and Falun Gong practitioners. Between September 17 and October 1, the signal of the Falun Gong-affiliated New Tang Dynasty Television network encountered interference, and the station was entirely unavailable in Taiwan on October 1. The problem coincided with the Chinese Communist Party's celebration of its 60th year in power, raising suspicions that the signal—which is accessible to some mainland viewers in addition to Taiwanese—had been deliberately interrupted to limit access to critical news coverage during the anniversary. At year's end, the NCC was investigating the matter.

Physical violence against journalists is rare, and both local and foreign reporters are generally able to cover the news freely. There were no reports during the year of assaults or official harassment of journalists. In a positive development, Taiwanese journalists were granted accreditation in May to cover the World Health Assembly in Geneva for the first time since 2004, as a Taiwanese delegation was allowed to attend the event with observer status. However, the International Federation of Journalists criticized the United Nations' decision not to give the Taiwanese journalists access to press facilities.

Taiwan has over 360 privately owned newspapers and numerous radio stations. Satellite television is broadcast on 143 channels. Legislation approved in 2003 barred the government and political party officials from holding positions in broadcast media companies, and required government entities and political parties to divest themselves of all broadcasting assets. Fierce competition among newspapers, competition with new sources of information such as cable television and the internet, and rising production costs have contributed to a decline in the newspaper industry. Between 2005 and 2008, eight newspapers were forced to shut down, leaving four with large circulations: the *Liberty Times*, the *Apple Daily*, the *United Daily News*, and the *China Times*. This has increased newspapers' vulnerability to the political and commercial interests of owners and advertisers, which may affect their editorial line. The financial challenges faced by both the newspaper and television industries were exacerbated in 2009 as the global economic downturn hit Taiwan. In this context, there was a reported revival of "embedded marketing," in which advertisers pay to have products or policies promoted in what appear to be ordinary news stories. According to the U.S. State Department, observers reported "a significant increase in paid placements in the local print and electronic media by the authorities and private businesses as media revenues dropped."

The government refrains from restricting the internet, which is accessed by nearly 66 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 who post sexually suggestive messages. In 2009, the Constitutional Court ruled in favor of law enforcement agencies on this matter, arguing that the public benefits of limiting the space for sexual victimization of children outweighed the potential restrictions on free speech.

Tajikistan

Status: Not Free

Legal Environment: 25

Political Environment: 28

Economic Environment: 25

Total Score: 78

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	74,NF	76,NF	76,NF	77,NF	78,NF

- Freedom of speech is guaranteed by the constitution, but the media situation remained poor in 2009 amid the continuing marginalization of independent journalism under President Emomali Rahmon. Libel and criticism of the president are criminal offenses that carry prison terms of up to five years. Government authorities selectively implement laws meant to protect journalists, such as a ban on censorship.
- In October 2009, a Dushanbe court imposed a judgment of nearly US\$40,000 on the *Paikon* weekly newspaper after it published an open letter from businesspeople criticizing an import-export policy. *Paikon* lost an appeal of the ruling in December.
- There is no freedom of information legislation, and steps have been taken to restrict journalists' access to official information. In November 2009, the government began charging reporters 25 somoni (US\$4.50) for each page of printed text they received from state institutions.
- In a positive development, the Community Council for Mass Media, comprised of independent and state representatives, was established in November. The council's goal is to improve journalism and media ethics, but some journalists expressed doubts about the body's efficacy.
- Violence against journalists has declined in recent years, but journalists who criticized authorities or exposed government corruption continued to report threats and intimidation. In January 2009, the editor in chief of the newspaper *Pazhvok* was assaulted in southern Tajikistan by two men, one of whom identified himself as an Interior Ministry officer.
- Widespread poverty and the concentration of wealth in the hands of political leaders and their associates hamper the emergence of genuinely independent media. Although there were over 200 registered newspapers, many of them privately owned, none published daily, and the broadcast sector was dominated by state-controlled national television stations that praised Rahmon and denied coverage to independent or opposition points of view. The cause of independent journalism lacks support from the public, which generally seems unconcerned with freedom of the press or expression.
- Internet penetration is low in Tajikistan—probably under 10 percent—and the authorities have imposed restrictions on access. The government began blocking critical websites in 2006, and in 2007 it extended criminal libel and defamation laws to internet publications. In April 2009, Rahmon accused the “enemies” of Tajikistan of seeking to undermine his rule via the internet and called on citizens to unite in the face of this danger. Nonetheless, a number of blogs and opinion sites became more active during the year.

Tanzania

Status: Partly Free

Legal Environment: 17

Political Environment: 18

Economic Environment: 15

Total Score: 50

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	51,PF	50,PF	51,PF	48,PF	50,PF

- Press freedom in Tanzania suffered some setbacks in 2009, including 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 or ban newspapers under the Newspaper Registration Act “in the interest of peace and good order.” 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.
- Publicly insulting the government is criminalized under the country’s libel legislation, which places the burden of proof on the defendant. A purportedly independent Media Council of Tanzania (MCT) settles defamation suits, but arbitrary verdicts and excessive fines have continued, forcing media outlets to close in some cases. In 2009, *MwanaHalisi* newspaper faced bankruptcy after a court in May ordered it and two associated printing companies to pay approximately US\$2.2 million for a 2008 article alleging that lawmaker Rostam Aziz had been involved in a corrupt electricity deal. In a court ruling in August, the editor and owner of the newspaper *Changamoto* were ordered to pay US\$1 million to Reginald Mengi, a Tanzanian media mogul, for defamation. The paper was also instructed to publish a retraction and an apology in multiple issues.
- While a 2005 amendment to the constitution provides for the right to be informed, only information that reflects positively on the government is freely available to the public.
- Although the president has expressed support for media freedom, the judiciary and the parliament have shown a lack of independence on media issues. For instance, in February 2009 the speaker of the National Assembly warned members to stay away from reporters and use caution when travelling with them. In addition, the Ministry of Information acknowledged that it called four editors into its offices during the year for allegedly distorting government statements, criticizing the president without offering supporting evidence, and printing misinformation about a parliamentary debate. No further action was taken against the editors. Freelance journalist Jumbe Ismailly was interrogated by police in November and accused of defaming a regional politician. He was released hours later and told that he was part of an ongoing investigation.
- There were reports of journalists being attacked throughout the year. In December, five assailants attacked Frederick Katulanda, a reporter with Mwananchi Communications, in his

home in Mwanza. The attack was motivated by his investigation into funds that were allegedly embezzled from a government account. The suspects pressured Katulanda to turn over all documents related to his reporting on the issue. The police were investigating the case at year's end. Separately, a journalist working for the British Broadcasting Corporation was forced to go into hiding in May, having received death threats after reporting on the role of witch-doctors in persecuting albinos.

- Newspapers have been closed by the government on occasion. *MwanaHalisi* was banned for three months in October 2008 for publishing articles that allegedly defamed the president. In June 2009, the paper's editor took the government to court, charging that the suspension was unconstitutional. *MwanaHalisi* has called on the government to repeal the Newspaper Act of 1976, which was invoked to impose the ban. The case was still pending at year's end.
- Conditions in semiautonomous Zanzibar remain more restrictive than on the mainland. There are indications that the Zanzibar government is interested in reform, as the MCT has a branch on the islands, new press clubs are operating, and an editors' forum was created in 2009. However, Zanzibar officials continue to monitor the content of both public and private radio and television broadcasts.
- *Zanzibar Wiki Hii* is the region's only private weekly, though it generally avoids critical coverage of the leadership, as implicating Zanzibar lawmakers in criminal activities can result in a minimum fine of approximately US\$200 or three years' imprisonment. The government publishes the region's only daily paper, *Zanzibar Leo*. Television Zanzibar is under government control, as is the radio station Sauti ya Tanzania-Zanzibar. Small private radio stations and newspapers often have close connections to ruling party politicians. Residents can receive private broadcasts from the mainland, and opposition politicians have access to the state media outlets. Journalists must be licensed and obtain permits to cover developments related to police work and the prison system.
- There were reports of Zanzibar journalists being harassed and threatened. For example, in October 2009 journalist Mwinyi Sadala was arrested while investigating a cholera outbreak in Karakana. The police seized his camera and erased all the photographs before returning it, and the case against him was later withdrawn.
- 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. During the year the government shut down one blog for posting a doctored photo of the president. Only 1.5 percent of the population accessed the internet in 2009.

Thailand

Status: Partly Free

Legal Environment: 17
Political Environment: 27
Economic Environment: 14
Total Score: 58

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	42, PF	50,PF	59,PF	56,PF	57,PF

Thailand experienced a decline in press freedom for a third consecutive year in 2009 as a result of the country’s ongoing political contest between the allies and enemies of Thaksin Shinawatra, a populist prime minister who was ousted in a 2006 military coup. In addition to restrictions imposed during a state of emergency in April 2009 and direct attacks on media workers covering opposition protests, a significant increase in the use of long-standing lese majeste laws exacerbated the difficulties faced by the press during the year.

The 2007 constitution, which replaced an interim charter imposed by the military government that had failed to explicitly protect freedom of expression, restored and even extended the 1997 constitution’s freedom of expression guarantees. Also in 2007, the legislature 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 legislation imposed by the military government remained a threat to press freedom. An amended Internal Security Act (ISA), passed just before the December 2007 elections that temporarily returned Thaksin’s allies to power, allows the Internal Security Operations Command to use sweeping emergency powers in the event of vaguely defined security threats. In 2009, the anti-Thaksin government of Prime Minister Abhisit Vejjajiva invoked the ISA to curtail protests led by the red-shirted United Front of Democracy against Dictatorship (UDD). Meanwhile, several older laws that permit the government to restrict the media to preserve public order—and the particularly harsh lese majeste legislation, which assigns penalties of up to 15 years in prison for criticism of the king, the royal family, or Buddhism—remain in force.

With political tensions and succession concerns mounting as the king’s health declined in 2009, the trend of increased use of lese majeste laws reached new levels. Complaints filed against British Broadcasting Corporation editor Jonathan Head in 2008 were still pending at the end of 2009, and editions of the *Economist* were prevented from entering the country in January, July, and October because of the magazine’s coverage of the lese majeste crackdown. In a particularly harsh case in August 2009, a UDD protester and former journalist was sentenced to 18 years in prison on three counts of lese majeste for comments made during a protest in 2008. In another instance, a private citizen affiliated with the anti-Thaksin People’s Alliance for Democracy (PAD), or “yellow shirts,” filed lese majeste charges against the Foreign Correspondents’ Club of Thailand in connection with a 2007 speech delivered there by a UDD leader. A number of writers have gone into exile to escape lese majeste charges.

The penal code’s punishments for defamation are harsh, and Thaksin used them routinely to silence critical voices during his time in power. The use of libel suits has declined since his ouster, but defamation charges continued to be filed against journalists by subsequent governments. In late 2009, Prime Minister Abhisit launched a defamation suit against red-shirt leader Jatuporn Prompan, who had accused him of ordering security forces to kill protesters in April and delaying a petition to pardon Thaksin. In June, Abhisit and Deputy Prime Minister

Suthep Thaugsuban were themselves acquitted of libel in a case filed by former Thai Rak Thai (TRT) party executive Prommin Lertsuridej, who complained about their accusations that the TRT had hired small parties to contest the 2006 elections. In September, media magnate and PAD leader Sondhi Limthongkul was sentenced to two years in prison after losing one libel suit; additional prison time was imposed after he lost an appeal in another libel case.

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.” The 2008 Broadcasting Act governs the licensing of radio and television in three categories—public, private, and community media. Despite assurances from the government, the required broadcast licensing body had yet to be set up by the end of 2009.

The broadcast media have displayed clear biases in the ongoing political crisis, with outlets providing skewed coverage of national events as they fall under the control of one or the other side. Some maintain that the rise of new media is curbing this phenomenon, as mobile-telephone text messaging and video recordings posted on the internet provide alternate sources of information.

In April 2009, the prime minister declared a state of emergency in response to massive UDD protests in Bangkok, as some UDD leaders called for a campaign of violence to depose the government. The emergency declaration included a decree allowing officials to censor news that was considered a threat to national security. An outlet called Station D, which was linked to the red-shirt movement and aired Thaksin’s declarations of support for a “people’s revolution,” was blocked the next day. Three local radio stations and 71 websites that were considered to be affiliated with Thaksin were also closed, but they resumed operations later in April when the state of emergency was lifted.

The April tumult featured a series of direct attacks on members of the press. Reporters were harassed by UDD protesters for “underreporting” on the demonstrations, and an explosive device was thrown near the offices of ASTV, a station that had opposed Thaksin-aligned governments. On April 17, Sondhi, a regular ASTV commentator, survived an assassination attempt; an investigation into the attack was incomplete at year’s end. Persistent violence in Thailand’s volatile south, where the government has been battling an insurgency by members of the region’s ethnic Malay Muslim population, also affects the press. Past cases of physical attacks on journalists generally remain unsolved.

Print media remain in private hands, though large conglomerates and prominent families, some with political ties, own the majority of outlets. 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, though hundreds of officially registered stations continue to broadcast throughout the country. Government control of the broadcast media increased in 2007 when the Public Relations Department took over Thailand’s only independent television station, iTV; officials claimed that the station, previously run by one of Thaksin’s former companies, had illegally changed its operating concession with the 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 2009, as required by the 2008 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 26 percent of the Thai population. Government censorship of the internet has been in place since 2003, largely to prevent the circulation of pornography and illegal products. However, since the 2006 coup, internet censorship has increasingly been used against potentially disruptive political messages and sites that are considered a threat to national security, including those of Muslim separatist groups. The Computer Crime Act (CCA), imposed by the military government in 2007, assigns prison terms of up to five years for the online publication of forged or false content that endangers individuals, the public, or national security, as well as for the use of proxy servers to access restricted material. The legislation was first invoked against a blogger in 2007 and has increasingly been used to apply lese majeste laws to the internet. A major clampdown on online media occurred in 2009, with the Ministry of Information and Communications Technology (MICT) claiming to have closed 2,000 websites and 8,300 pages for lese majeste violations. In August, the MICT created a police taskforce dedicated to monitoring websites and identifying those posting content that violates lese majeste laws. In April, a blogger was sentenced to 10 years in prison, and the editor of the online newspaper *Prachatai* was charged under the CCA for postings made to a discussion board that were deemed critical of the queen. According to the Committee to Protect Journalists, the editor faced up to 50 years in prison; the case had not been resolved by year's end.

Togo

Status: Not Free

Legal Environment: 24

Political Environment: 28

Economic Environment: 22

Total Score: 74

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	73,NF	78,NF	74,NF	74,NF	72,NF

- Freedom of speech and freedom of the press are legally guaranteed in Togo, but these rights are often ignored by the government. Pervasive impunity for crimes against journalists has created a tense and illiberal media environment.
- Severe punishment for libel is infrequent but remains a cause for concern. In December 2009, a Lome court ordered the private triweekly *Golfe Info* to pay US\$172,000 directly to the plaintiff, the National Intelligence Agency; pay a fine of US\$3,220; suspend all publication for two months; and retract the offending September story and any subsequent coverage of it. The original article had claimed that a celebrity who was allegedly involved in drug trafficking had worked as a project officer for the presidential administration.
- The High Authority of Broadcasting and Communications (HAAC), which was originally intended as an independent body to protect press freedom and ensure ethical standards, is now used almost entirely as the government's censorship arm. In October 2009, the parliament passed a law allowing the HAAC to impose sanctions, seize equipment, ban publications, and withdraw press cards.

- In April, following the disruption of an alleged coup plot led by the president’s brother, the HAAC issued an order banning all radio and television programs in which the public is allowed to express its opinion. While the ban was only a temporary measure, it indicated the government’s willingness to clamp down on the media whenever it sees fit.
- In an improvement from 2007, foreign journalists were able to operate freely throughout the country in both 2008 and 2009, and were not banned from critical reporting as they had been in the past.
- Journalists frequently operate in fear of violent attacks and harassment for their reporting, and many censor themselves as a result. While there were no reports of such attacks in 2008, in July 2009 a reporter with the private FM Radio Metropolis was assaulted by military personnel in the capital. When members of the Association of Human Rights Journalists later attempted to demonstrate in solidarity with the reporter, the military ordered them to disperse.
- 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 newspapers, eight television stations, and approximately 100 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, and just under 6 percent of the population was able to access the medium in 2009—a relatively high penetration rate by regional standards.

Tonga

Status: Partly Free

Legal Environment: 11

Political Environment: 11

Economic Environment: 10

Total Score: 32

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	37,PF	32,PF	31,PF	31,PF	32,PF

Trinidad and Tobago

Status: Free

Legal Environment: 6

Political Environment: 10

Economic Environment: 7

Total Score: 23

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	24,F	26,F	24,F	23,F	23,F

Tunisia

Status: Not Free

Legal Environment: 27

Political Environment: 33

Economic Environment: 25

Total Score: 85

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	80,NF	83,NF	83,NF	81,NF	82, NF

- The constitution and press code offer ill-defined protections for freedom of the press, and the government does not respect them in practice.
- The press code criminalizes libel and defamation, and violating these laws can result in imprisonment and fines, with offensive statements about the president carrying prison sentences of up to five years. Journalists also risk punishment under laws against disturbing public order. Tunisia does not have a freedom of information law.
- Government censorship is routine. In March 2009, the government encouraged a privately owned distribution company to deliver only two copies of a particular issue of the opposition Arabic-language weekly *Al-Mawkif* to each vendor. The issue included a petition signed by five female judges to protest against years of harassment and call for the enforcement of international standards in Tunisia's judiciary. The government used similar tactics to control distribution of February issues of the paper. *Al-Mawkif* also faces trial on defamation charges filed in 2008 by five companies involved in marketing cooking oil. According to human rights lawyers, the charges against the paper are politically motivated. Separately, the government banned a March issue of the United Arab Emirates weekly magazine *As-Sada* due to an article alleging that wealthy Tunisians have increasingly engaged in adultery since the prohibition of polygamy.
- Self-censorship among journalists is common. Due to harassment and the fear of arrest, journalists hesitate to report on sensitive political topics and generally wait for official accounts from the government's Tunis Afrique Presse agency before issuing their own coverage.
- The National Syndicate of Tunisian Journalists (SNJT) released its second report in May 2009, criticizing the state of media freedom in the country. The SNJT had previously angered the government by announcing in 2008 that it would not endorse President Zine el-Abidine Ben Ali in the October 2009 elections. After the union released its 2009 report, progovernment journalists began a campaign against its executive board, threatening journalists who refused to sign their petition with loss of employment. Four board members with government allegiances resigned, triggering new elections for the union's leadership in September. However, the progovernment members called for an earlier extraordinary congress in August, at which a new leadership was elected from the ruling Democratic Constitutional Rally (RCD) party. Following a court's official recognition of the new board

members in September, plainclothes police surrounded the SNJT offices, removed staff members, and beat SNJT president Neji B'ghouri as he attempted to access the premises. B'ghouri's supporters challenged the new board in court, but the case was still pending at year's end.

- Journalists who cross the government's red lines face harassment, physical assault, arbitrary surveillance, dismissal from employment, and imprisonment. Interrogation and detention of members of the media remain commonplace, and the government has refused to renew journalists' passports on occasion. Since Ben Ali came to power in 1987, more than 100 Tunisian journalists have been forced into exile, according to the SNJT.
- The authorities monitor foreign media, denying accreditation to critical journalists, and foreign publications or reporters can be seized or expelled if they offend the government. Ahead of the 2009 elections, the Qatar-based satellite television station Al-Jazeera was the target of a smear campaign, and its Tunisia-based correspondent was denied accreditation. *Le Monde* correspondent Florence Beauge was denied entry into Tunisia in October due to the government's dislike of her allegedly aggressive position on the country.
- On October 28, Slim Boukhdhir of the newspaper *Al-Arabya* sustained serious injuries after he was attacked and stripped naked by unidentified men. Shortly afterward, Boukhdhir's house was surrounded by security forces who barred access to visitors for four days. Boukhdhir had participated in an interview with the British Broadcasting Corporation about Ben Ali's reelection, during which he discussed intimidation of the media, the use of criminal defamation laws, and issues related to Ben Ali's wife. Boukhdhir had spent several months in prison in 2008 due to his reporting.
- Omar Mestiri, a director of the private internet-based Radio Kalima, was attacked by unknown assailants in November 2009 while talking to his lawyer in the street. He was then pushed into a car, driven to an unknown location, and held for many hours before being released. Mestiri had been repeatedly threatened by the Tunisian police and others in the past.
- There are eight major dailies, including two owned by the government and two owned by the ruling party. *Al-Mawkif*, the private opposition weekly, lacks state support and advertising revenue, and its journalists are frequently denied access to information and facilities. The Tunisia External Communication Agency allocates support to progovernment newspapers. Newspapers do not need licenses to operate, though the government requires that print outlets obtain copyright registration annually from the Ministry of Information.
- 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.
- Approximately 34 percent of Tunisians used the internet in 2009. Internet cafes are state run and operate under police surveillance, and users must register their names and other personal information before accessing the internet. Opposition, social-networking, and video-sharing 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.
- Punishments for online dissidents are similar to those for print and broadcast journalists who publish information that the government deems objectionable. Journalists who have turned to internet media frequently face police surveillance and other forms of intimidation for expressing critical views. In October 2009, journalist and blogger Zied el-Heni was strip-searched by authorities and his documents were confiscated upon his return from an International Federation of Journalists conference in Jordan. Several days later, el-Heni was

beaten by unidentified assailants, and his blog was subsequently closed down by officials. In November, blogger Fatma Riahi, better known as Arabicca, was summoned for several days of police questioning. Police also searched her home, confiscating her computer and requesting access to her social-networking accounts. Arabicca’s blog was blocked three days before her arrest and has been frequently monitored by the government.

Turkey

Status: Partly Free

Legal Environment: 22

Political Environment: 18

Economic Environment: 11

Total Score: 51

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	48, PF	48,PF	49,PF	51,PF	50, PF

The government, led by the Justice and Development Party (AKP), continued to crack down on unfavorable press coverage in 2009. A tax authority controlled by the Finance Ministry fined one of the country’s major media companies, the Dogan Group, 826 million lira (US\$537 million) in February and 3.7 billion lira (US\$2.4 billion) in September for purported tax evasion. The Dogan Group has consistently reported on the ruling party’s shortcomings and involvement in an Islamic charity scandal in 2008, and the tax case was widely viewed as politicized.

Constitutional guarantees of freedom of the press and expression are undermined by other provisions, and in practice they are only partially upheld. Despite some minor amendments in 2008, the restrictive 2005 penal code continued to overshadow positive reforms that had been implemented as part of the country’s bid for European Union (EU) membership, including a 2004 Press Law that replaced prison sentences with fines for media violations. According to Bianet, a Turkish press freedom organization, the number of prosecuted journalists, publishers, and activists declined from 435 in 2008 to 323 in 2009, reversing a recent upward trend. The U.S. State Department noted a decrease in the number of individuals accused of violating Article 301 of the Turkish penal code, which provides for prison terms of six months to two years for “denigration of the Turkish nation.” While the Turkish Justice Ministry received 424 complaints based on Article 301, it rejected 358 of them, and only four were allowed to proceed, compared with 70 cases that were given permission to proceed in 2008. In total, only 18 individuals were prosecuted in 2009 under Article 301, which 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 2008 amendments were deemed largely cosmetic, substituting “Turkish nation” for “Turkishness” and “State of the Turkish Republic” for “Turkish Republic,” and reducing the maximum prison sentence from three years to two. Nationalist lawyers’ groups such as the Great Lawyers’ Union, accused by many human rights groups of 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.

Article 216 of the penal code, which covers “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 denigrated the armed forces. In 2009, a total of 21 people were prosecuted under Article 216, including journalists Ercan Oksuz and Oktay Candemir from Dicle News Agency (DIHA), who each received six-month jail sentences for interviewing witnesses of the 1930 Zilan massacre. The incident involved the reported killing of Kurdish civilians by Turkish troops. Amendments to the Antiterrorism Law passed in 2006 allow journalists to be imprisoned for up to three years for the dissemination of statements and propaganda by terrorist organizations. The law raised concerns about arbitrary prosecutions, since members of the pro-Kurdish press are sometimes accused of collaborating with the Kurdistan Workers’ Party (PKK), a designated terrorist organization. During 2009, some 47 individuals were tried under the Antiterrorism Law. In January, Vedat Kursun, editor of *Azadiya Welat*, was detained and charged with multiple counts of spreading PKK propaganda and aiding the rebel group; he remained in jail at year’s end.

The Supreme Council of Radio and Television, whose members are elected by the parliament, has the authority to sanction broadcasters if they are not in compliance with the law or its expansive broadcasting principles. The council is frequently subject to political pressure. Print outlets can also be closed if they violate laws restricting media freedom, and a number of closures occurred during the year. Some editors and journalists practice self-censorship out of fear of violating legal restrictions. 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.

Ongoing investigations surrounding an alleged plot to overthrow the government, referred to as “Ergenekon,” have included the wiretapping of telephones at the daily newspaper *Cumhuriyet*. The surveillance was reportedly conducted without the approval of a court and included conversations between *Cumhuriyet* correspondent Ilhan Tasci and the deputy president of the opposition Republican People’s Party (CHP), Kemal Kilicdaroglu. In addition, Mustafa Balbay, the Ankara representative of *Cumhuriyet*, and Nadiye Gurbuz, the broadcasting coordinator of Izmir Democratic Radio, were arrested in March for alleged involvement in the Ergenekon plot. While Gurbuz was released in September, Balbay, charged with “attempting to change the constitutional order with armed force,” remained in custody at year’s end.

Threats against and harassment of the press remained much more common than acts of violence. Journalists are rarely killed, and their work is not regularly compromised by the fear of physical attacks, although instability in the southeastern part of the country does infringe on journalists’ freedom to work. The 2007 assassination of Hrant Dink—the editor in chief of the Armenian weekly *Agos*, who was prosecuted under Article 301 for a second time in 2006 for confirming his recognition of Armenian genocide allegations—marked the culmination of a plot that was 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. The case was still open at year’s end. In the only murder of a journalist in 2009, editor Cihan Hayirsevener of *Guney Marmara’da Yasam* was killed in mid-December after receiving several death threats for his newspaper’s coverage of local corruption.

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 that broadcast 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. An Armenian-language radio outlet, Nor Radio, began broadcasting over the internet in January 2009. Several hundred private newspapers operate across the country in a very competitive print sector. Media ownership is highly concentrated, with four major conglomerates that subtly pressure their editors and journalists to refrain from coverage that could harm the parent company's business interests. This can include avoiding criticism of the government or potential advertisers. 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 2009. The video-sharing website YouTube has been blocked since 2008 for airing videos that were deemed insulting to the founder of the Turkish republic, Mustafa Kemal Ataturk. The social-networking site MySpace was unblocked in October 2009 after it resolved disputes with the Turkish music industry. The Organization for Security and Cooperation in Europe reported that approximately 3,700 websites were blocked between 2007 and 2009. The law allows prosecutors to block sites if their content "incites suicide, pedophilia, drug abuse, obscenity or prostitution," or attacks Ataturk.

Turkmenistan

Status: Not Free

Legal Environment: 30

Political Environment: 36

Economic Environment: 29

Total Score: 95

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	96,NF	96,NF	96,NF	96,NF	96,NF

- President Gurbanguly Berdymukhammedov's government continued to enforce near-total control over the media in 2009, despite constitutional protections for press freedom and freedom of expression.
- Though libel remains a criminal offense, the law is rarely invoked given the intensity of self-censorship and the extreme scarcity of independent and critical reporting.
- The authorities harassed local correspondents working for Radio Free Europe/Radio Liberty (RFE/RL) during the year. In January, the security services threatened Dovletmurat Yazguliev and Osman Hallyev, both correspondents for RFE/RL's Turkmen service. In April, another RFE/RL reporter, Gurbandurdy Durdykulyev, was intimidated with repeated vandalism of his home and car. Other reporters for foreign outlets continued to encounter insurmountable obstacles to accreditation, forcing them to work unofficially if at all.
- In September 2009, Reporters Without Borders reported that the health of two imprisoned journalists, Sapardurdy Khadjiyev and Annakurban Amanklychev, was in jeopardy. They were arrested in 2006 with their colleague, Ogulsapar Muradova, who died several months later as a result of severe beatings in prison. The International Committee of the Red Cross

has been denied access to Khadjiyev and Amanklychev, whose family members are all being held within the country.

- The government retained an absolute monopoly on domestic media in 2009, directly controlling not only all domestic outlets, but also the printing presses, broadcasting facilities, and other infrastructure on which they depended. Several media leaders, like Begli Aliev of the state's Altyn Asyr television channel, were fired during the year without recourse or justification.
- The authorities 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.
- Despite an absence of independent domestic media, many citizens had some access to international media through satellite dishes. In 2002 and 2007, the authorities ordered the removal of satellite dishes, but were forced to back down in the face of popular resistance and international condemnation.
- Continued government restrictions and high costs kept internet access extremely limited in 2009, with only 1.5 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 Turkmens living abroad, and foreign outlets like the British Broadcasting Corporation. The country remained on the Committee to Protect Journalists' list of the world's worst environments for bloggers.

Tuvalu

Status: Free

Legal Environment: 3

Political Environment: 11

Economic Environment: 12

Total Score: 26

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	20,F	26,F	26,F	26,F	26,F

Uganda

Status: Partly Free

Legal Environment: 20

Political Environment: 20

Economic Environment: 14

Total Score: 54

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	44,NF	52,NF	54,NF	53,NF	53,NF

- Although the country's constitution provides for freedoms of expression and the press, several other laws negate these guarantees, and the government has increasingly cracked down on critical journalists and media houses.
- The penal code contains provisions on sedition, libel, and the promotion of sectarianism, all of which are applied selectively. Clauses of the Antiterrorism Act of 2002 have also been used against journalists, especially those who cover security issues.
- Multiple journalists appeared before the courts in 2009 on charges of sedition, criminal libel, and other offenses. Four journalists from Uganda's largest independent newspaper, the *Monitor*, were charged with forgery for publishing a leaked presidential memorandum. They were later freed on bail, with trials pending at year's end. Three other journalists with the *Independent* magazine, including editor Andrew Mwenda, were accused of sedition after publishing a caricature of President Yoweri Museveni. Mwenda already faced dozens of criminal charges, including a 2005 sedition charge, and has petitioned to have that offense dropped from the penal code. The case against the *Independent* staff was suspended in October 2009 until the Constitutional Court could deliver a ruling on Mwenda's petition, which had yet to be issued at the end of the year.
- Also in October, two editors of the daily tabloid *Red Pepper*, Richard Tusiime and Francis Mutazindwa, were found guilty of defamation for articles published in February that accused Libyan leader Mu'ammur al-Qadhafi of having an affair with the queen mother of Toro, one of Uganda's traditional kingdoms. The paper was ordered to pay al-Qadhafi US\$50,000.
- Uganda is one of only a few countries in Africa with a freedom of information law. However, other laws related to national security and confidentiality impede open access to information in practice. In addition, the process for requesting official information is complicated, and state media are generally granted access more easily than private outlets.
- Several statutes, most notably the 1995 Press and Media Law, require journalists to register with the government-affiliated National Institute of Journalists of Uganda and obtain a license from the Media Council, which has been criticized for its lack of independence. Journalists must also meet certain standards, including the possession of a university degree. Although journalists are supposed to renew their licenses each year, this provision is frequently overlooked in practice.
- The Broadcasting Council (BC), established by the Electronic Media Act of 1996 to regulate broadcast licensing and monitoring, is not independent of the government. Authorities continue to interfere in private radio broadcasting, temporarily shutting down several stations in recent years. In September 2009, the government closed four radio stations and banned live debate programs after violent clashes broke out in Kampala between supporters of the king of Buganda, Uganda's most populous traditional kingdom, and government security forces. The BC accused the Buganda-owned Central Broadcasting Service, Ssuubi FM, Radio Two, and the Roman Catholic Church's Radio Sapientia of promoting sectarianism and inciting the violence. At year's end, the ban on live debate programs remained in place, and only two of the radio stations, Radio Sapientia and Radio Two, had been reopened under instructions to practice "self-constraint." They were also forced to dismiss certain staff members.
- The closure of the four radio stations had a chilling effect on journalists from all media platforms, leading many to avoid discussion of the conflict between Buganda and Museveni, among other sensitive topics.

- The government uses security agents to harass, intimidate, and detain critical journalists. In September 2009, Radio One journalist Kalundi Serumaga was abducted, detained incommunicado for a day, and allegedly beaten after appearing on a television talk show. He was charged with six counts of sedition and forced to give up his passport before being released on bail. The BC suspended Serumaga from participating in his radio talk shows.
- There are more than two dozen daily and weekly newspapers and about 100 private radio and television stations. Uganda’s leading daily newspaper, the government-owned *New Vision*, shows some editorial independence. Other print outlets such as the *Monitor* are generally critical of the government and offer a range of opposition views.
- Radio remains the most widely accessed source of information. In recent years, the number of community stations has grown across the country, including in the north, though stations in this area remain cautious with their broadcast content, fearing conflict with the Lord’s Resistance Army rebel group. There are also concerns that the emerging radio stations, especially in the countryside, are owned by members and allies of the ruling party. The Uganda Broadcasting Corporation, the country’s public broadcaster, remains subservient to the interests of the ruling party and the government.
- High annual licensing fees for radio and television stations have placed financial constraints on the broadcast media.
- There is unrestricted access to foreign news sources, and domestic outlets draw on and reference these sources in their own reporting.
- Media owners are somewhat complicit in the erosion of press freedom in Uganda. In order to safeguard their investments, they reportedly comply with government requests, including onerous instructions as to which journalists are allowed to work for them.
- Commercial pressures continue to pose a major threat to media freedom. Most media houses are reluctant to annoy major advertisers, who are rarely subjected to any meaningful journalistic scrutiny. Newsrooms also are increasingly willing to run stories that promote certain companies.
- Internet penetration had grown to nearly 10 percent of the population by the end of year, and access is not officially restricted.

Ukraine

Status: Partly Free

Legal Environment: 15

Political Environment: 18

Economic Environment: 20

Total Score: 53

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	59,PF	53,PF	53,PF	53,PF	55,PF

Much of 2009 was consumed by partisan conflict among the country’s three dominant politicians—President Viktor Yushchenko, Prime Minister Yulia Tymoshenko, and pro-Russian opposition leader Viktor Yanukovich—as they jockeyed for position ahead of the January 2010

presidential election. The feuding stalled reforms and left journalists working in chaotic and highly polarized conditions, particularly toward the end of the year.

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, and in February 2009 the Supreme Court instructed judges to follow the practices of the Strasbourg-based European Court of Human Rights, which granted lower levels of protection from criticism to public officials and clearly distinguished between value judgments and factual information, according to the U.S. State Department. Nonetheless, officials continued to use civil libel lawsuits filed in the country's politicized court system to successfully silence critical reporting. In April, an appeals court in Kyiv reduced the damages awarded to former Vinnytsia governor Hryhoriy Kaletnik in his lawsuit against the newspaper *Kanal 33* from 710,000 hryvnias (US\$89,000) to 157,000 hryvnias (US\$19,600). Kaletnik brought the case in response to a series of articles connecting him to illegal smuggling during his time as a customs official, the U.S. State Department reported.

Freedom of information legislation has yet to be formally adopted, and requests for official information are often ignored, particularly at the local level. In March, the deputy mayor of the northern city of Chernihiv invited journalists from state media to a city council meeting but excluded two journalists from private newspapers, claiming they were required to apply for permission to attend in advance, according to the Ukrainian Helsinki Human Rights Union.

In 2009, 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. Serious attacks against journalists are less common than in previous years, but prosecutors and police regularly failed to take action against suspects identified in past attacks, leading to a culture of impunity. In May, the deputy director of housing and utilities in the western city of Vinnytsia, Vyacheslav Shapalov, assaulted a journalist from the Vinnytsia Television and Radio Company, Oleksandr Ilnitskiy, and gave him a concussion after he filmed the official allegedly seeking a bribe from the manager of a circus, according to local press reports. Separately, despite Yushchenko's promise to solve the 2000 abduction and murder of journalist Heorhiy Gongadze, his government made limited progress in the case. Another former police officer linked to Gongadze's killing was arrested in July, over a year after authorities convicted three police officers for the slaying, but Gongadze's family and press freedom advocates have questioned why prosecutors continue to ignore evidence that former president Leonid Kuchma ordered the murder, and have expressed suspicions that Yushchenko's administration is protecting him.

Political infighting distracted the government from reforming politicized state media outlets and the state bureaucracy, where secrecy and corruption remain widespread. In September, journalists from the National Television and Radio Company of Ukraine (NTU) in the eastern city of Dnepropetrovsk went on a hunger strike to protest several months of unpaid wages and a series of politicized inspections by various government agencies in retaliation for the journalists' failure to include sufficient praise for Governor Viktor Bondar in their news broadcasts, according to local press reports and the Committee to Protect Journalists. Many major outlets are owned by regional business magnates with close ties to the government, while others are dependent on state subsidies, encouraging widespread self-censorship and slanting news coverage in favor of specific economic or political interests. In June, executives at the

Kyiv-based television station Novy Kanal fired the editor of the *Reporter* news show, Volodymyr Pavlyuk, after he aired a popular but embarrassing video clip of Tymoshenko's reaction to a teleprompter malfunction during a speech.

With hundreds of state and private television and radio stations and numerous print outlets, Ukraine's media sector is very diverse compared with those of other former Soviet republics, but it also faces many challenges. Throughout the year, hidden political advertising was widespread in the media and weakened the public credibility of journalists. Transparency of media ownership remains poor, as businessmen and politicians often prefer to hide their influence over news programs, but it improved somewhat due to the research efforts of nongovernmental organizations. Ukraine's print distribution system is problematic and dependent on the national postal service. Some of these deficiencies were compounded by the country's deep economic recession, which led to a decline in the value of the country's currency, an increase in unemployment and inflation, and a steep rise in the price of natural gas due to a dispute with the main supplier in neighboring Russia. The economic difficulties led to a drop in advertising revenues for the media and threatened to reduce media pluralism through increased dependence on state subsidies or greater concentration of ownership, according to IREX.

The government does not restrict access to foreign outlets or to the internet, which is used by around 33 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: 24

Political Environment: 24

Economic Environment: 23

Total Score: 71

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	72,NF	65,NF	68,NF	68,NF	69,NF

United Kingdom

Status: Free

Legal Environment: 6

Political Environment: 8

Economic Environment: 5

Total Score: 19

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	18,F	19,F	19,F	18,F	19,F

With a history of aggressive reporting and an editorially independent public broadcaster, the United Kingdom maintained its open media environment in 2009. The law provides for freedom

of the press, and the government generally respects this right in practice. Antiquated laws criminalizing blasphemy and blasphemous libel were abolished in 2008. However, several laws that weaken press freedom remain in place. Under legislation from the 1980s, journalists deemed to have information that is vital to a police investigation can be forced to give evidence at trial. However, in a landmark ruling in June 2009, a court in Belfast, Northern Ireland, dismissed a police application to force journalist Suzanne Breen to hand over material she had received from a member of a paramilitary group, the Real IRA. The group had taken credit for the murder of two British soldiers in March. The International Federation of Journalists hailed the court's decision as "a historic victory in the journalists' fight for the protection of sources."

In the aftermath of July 2005 terrorist bombings on London's mass transit system, the government passed the Prevention of Terrorism Act. Certain provisions of the law, which took effect in 2006, criminalize speech that is considered to encourage terrorism, even in the absence of a direct, proven link to a terrorist act. A religious hatred law enacted in 2006 criminalized incitement of religious hatred or violence, but no journalists were charged under this law during 2009.

English libel laws heavily favor the plaintiff, placing the burden of proof on the defendant. As a result, the country has become an increasingly popular destination for "libel tourism," in which foreign plaintiffs bring libel actions against foreign defendants in English courts. A campaign led by the free-speech organizations Sense About Science, English PEN, and Index on Censorship launched a libel reform petition in Parliament in December, and Justice Secretary Jack Straw said he was preparing reform proposals for consideration by lawmakers in 2010. Meanwhile, libel cases proceeded in the courts in 2009. In May, a court ruled that science writer Simon Singh had libeled the British Chiropractic Association in his published criticism of the usefulness of chiropractic treatment. Singh's appeal of the decision was pending at the end of the year.

Physical attacks on the media are rare, and none were reported in 2009. However, journalists covering sensitive political issues regularly face intimidation in Northern Ireland. Continuing investigations into the 2001 murder of journalist Martin O'Hagan made some progress in 2008 with the arrest of four suspects, but the trial suffered delays during 2009 and 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.

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 private media outlets is concentrated in the hands of a few large companies, including Rupert Murdoch's News Corporation, and many of the private national newspapers remain aligned with political parties. Few commercial radio news stations exist, and the handful in operation are reportedly struggling financially. There are several independent television news channels, including ITV and British Sky Broadcasting.

More than 83 percent of the population accessed the internet without restriction in 2009. Authorities may monitor e-mail and other internet communications without judicial permission in the name of national security and "well-being." However, surveillance must be approved by the home secretary, and there are departments in place to handle public complaints of abuse. To bring the country into compliance with European Union policy, a law that came into force in 2009 requires internet-service providers to retain usage records for one year.

United States

Status: Free

Legal Environment: 5

Political Environment: 8

Economic Environment: 5

Total Score: 18

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	17,F	16,F	16,F	17,F	18,F

Freedom of the press remained vibrant in the United States during 2009, with vigorous debate over the domestic and foreign policy initiatives of the new president, Barack Obama. However, much of the year's political coverage took on a polemical tone. This was especially true of commentary on blogs, talk-radio programs, and all-news television networks. Meanwhile, the recent decline in the newspaper industry showed no sign of abating, as the staffs at major newspapers shrunk, foreign bureaus were eliminated, and coverage of national and foreign news was reduced at many outlets. The news departments at several major television networks also suffered staffing cutbacks.

Press freedom has strong foundations in U.S. law. The federal constitution explicitly protects freedom of speech and of the press, and these guarantees have been reinforced by numerous state laws and court decisions. The courts have given the press broad protection from libel and defamation suits that involve commentary on public figures, although libel remains a criminal offense in some states. In 2008, New York State adopted legislation giving writers protection from libel judgments in countries whose laws are inconsistent with the free speech traditions of the United States. The measure 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. Several other states subsequently adopted similar laws, and a bill to provide such protection at the federal level was pending in Congress at year's end.

The administration of former 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 a revised Freedom of Information Act that was intended to expedite the document request process and provide mediation in cases where a federal agency is reluctant to release material. The Obama administration announced a more expansive interpretation of the law in March 2009, when Attorney General Eric Holder, in a reversal of the Bush standard, declared that records should be released to the public unless doing so would violate another law or cause foreseeable harm to protected interests including personal privacy and national security. Implementation of the new "presumption of disclosure" policy brought mixed results, with some federal agencies releasing more information to the public than in the past, and other agencies actually adopting more restrictive approaches.

An exception to judicial support for press freedom involves demands by prosecutors for information gathered by reporters, including material from confidential sources. Several journalists have gone to jail on contempt of court charges for refusing to hand over material in recent years, and others were spared jail time only because the cases ended in settlements and the

legal proceedings against them were dropped. Federal legislation that would grant journalists a qualified right not to reveal news sources in federal cases passed the House of Representatives in April 2009 and was under consideration by the Senate at year's end. The bill would allow journalists to withhold sources except in cases where their testimony would be critical to the outcome of a trial, in cases of potential terrorism, or when the testimony or information would fulfill a "compelling public interest." In May, Texas became the 37th state to adopt a law protecting journalists' sources.

The media in the United States are overwhelmingly under private ownership. Nevertheless, National Public Radio, which is funded by a combination of government allocations and 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 commission deemed to be acts of indecency.

In an improvement from previous years, there were few attacks on journalists during 2009. In April, prosecutors secured an indictment against the suspected organizers behind the 2007 murder of journalist Chauncey Bailey in California. The case was still pending at year's end. In August, Rahman Bunairee, a Voice of America (VOA) reporter fleeing from his homeland of Pakistan after receiving threats due to his reporting on the Taliban, was detained for 10 days by U.S. immigration officials. The Committee to Protect Journalists reported that Bunairee had a visa that would have allowed him to enter the country legally and start working for VOA. In September, two journalists were detained while covering protests surrounding a meeting of the Group of 20 in Pittsburgh.

Media coverage of political affairs is aggressive and in some cases partisan. The press itself is frequently a source of controversy, with conservatives and liberals alike accusing the media of bias. The appearance of enhanced polarization is driven to some degree by the growing influence of blogs, many of which are aggressively partisan. Nonetheless, most U.S. newspapers make a serious effort to keep a wall of separation between news reporting, commentary, and editorials. Ironically, the trend toward fewer family-owned newspapers and more newspapers under corporate control has contributed to a less partisan, if blander, editorial tone. 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 private television networks.

Traditional media, including print and broadcast outlets, have suffered financially from the increasing popularity of the internet as a news medium. The newspaper industry in the United States is undergoing a period of profound decline and readjustment. There are an estimated 1,400 daily newspapers geared primarily toward local readerships, but even the largest and most prestigious papers have faced falling circulations. Newspaper advertising revenues declined by 26 percent in 2009, a larger drop than in the previous two years. A similar decline has afflicted the leading news magazines, with the six largest suffering an 8 percent drop in revenue in 2009, and even steeper losses for former giants like *Time* and *Newsweek*. Major television networks, the primary means of news dissemination in the country, have also suffered major audience declines in recent years, leading to significant reductions in staff and coverage.

Media ownership concentration is an ongoing concern in the United States. The 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.

The decline in coverage offered by traditional media has been only partially offset by the mushroom growth of cable television and internet journalism. Approximately 76 percent of Americans used the internet in 2009, placing the country among the world leaders in internet penetration. The number and influence of internet sites and blogs have exploded in recent years, and blogs have proven to be an important source of information in many instances. However, as noted above, blogs devoted to public policy questions are often highly partisan and contribute to ideological polarization.

Uruguay

Status: Free

Legal Environment: 7

Political Environment: 10

Economic Environment: 8

Total Score: 25

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	29,F	28,F	30,F	30,F	26,F

Uzbekistan

Status: Not Free

Legal Environment: 29

Political Environment: 37

Economic Environment: 26

Total Score: 92

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	85,NF	90,NF	91,NF	92,NF	93,NF

- The government of President Islam Karimov showed no respect for nominal constitutional guarantees of freedom of the press in 2009. 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 censor themselves. In February 2009, independent journalist Kushodbek Usmon was sentenced to six months in prison for defamation in an article criticizing local police forces. Usmon was released in July and told Radio Free Europe/Radio Liberty (RFE/RL) that he had been tortured in prison. In December, the Uzbek Communication and Information Agency initiated a defamation case

against photographer Umida Akhmedova for allegedly damaging the country's image through a photo album and documentaries depicting Uzbek villages for a project supported by the Swiss embassy in Tashkent. The case was pending at year's end.

- The government used aggressive harassment and intimidation to influence the media. In February 2009, two journalists—editor Khamza Dzhumayev of the science magazine *Irmok* and reporter Shavkat Alimov of the newspaper *Etti Iklim*—who were accused of belonging to the banned Nur religious movement received long prison sentences for “producing and distributing material whose content threatened public order and security” and “participating in a banned religious, extremist, separatist and fundamentalist organization.” In June, independent journalist Dilmurod Sayid received a 12.5-year prison term for extortion and bribery after he published articles on local corruption.
- According to the Committee to Protect Journalists, seven journalists were behind bars in Uzbekistan for political reasons in 2009, including Dzhamshid Karimov, who has been held in a psychiatric hospital since 2006. The country remained the most notorious in the region for detaining journalists in connection with their work. Another of the seven was Salijon Abdurahmanov, who had reported on the region of Karakalpakstan. The Karakalpak people relied heavily on the Aral Sea, which has been mismanaged and largely depleted in an unprecedented environmental disaster that the Uzbek government actively seeks to downplay.
- Widespread self-censorship is a serious problem, as journalists fear reprisal in the form of harassment, loss of employment, or jail time.
- The 2007 murder of ethnic Uzbek journalist Alisher Saipov in Kyrgyzstan remained a taboo subject. Saipov had been critical of the Uzbek government and its human rights abuses. In 2009, a Kyrgyz investigation concluded that Uzbek agents were not involved in the reporter's death, though the details of the probe were not released.
- An estimated 1,100 media outlets operate in Uzbekistan. The government controlled most national dailies and television stations, as well as the publishing houses and printing presses that handle 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 local media were linked either directly or indirectly to the state, and the National Security Service actively manipulated reports to present a carefully constructed image of the country, with occasional forays into limited criticism.
- The government does not permit the British Broadcasting Corporation (BBC), RFE/RL, or Voice of America to broadcast from within Uzbekistan. However, a small number of Russian tabloids and other foreign publications were available in the capital. Foreign media employees must obtain accreditation from the Foreign Ministry, and these accreditations have been revoked in recent years, forcing the journalists to leave Uzbekistan.
- The authorities muzzled the internet. Although an estimated 17 percent of the Uzbek population uses the internet, many users access the medium in institutional and public settings where state controls and the possibility of surveillance cripple their ability to obtain independent perspectives on events inside the country. Exiled Uzbek journalists were able to operate critical news sites from abroad, but the Uzbek authorities blocked access to these sites, especially if they reported on the 2005 Andijon massacre, in which government troops opened fire on a peaceful demonstration and reportedly killed hundreds of people. Online discussion of Saipov's murder was also restricted. The websites of RFE/RL, the BBC's

Uzbek service, and regional news outlets like Ferghana.ru and EurasiaNet were actively blocked by the government during the year.

Vanuatu

Status: Free

Legal Environment: 6

Political Environment: 9

Economic Environment: 8

Total Score: 23

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	24,F	25,F	24,F	23,F	23,F

Venezuela

Status: Not Free

Legal Environment: 26

Political Environment: 30

Economic Environment: 19

Total Score: 75

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	72,NF	72,NF	74,NF	74,NF	73,NF

Media freedom declined in Venezuela in 2009 due to increased legal harassment. The authorities suppressed political opposition in the media through harsh regulation of privately owned broadcast channels. 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. Since 2005, defamation of the president has been punishable by 6 to 30 months in prison, while offending lower-ranking officials carries lighter punishments. Individuals can also sue the press for “public disdain” or “hatred.”

In July 2009, the attorney general introduced a bill designed to curb “the abusive exercise of freedom of information and opinion” and to “prevent and punish actions or omissions” in the media that could constitute a crime. These included messages that threaten “social peace, the security and independence of the nation, the stability of state institutions, the peoples’ mental health or public ethics, and the justice system.” Following international criticism, the National Assembly shelved the bill in August. However, the legislature did adopt an education statute that prohibited materials inciting “hate,” “aggressiveness,” or “terror in children.” Journalists protested this law as a restriction on freedom of expression.

Regulatory harassment of the press continued unabated in 2009. After President Hugo Chavez succeeding in lifting term limits for elected officials in a February referendum,

authorities again resorted to revoking broadcast licenses and taking legal action against critical media organizations. In July, the National Telecommunications Commission (CONATEL) launched a sweeping review of 240 broadcast licenses, pulling 32 private radio and 2 private television stations off the air. While CONATEL called the move an effort to “democratize the airwaves,” it was widely seen as an attempt to suppress dissent.

Throughout 2009, the private, opposition-oriented television station Globovision remained a key target of official harassment. Beginning in May, Globovision faced a growing number of state inquiries, such as accusations of “inciting panic and anxiety in the population” after it aired reports of an earthquake in Caracas. By mid-June, CONATEL and the Attorney General’s Office had opened a formal review on possible violations of the 2000 Law on Telecommunications, including lack of a proper network registration. The commission launched another probe in July, this time into claims that the station had created a general state of “anguish, anxiety, and fear.” In an additional administrative proceeding launched in September, Globovision was accused of using on-air text messages to incite a rebellion or coup.

Radio Caracas Television (RCTV), a popular television station whose free-to-air broadcast license had been revoked in May 2007 and which had since operated a cable subsidiary called RCTV International (RCTVI) and an internet-based service, also faced renewed pressures in 2009. CONATEL extended the Law of Social Responsibility in Radio and Television to the cable industry, requiring domestic network operators to clear time for presidential addresses (*cadenas*) and state advertising, free of charge. On December 22, CONATEL announced that “international” stations would be defined as any cable or satellite channel on which foreign programming accounts for at least 70 percent of the content. Consequently, RCTVI could not qualify.

Journalists—largely but not exclusively from private media—continued to be intimidated, beaten, threatened, and detained, or have their equipment destroyed or confiscated. In January 2009, gunmen shot and injured political editor Rafael Finol of the pro-Chavez daily *El Regional* in Acarigua. In February, the progovernment group La Piedrita claimed responsibility for a number of attacks on independent journalists and threatened Globovision and the director of RCTV. Individuals believed to be employed or supported by the state assaulted Grupo Capriles newspaper reporters during a street protest in Caracas in July, criticizing them as “oligarchs” and “enemies of the people.” One of the attackers, a broadcaster with the state-owned Avila television station, was later arrested. In August, a group of at least 30 progovernment activists with the Venezuelan Patriotic Union (UPV) attacked the Globovision offices with tear gas, injuring a police officer. Past cases of harassment of opposition media have not been investigated sufficiently. Top officials also frequently engage in negative verbal rhetoric against journalists and media outlets that are perceived to be antigovernment, while opposition-aligned media owners respond in a similar fashion.

Although murders of journalists are relatively rare, with six reporters killed in the past decade, two Venezuelan journalists were murdered in separate incidents in January 2009. Jacinto Lopez of *El Impulso* was kidnapped and shot to death, and Orel Sambrano, director of the political weekly *ABC de la Semana* and Radio America, was shot and killed by gunmen on motorcycles. Two suspects were arrested in connection with Sambrano’s killing in February and July, but the alleged mastermind of the murder remained at large, and no trial date had been set by year’s end. Before his death, Sambrano had been publishing stories about the drug trade in the Valencia area.

While a large portion of the print sector and a number of opposition broadcast outlets remain hostile toward the government, their share of the market has declined in recent years, as the government has canceled or taken over private outlets' licenses. Mass media investment and usage remain a top priority for the Venezuelan government, which relies on some 238 radio stations, 28 television channels, 340 publications, and 125 websites to disseminate its political platform. Venezuela's leading newspapers are privately owned, though dependence on government advertising encourages the papers to avoid critical coverage or politically sensitive topics. Self-censorship is also practiced regularly due to harassment and threats of fines or closures. The government began publishing a new newspaper in September 2009, though the only other government-run paper, *Diario Vea*, has a low circulation.

The government maintains control over most of the free-to-air broadcast media. For a number of years, prominent private networks have decidedly avoided confrontation with the government, minimizing if not eliminating their criticism of the Chavez administration. After toning down its anti-Chavez line, Venevision had its license renewed for another five years in 2007, as did Televen in 2008. During a March 2009 broadcast of his weekly television show, Chavez ordered the government leadership at all levels to investigate radio stations and newspapers, determining their content and owners. This declared "media war" with the opposition also extends to material on the internet.

By the fall of 2009, Venezuela had around 8.3 million internet users, for a penetration rate of some 31 percent. Broadband connections and both fixed and mobile telephony were also expanding rapidly. While internet use is generally unrestricted, there were some repressive actions during the year. In July, the authorities arrested Gustavo Azocar, a newscaster and political commentator for the local television station Televisora del Tachira and a correspondent for the national daily *El Universal*. Azocar had been openly critical of the state and central government, deploring instances of Venezuelan censorship and self-censorship in the local and international media. He was held in contempt of court for allegedly blogging about his case and violating a gag order. By mid-December, his trial had been postponed after six hearings, and he remained in jail at year's end.

Vietnam

Status: Not Free

Legal Environment: 28

Political Environment: 32

Economic Environment: 22

Total Score: 82

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	82,NF	79,NF	77,NF	82,NF	83, NF

The Vietnamese government in 2009 continued a crackdown on journalists and other dissidents that had begun in 2008. As more reporters have turned to the internet to criticize the state on politically sensitive issues, online censorship has increased, with bloggers being specifically targeted for harassment and detention.

Although the 1992 constitution recognizes freedom of opinion and expression, 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 defamation laws 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 response to increasingly vibrant reporting by both the traditional and internet-based news media, the government issued a decree in 2006 that defined over 2,000 additional violations of the law in the areas of culture and information, imposing hefty fines for offenders, with a particular focus on protecting "national security." The types of content that are most often targeted for censorship or repression include 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 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 monopoly on power 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. Concerns driven by civil society, such as those relating to the environment or business, also are given more leeway. However, as detailed below, at least four journalists were detained during 2009 for using personal websites to criticize the government on long-running border disputes with China. In October, nine bloggers were charged with antigovernment propaganda and sentenced to prison terms ranging from two to six years. Human rights activists criticized the CPV for delaying their sentencing until after Vietnam took over the presidency of the UN Security Council. Some journalists have been dismissed from their jobs for personal blogging. In one highly publicized case, newspaper reporter Huy Duc was fired from the government-run *Saigon Tiep Thi* after writing in a personal blog about human rights abuses committed by Vietnam's former Communist ally, the Soviet Union.

Foreign reporters continued to be monitored closely. Their movements within the country were restricted, and they faced disciplinary action from the propaganda department. However, most foreign journalists are relatively free to write critical analysis on a narrow range of subjects that are usually more of interest to a foreign audience.

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 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 local businesses in urban areas have satellite dishes, in some cases allowing them to access foreign programming. There is an ever-widening space for popular culture, such as Vietnamese-made comedy and films, but more politically provocative issues, such as high-level corruption, remain strictly off limits, and reporters who test these boundaries are subject to arrest and discipline.

Almost all print media outlets are owned by or under the effective control of the CPV, government organs, or the army. Several of these 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. They, along with the popular

online news site VietnamNet, also have a fair degree of editorial independence, though this autonomy is constantly tested. 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. Radio is controlled by the government-run Voice of Vietnam or other state entities.

A new law obliges foreign publishers to reapply annually for a distribution license. Foreign periodicals, though widely available, are sometimes censored, and the broadcasts of stations such as Radio Free Asia are periodically jammed.

Rising internet penetration has posed problems for the CPV, which seeks to both promote new technology and restrict criticism in online forums. More than 27 percent of Vietnamese reportedly had internet access at the end of 2009. 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 serves nearly a third of all internet users. ISPs are required by law to block access to websites that the government considers politically unacceptable. These are mainly Vietnamese-language sites, including those belonging to opposition political parties; many foreign news sites remain accessible. Due to an increase in blocked sites in 2009, the OpenNet Initiative, a research project on internet censorship, ranked Vietnam along with Burma and China among the nations in Asia that “continued to block content with the greatest breadth and depth.”

The Ministry of Information and Communications in 2008 formed an agency responsible for monitoring the internet and bloggers. Some 300 cybercafes have software that tracks visits to banned websites and records the personal information and browsing activities of users. According to new regulations enacted in 2008, blogging platforms operating in Vietnam are required to remove harmful content, report to the government every six months, and provide information about individual bloggers as requested. In August 2009, the Singapore-based platform Yahoo! 360°—used by the majority of Vietnamese bloggers—shut down due to glitches, forcing many bloggers to move their sites to WordPress or Facebook. However, access to Facebook had become patchy by year’s end following an official directive ordering ISPs to block the application.

The Committee to Protect Journalists named Vietnam as one of the 10 worst countries to be a blogger in 2009. In addition to the nine bloggers sentenced in October, Nguyen Van Hai remained behind bars after being sentenced in 2008 to 30 months in prison for tax evasion, and two other bloggers were temporarily detained in August 2009 for allegedly jeopardizing national security through their writings. The first, Bui Thanh Hieu, who blogs under the name Nguoi Buon Gio, was detained after commenting on the Vietnam-China maritime dispute, a controversial bauxite mining project in the Central Highlands, and the June arrest of human rights lawyer Le Cong Dinh. According to the Free Journalists’ Network of Vietnam, police confiscated two computers and other personal belongings after taking Hieu away for questioning. A day later, police arrested Pham Doan Trang, a reporter for VietnamNet who had blogged about Vietnam’s maritime border dispute with China. After Trang’s arrest, the government blocked access to several of her articles.

Yemen

Status: Not Free

Legal Environment: 26
Political Environment: 32
Economic Environment: 22
Total Score: 80

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	76,NF	81,NF	80,NF	78,NF	79,NF

- 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—with a possible exception for “constructive criticism”—or publishing a variety of other harmful material, including that which undermines public morality, prejudices the dignity of individuals through smears and defamation, or distorts the image of Yemeni, Arab, or Islamic heritage.
- The government tightly controls licensing for newspapers and magazines. The outlets must apply annually for license renewal, which requires proof of 700,000 riyals (US\$3,400) in operating capital. Preferential treatment is given to progovernment publications, with opposition-oriented media facing undue bureaucratic obstacles in their licensing efforts.
- According to the Yemeni Observatory for Human Rights, the government closed or pressured at least 20 newspapers in 2009, including both progovernment and opposition-aligned publications. In April, the Ministry of Information (MOI) banned the independent weekly *Al-Dayari* for having published an “offensive” cartoon. In May, the government suspended the production of six independent weeklies—*Al-Nida*, *Al-Shari’*, *Al-Masdar*, *Al-Watani*, *Al-Diyar*, and *Al-Mustaqilla*—on the grounds that the newspapers “were using the rhetoric of secessionism and targeting national unity.”
- Despite the government’s denials, official censorship does occur. The government exerts editorial influence over broadcast media by selecting items that are to be covered during newscasts. Moreover, 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. Arrests were often premised on government attempts to combat terrorism or sedition. The pattern of impunity for crimes against journalists continued, as there was no progress in several high-profile cases from previous years.
- Journalists who reported on a regional protest movement in the south or an ongoing civil conflict in the northern Saada area were especially vulnerable to harassment. The government made significant attempts to curtail reporting on such issues, including restrictions on freedom of movement, mobile-telephone service disruptions, direct warnings to journalists, and arrests. Khaled al-Jahafi, a reporter for the website Al-Sahwa Net, was arrested in late December while photographing clashes between security forces and separatists in southern Yemen. Al-Jahafi was reportedly beaten in police custody.
- In 2009, officials targeted the independent daily newspaper *Al-Ayyam*, one of Yemen’s oldest publications, with routine harassment of its editors, reporters, and owners. *Al-Ayyam* ceased publication in May and had not resumed by the end of the year following the authorities’ seizure of multiple distribution trucks and the destruction of tens of thousands of copies, as

well as a forced printing stoppage. According to Reporters Without Borders (RSF), the military shot into the paper’s headquarters in Aden on May 13, killing one employee and wounding three others. One *Al-Ayyam* journalist, Anis Ahmed Mansur Hamida, was sentenced to 14 months in prison in July for “attacking national unity” and “separatism.” In another case in December, journalists Fouad Rashid, Salah al-Saqldy, and Ahmed Rabizi went on trial for alleged offenses including “threatening national security.”

- According to Women Journalists Without Chains, an independent organization that monitors violations of press freedom in Yemen, the government controls 30 newspapers, 162 are independent, 59 are linked to political parties, and 50 are associated with civil society organizations. The government also controls 22 magazines, while only 6 are independent, 4 are affiliated with political parties, and 33 are run by civil society organizations. The government maintained its complete monopoly over terrestrial broadcast media, with two television channels and two national and four regional radio channels. In July, authorities threatened to close the Yemeni branch of the Qatar-based satellite television station Al-Jazeera, alleging that its broadcasts were “hostile to the unity and security of Yemen.” Critical reporting on the government is uncommon, as most news content is determined by the state. However, despite attacks and intimidation tactics, opposition and independent outlets have pursued more politically sensitive stories in recent years, including corruption allegations.
- The MOI exerts influence over the print media in part by controlling nearly all printing presses and manipulating advertising subsidies. In December, Prime Minister Ali Mohammed Mujur issued a ban on publishing state advertisements in independent media outlets.
- Approximately 1.8 percent of the population regularly accessed the internet during 2009. Significantly fewer women than men used the medium, as it is primarily available in internet cafes, which cultural conventions generally prevent women from visiting. 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 database for Al-Baidhpress, a website that provided critical coverage of politics, was destroyed by hackers in February. Newomma.net, the website of the political party Al-Haq, was hacked and had its content manipulated in May. The country’s two internet-service providers are government controlled and use commercially available filtering technology.

Zambia

Status: Not Free

Legal Environment: 19

Political Environment: 25

Economic Environment: 20

Total Score: 64

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	65,NF	64,NF	64,NF	64,NF	65,NF

- Despite a promise by President Rupiah Banda to stop ongoing violence against journalists, independent media in Zambia continued to face legal harassment and physical intimidation in 2009.
- Freedom of speech is guaranteed in the constitution, but the relevant language can be broadly interpreted. A new draft constitution that is currently under debate explicitly guarantees freedom of expression.
- Criminal libel laws remain in effect, and the government has stalled on passing freedom of information legislation as well as proposed laws to reform the broadcasting sector.
- The issue of media regulation remains contentious. While groups within the industry made progress toward establishing a self-regulatory body in 2009, some government officials favor statutory regulation.
- In January, the Ndola High Court banned the *Post*, the country's leading independent newspaper, from covering an ongoing court case involving former president Frederick Chiluba because the paper allegedly published a "highly prejudicial" article about the proceedings.
- In July, obscenity charges were brought against *Post* editor Chansa Kabwela after she sent photographs of a woman giving birth in the street during a health workers' strike to Zambia's vice president, health minister, and other officials to highlight an ongoing health-sector crisis. Later in October, the *Post*'s editor in chief, Fred M'membe, faced a contempt charge after he published an editorial by a U.S.-based professor that criticized the case against Kabwela. Although the obscenity charges were dismissed in November, M'membe's trial began in December and continued at year's end.
- Physical harassment of Zambian journalists occurs regularly. In February, a group of 11 plainclothes police officers beat and pepper-sprayed *Post* photographer Abel Mambwe and detained him with reporter Mutuna Chanda after he photographed them assaulting an unlicensed taxi driver. Later that month, supporters of the ruling Movement for Multiparty Democracy beat up *Post* photographer Thomas Nsama in retaliation for the paper's reporting on the president.
- The government controls the *Zambia Daily Mail* and the *Times of Zambia*, both of which are widely circulated. Content is reviewed prior to publication, and many journalists practice self-censorship. Several privately owned newspapers like the *Post* operate freely, though officials use legal means to suppress criticism of the government.
- The government-owned Zambia National Broadcasting Corporation is the primary outlet covering domestic news. Its reporting remains heavily biased in favor of the government and against the opposition. However, a growing number of private radio and television stations, including community radio stations, broadcast alongside state-owned outlets, and international services are not restricted. Some of the local private stations, including as SkyFM and Radio Phoenix, carry call-in shows on which diverse and critical viewpoints are freely expressed.
- The government does not restrict internet access, though only 6.3 percent of the population used the medium in 2009. At least one foreign national faced repercussions after posting antigovernment remarks on her blog, while another was threatened, according to the U.S. State Department.

Zimbabwe

Status: Not Free
Legal Environment: 27
Political Environment: 30
Economic Environment: 27
Total Score: 84

Survey Edition	2005	2006	2007	2008	2009
Total Score, Status	89,NF	90,NF	89,NF	89,NF	88,NF

Despite an environment of greater openness following the formation of a national unity government in February, press freedom in Zimbabwe remained tightly restricted in 2009. Proposed reforms to liberalize the media sector after years of authoritarian abuse were stalled by President Robert Mugabe’s Zimbabwe African National Union–Patriotic Front (ZANU-PF) party, which was still entrenched in the executive branch.

Even with constitutional provisions for freedom of expression, a draconian legal framework continues to inhibit the activities of journalists and media outlets. The 2002 Access to Information and Protection of Privacy Act (AIPPA) 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 which publications can operate legally and who is able to work as a journalist. In addition, the Official Secrets Act, the Public Order and Security Act (POSA), and the Criminal Law (Codification and Reform) Act severely limit what journalists may publish and mandate harsh penalties—including long prison sentences—for violators.

The power-sharing agreement between ZANU-PF and two factions of the Movement for Democratic Change (MDC), the longtime opposition party, mandated the creation of a new, independent Zimbabwe Media Commission (ZMC) to replace the state-controlled MIC. In August, Parliament submitted a list of 12 potential ZMC commissioners to the president, but the new panel had not been formed by year’s end, and a case brought by four journalists who had been barred from covering a regional summit in Harare forced government lawyers to concede that the MIC no longer had accreditation powers. The delayed overhaul prevented a number of publications—including the *Daily News*, Zimbabwe’s only independent daily until it was shuttered in 2003, and a new private daily, *NewsDay*—from receiving the requisite licenses to operate legally. In July, a special government committee approved granting licenses to the *Daily News* and its sister paper, the *Daily News on Sunday*, but the licenses were still pending at the end of the year. In September, a new state-run daily, *H-Metro*, was launched in Harare.

To a lesser extent than in previous years, authorities continued to exploit Zimbabwe’s repressive laws to harass and punish journalists, relying less on AIPPA and POSA and more on the Criminal Law Act. In March 2009, three journalists from the *Bulawayo Chronicle* were charged with criminal defamation and breaching the Criminal Law Act in an article that exposed corruption at the state-run Grain Marketing Board. In June, similar charges were filed against two journalists from the *Zimbabwe Independent* for a report criticizing law enforcement agencies that arrested and abused a group of opposition and civic activists in 2008, including human rights advocate Jestina Mukoko and photojournalist Shadreck Manyere. Journalists also faced verbal intimidation, physical attacks, arbitrary arrest and detention, interception of communications, and financial pressure at the hands of the police, government officials, and supporters of the ruling

party. In May, Manyere was rearrested and denied bail after being released from the high-security Chikarubi Prison in April. He told the Committee to Protect Journalists (CPJ) that he had been beaten, repeatedly blindfolded, and kept in iron shackles in prison. Faced with legal restrictions as well as the threat of extralegal intimidation, many journalists practice self-censorship.

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 also subject to official harassment.

In general, foreign journalists are not allowed to reside full-time in the country and are regularly denied visas to file stories from Zimbabwe. Locally based correspondents for foreign publications, particularly those whose reporting has portrayed the regime in an unfavorable light, have been refused accreditation or threatened with lawsuits and deportation. During the past several years, dozens of Zimbabwean journalists have fled the country, mostly to South Africa and Britain; according to CPJ, Zimbabwe has one of the largest numbers of exiled journalists in the world. In January, the MIC, citing AIPPA, significantly raised the accreditation fees for foreign journalists, foreign outlets, and local journalists working for foreign outlets. However, in July the government lifted its outright ban on two major international news organizations, the British Broadcasting Corporation and the U.S.-based Cable News Network.

The government, through the Mass Media Trust holding company, controls the two main daily newspapers, the *Chronicle* and the *Herald*. Coverage in these papers generally 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, particularly regarding stories on corruption or factional fighting within ZANU-PF. The *Zimbabwean* is produced in South Africa for the Zimbabwean market, and some foreign newspapers, most of them also from South Africa, are available. Newspapers typically have poor distribution networks outside urban areas, and they have been buffeted by soaring prices for newsprint. In a positive development, the government eliminated its 40 percent “luxury” import tax on foreign newspapers in July. According to MISA’s African Media Barometer, state-run companies do not advertise in private papers, and state-run media outlets do not accept advertising from companies thought to be aligned with the opposition. Owing to poor economic conditions and salaries that do not keep pace with inflation, journalistic corruption and cash incentives for coverage have become rampant.

The state-controlled Zimbabwe Broadcasting Corporation (ZBC) runs all broadcast media, which are subject to overt political interference and censorship. ZBC coverage, particularly before and during elections, overwhelmingly favors ZANU-PF. In 2009, retired military and intelligence officers loyal to Mugabe were appointed to sit on the boards of state-owned newspapers, the ZBC, and the NewZiana news agency. The Broadcasting Services Act bans foreign funding and investment in this capital-intensive sector, making it very difficult for private players to enter the market. Broadcasting licenses have been consistently denied to independent radio stations, despite calls by a parliamentary committee for liberalization; in 2009, former MIC head and Mugabe ally Tafataona Mahoso was appointed chairman of the Broadcasting Authority of Zimbabwe (BAZ), which is responsible for granting radio and television licenses.

Radio broadcasts are currently the predominant source of information in rural areas. However, access to broadcast media in such 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 have used Chinese technology to jam the signals of increasingly popular foreign-based radio stations that broadcast into Zimbabwe, including SW Radio Africa, a station run by exiled Zimbabwean journalists in London; the Voice of America's Studio 7 service; and the Voice of the People. Such signal jamming was reduced somewhat in 2009. 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 penetration for Africa, at 11.3 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." According to CPJ, journalists and opposition activists are regularly subject to such surveillance.