



2007 Annual Report

AMERICAS

A YEAR FULL OF DANGER

Do economic development and democracy ensure true freedom of the press? Not if you judge by the 2006 record in the Americas, where the holding of 12 major elections was offset by a grim toll for journalists. From five killed in 2002, the figure rose to seven in 2005 (after 12 in 2004) to 16 in 2006, plus four others who disappeared.

Mexico recorded nine dead and three missing as drug-trafficking spread, political instability was aggravated by serious unrest in Oaxaca state from May onwards and the 2 July election of Felipe Calderón to the presidency was disputed. The shooting death of American cameraman Brad Will, of the *Indymedia* news agency, while he was filming a 27 October teachers' demonstration in Oaxaca showed the ready violence of the authorities and continuing failure to punish those responsible for attacks on journalists. Two policemen reportedly close to the state governor who were involved in the killing were freed after being held for a month.

Three journalists were killed in Colombia and a dozen others were forced to flee their region (and sometimes the country) after being threatened. The break-off in negotiations between the government and the FARC guerrillas once more prevented the media travelling to some parts of the country.

The failed demobilisation of the right-wing paramilitary forces, many of whom switched to drug-trafficking and contract killings, was a major threat to local journalists in the northern provinces and coastal regions. "Demobilised" paramilitaries were reportedly behind the 4 February shooting in the northern town of Montería of Gustavo Rojas Gabalo, of *Radio Panzemu*, who died six weeks later in hospital.

CARIBBEAN PRISON

Cuba, the last dictatorship in the Americas, is thus no longer the only country in the region to jail journalists but it remains the world's second biggest prison for them, with 24 detained. President Fidel Castro's handover of power to his brother Raúl on 31 July did not soften the regime's attitude to dissident media and secret police hounding and summoning of journalists increased in the second half of the year.

Two journalists arrested in 2005 were freed but two others were imprisoned. They were Armando Betancourt, a freelance working with the *Nueva Prensa Cubana* agency in Camagüey held without trial by state security police since 23 May, and Raymundo Perdigón Brito, founder of the *Yayabo Press* news agency, who was given a four-year prison sentence on 5 December for "socially dangerous behaviour." Guillermo Espinosa Rodríguez, of the *Agencia de Prensa Libre Oriental (APLO)*, was put under house arrest for two years.

A 25th journalist is a prisoner in Cuba but Sami Al-Haj, a Sudanese cameraman for the Arab TV network *Al-Jazeera*, was being held by the United States at its military base of Guantanamo (in southern Cuba) among 400 "enemy combatants" out of the reach of US laws in the name of the US "war on terrorism." He has not been charged, but has been interrogated almost daily and is now in his fifth year of captivity in this base, which is largely out of bounds to the media and which the international community has urged be closed.

This legal and humanitarian scandal was accompanied by a worsening of press freedom in the US, as shown by the imprisonment on two occasions of blogger Josh Wolf (in August and in September). He could stay in jail until July 2007 unless he formally agrees to hand over his video archives. More than a dozen cases concerning the privacy of journalistic sources are before federal courts, while 33 US states recognise a journalist's right not to reveal them. A federal bill to do the same, proposed in February 2005, has not yet been debated or voted on.

PEACE OR FREEDOM?

In Central America, the media is fairly free in Costa Rica and Panama. The rarity of physical attacks on journalists in Nicaragua and El Salvador has less to do with true press freedom and more due to political control of the media and self-censorship. In Guatemala and Honduras, these problems combine to

produce violence against a lively media. Guatemalan radio journalist Eduardo Maas Bol was killed on 9 September and Vinicio Aguilar Mancilla, of the independent station *Radio 10*, escaped assassination in August. Journalists on the Honduran website *Revistazo.com* were repeatedly threatened by a security firm. Politicians committed violence against journalists or demanded their dismissal.

In Haiti, the media only suffered a few physical attacks or abuses of authority in 2006. However the killers of journalists murdered under the rule of President Jean-Bertrand Aristide and the interim government that succeeded him remained unpunished and the suspects walk freely in public. New President René Préval has a big job ahead of him to create a fair and effective system of justice.

In South America, three journalists were killed and one vanished. Two were murdered in Ecuador in 24 hours in February, though only that of José Luis León Desiderio, of *Radio Minutera*, may have been because of his work. The disappearance and probably murder in Paraguay of Enrique Galeano, of *Radio Azotey*, on 4 February and the attempted shooting of a reporter of the daily *ABC Color* showed how exposed the media was to shady links between politicians and organised crime.

Peru kept its regional record for daily physical attacks and threats against the media, with more than 100 recorded during the year. Two politicians jailed for killing two journalists in 2004 were controversially freed.

POLITICAL ROWS

Tension remains high between the privately-owned media and President Hugo Chávez' government in Venezuela. Nearly five years after a failed coup against him and his easy reelection on 3 December 2006, the country's broadcasting groups remain under pressure but the government has made little use of the media-curbing laws it has pushed through, such as the November 2004 media social responsibility law and a March 2005 reform of the criminal code. Indeed, 25 articles of the new code have been appealed against by the prosecutor-general as unconstitutional. The media paid the price of persistent lawlessness. Jorge Aguirre, a photographer of the daily *El Mundo*, was shot dead by a bogus policeman during a demonstration and a score of journalists were physically attacked, especially during the presidential election campaign.

Violence also increased at election time in Brazil, where a journalist was beaten to death by a town councillor and a community radio commentator was shot and wounded by a gunman while he was on the air. Some media outlets were targets of legal harassment, censorship and sometimes spying by federal police during the election campaign in October. But relations between government and the major privately-owned media became easier.

In Argentina however, President Néstor Kirchner still refused to hold press conferences. Intimidation, political pressure and especially blackmail by withholding public advertising led to broadcasts being censored and journalists at local and national level dismissed. The personal e-mail accounts of two journalists on the national daily *Clarín*, were hacked into in May, causing a scandal.

Though it came top among southern hemisphere countries in the 2006 worldwide press freedom index, Bolivia once more plunged into crisis in the last quarter of the year. Evo Morales, who took office in early 2006 as the country's first indigenous president, now faces the threat of secession by four provinces. The media was the first target of the struggle between government and opposition. As happened in Venezuela, the gap between state and privately-owned media has widened and a "media war" may erupt. Two fire-bombs damaged the pro-government TV station *Canal 7* in the opposition-controlled city of Santa Cruz.

Benoit Hervieu
Head of Americas desk

ARGENTINA

Area: 2,780,400 sq.km.

Population: 38,750,000.

Language: Spanish.

Head of state: Néstor Kirchner.

Relations between the presidency and the media are still just as tense, while political pressures and blackmail through attribution of public advertising have led some national and provincial media to censor themselves.

President Néstor Kirchner's wife, Sen. Cristina Fernández, publicly called journalists "fools" and "ignoramus" on national independence day on 9 July, which did not help to calm the very tense relationship between the authorities and the media. Kirchner himself still holds no press conferences and political pressure at national and provincial level has caused some radio and TV stations to drop programmes and even dismiss journalists who presented them.

2006 began badly for José "Pepe" Eliashev, of the state-owned *Radio Nacional*, whose discussion programme "Esto que pasa" was dropped from 1 January. He said he had been dismissed for criticising the federal government's silence towards the media. Threats to withhold public advertising often forced the media to fall in with the dictates of provincial governors and politicians.

In the northern province of Tucumán, the "Periodismo de Verdad" programme on TV station 5 *ATS* was suspended indefinitely on 13 March, officially because management wanted more time for entertainment and less for politics. But the real reason was that the provincial government had threatened to withhold a vital €20,000 worth of advertising. The same thing happened to a programme, "Séptimo Día," on the *LU12 Radio Rio Gallegos* station in President Kirchner's home province of Santa Cruz, on 3 May, and in July to the morning programme "Desayuno" on the state-run TV station *Canal 7*, whose presenter, Marcela Pacheco, had been dismissed without explanation a month earlier.

The mayor of Quilmes (Buenos Aires province), Sergio Villordo, tried to shut down two privately-owned radio stations - *FAN 103.9* and *Radio Quilmes 106.9* - by getting the federal broadcasting committee (COMFER) not to renew their licences. In June, the federal chamber of deputies urged COMFER to restore them but this has still not been done. The station's director, Pedro Navarro, was physically attacked in August by a politician of the local ruling Justicialist Party and hospitalised.

Thirty-four journalists were physically attacked during the year, often by politicians, civil servants or police. Carlos Furman, of the radio station *2 de octubre*, had to hide in a hotel for more than three months wearing a bulletproof vest after he criticised the mayor of Santa Elena, in Entre Ríos province, where physical attacks were common. The personal e-mail accounts of several national-press journalists, including two on the daily paper *Clarín*, were hacked into in May, causing a scandal.

Two radio journalists, Néstor Pasquini and Hugo Francischelli, have been detained in the northern city of Córdoba since 20 December for alleged "incitement to violence", "arson" and "assault" while covering a demonstration that turned violent earlier in the month. They face between three and 15 years in prison.

Relations with the media and allocation of public advertising have become issues in the campaign for the 2007 presidential elections. The parliamentary opposition has proposed three bills to allocate advertising more fairly but they have not reached parliament's agenda.

BOLIVIA

*Area: 1,098,580 sq.km.
Population: 9,182,000.
Language: Spanish.
Head of state: Evo Morales Ayma.*

The country came top in the Americas in the latest Reporters Without Borders world-wide press freedom index published in September 2006 thanks to very few attacks on journalists. But political instability may widen the gap between state and privately-owned media.

With only 13 physical attacks on journalists recorded in 2006, Bolivia did better than neighbouring Peru, Argentina and Brazil for press freedom. But this was tempered by the fact that the media is still weak in Bolivia compared with that in its neighbours and journalists seldom dare to tackle sensitive topics such as drug-trafficking and especially corruption.

The current relatively calm period for the media may not last however due to the very volatile political situation. The media, both pro-government and opposition, was the first target of political score-settling in December when a constitutional crisis arose.

The country reached a milestone in December 2005 by electing its first indigenous president, Evo Morales, a democrat who supports Cuban President Fidel Castro. Soon after his inauguration in January 2006, he publicly rebuked a TV journalist who called Castro a dictator. The former coca-growers' leader is suspicious of the privately-owned media. His nationalisation of the country's natural gas and oil resources and summoning of a constituent assembly (elected in August) is also

fiercely opposed by the country's oligarchy and right-wing parties that once held power.

The opposition governs four of the country's nine provinces and has threatened secession, staged demonstrations and attacked state-owned media. Two fire-bombs damaged the pro-government TV station *Canal 7* on 8 September in the eastern city of Santa Cruz, the most vehement opposition stronghold. The authorities said it was the work of the Unión Juvenil Cruceñista, which is strongly opposed to Morales. The same week, Juan Domingo Yanique, correspondent of the state-owned radio station *Red Patria Nueva* in the northern province of Pando, another opposition base, was physically attacked by members of a local civic committee after he refused to say who he worked for. Another *Canal 7* reporter and a colleague from *Radio Televisión Popular* were also attacked while covering clashes between miners in October.

The government in turn did not spare the privately-owned media and the studios of the privately-owned TV station *Unitel* in La Paz were ransacked by government supporters on 12 October.

BRAZIL

Area: 8,547,400 sq.km.
Population: 186,405,000.
Language: Portuguese.
Head of state: Luiz Inácio Lula da Silva.

The murder of journalist Ajuricaba Monassa near Rio de Janeiro in July and a bid to kill a community radio presenter in May continued the violence against local media. Threats and censorship of media outlets accompanied the general election campaign in October.

Freelance journalist Ajuricaba Monassa de Paula, 73, was beaten to death by town councillor Osvaldo Vivas in Guapiririm (Rio de Janeiro state) on 24 July because he had reported on financial irregularities in the town government. Community radio presenter Camelo Luis de Sá escaped an attempt by the mayor's son in the northeastern town of Quiterianópolis to shoot him dead while he was on the air in May.

The risk of reprisal is still high in the country's media, especially for local radio stations and papers. Maria Mazzei, of the daily *O Dia*, had to go into hiding in late August for revealing a racket in corpses by organised crime in the Rio area. Local police and courts often react slowly and police are sometimes themselves involved in threats and efforts to intimidate. A complaint filed on 7 June by environmentalist Vilmar Berna, editor of *Jornal do Meio Ambiente*, in Niterói (Rio de Janeiro state), after repeated death threats was not dealt with for more than a month and only after the national daily *A Folha de São Paulo* carried an article about the case.

Three heavily-armed and hooded men broke into the newsroom of the São Paulo daily *Imprensa Livre*, roughed up seven staff members and burned 3,000 copies of the May 18 issue which contained an article about the riots in the city sparked by the criminal group First Commando of the City (PCC). About 40 cases of threats and physical attacks and the ransacking of four media offices were recorded during the year.

A TURBULENT CAMPAIGN

The national press was also involved in a scandal just before the October general elections, when Gedimar Passos, an activist of outgoing President Luiz Ignacio "Lula" da Silva's Labour Party, was

arrested on 15 September in a São Paulo hotel with a briefcase containing €600,000, which was to be used to buy a compromising file about the opposition Social Democratic Party (PSDB) and its leader, Geraldo Alckmin, who was beaten by Lula at the 29 October election.

Two days after this second round of the presidential vote, three journalists of the weekly *Veja* were summoned by federal police in São Paulo and pressured to reveal their sources in the matter. The daily *A Folha de São Paulo* said on 8 November that phones in its Brasilia offices were being tapped by federal police as part of the scandal over the file. Police wanted to know which journalists had had the slightest contact with Passos.

The election campaign also hit local journalists. *Diário de Marília*, based in Marília (São Paulo state) was physically attacked on 1 October by supporters of former mayor Abelardo Camarinha and his son, a local deputy. The two were already suspected of organising an arson attack on the paper's offices on 8 September 2005. Between August and October 2006, regional and federal election authorities gave in to demands by candidates for senator, deputy or governor to ban publication or seize material from media outlets or news websites in the states of Amapá, Minas Gerais, Paraná and the Federal District.

Despite these obstacles and the continuance of the 1967 press law inherited from the military dictatorship that allows imprisonment for media offences, the federal government promised to respect freedom of expression. President Lula signed the Inter American Press Association's Declaration of Chapultepec on press freedom on 3 May. He vetoed on 26 July a proposed law to regulate journalism by requiring journalists to have a diploma and belong to a journalism institute. The issue has

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divided the country's media and the two highest federal courts disagree on the diploma requirement. The High Court on 8 November voted for it and the Federal Supreme Court, which is above it, unanimously rejected it two weeks later.

A WORRYING PRECEDENT

Brazil's blogosphere was furious at the closure of the blog "Repique no meio do mundo." Federal

justice officials had ordered the editor of the blog on 17 August to remove a cartoon of a senate candidate. The blog's Brazilian host, UOL, then decided of its own accord to shut down the blog, a worrying precedent because it may encourage local Internet service providers to censor online publications regardless of a court decision.

CANADA

Area: 9,970,610 sq.km.

Population: 32,268,000.

Languages: English, French.

Head of government: Prime Minister Stephen Harper.

Relations between the federal government and the media have sharply cooled under new prime minister Stephen Harper and courts have been undermining the right to keep journalistic sources secret.

Conservative Party leader Stephen Harper, who became prime minister on 6 February 2006 after winning general elections, seems to distrust journalists. His government's attitude to the media is sometimes similar to the US administration, whose ally he is. Relations with the media became icy when the government on 22 April banned all broadcast coverage of the return of soldiers' bodies from Afghanistan. The exclusion of journalists at the Trenton (Ontario) military base three days later caused outrage, including among families of those killed. The media also criticised Harper's silence at the Asia-Pacific Economic Cooperation (APEC) summit in November.

Canadian journalists, like their US colleagues but to a lesser extent, are also threatened by attacks

on the confidentiality of journalistic sources. A new law passed on 15 September 2004 requires them to hand over documents, notes and sound and video recordings if asked by police as part of a criminal case, on pain of a maximum \$250,000 fine and/or up to six months imprisonment.

The law was used for the first time in February 2006, when reporter Bill Dunphy, of the daily *Hamilton Spectator*, was ordered by a court to hand over notes of an interview he had with a suspected drug dealer whose brother had been accused of murder. The order is being appealed. Another reporter on the paper, Ken Peters, was fined \$30,000 in 2004 for refusing to disclose one of his sources and is still waiting to hear the result of his appeal.

CHILE

*Area: 756,630 sq.km.
Population: 16,295,000.
Language: Spanish.
Head of state: Michelle Bachelet.*

Physical attacks are still rare but the police and army have not lost repressive habits left over from the military dictatorship. Five journalists were physically attacked and three others arrested after a demonstration on 30 May.

Chile has a good name for press freedom compared with the rest of Latin America but has not yet finished settling accounts concerning the 1973-90 dictatorship of Gen. Augusto Pinochet, who died on 10 December 2006 without being tried for murdering some 3,000 people during his rule, including 68 journalists and media assistants. Several TV journalists were attacked by his supporters on the eve of his funeral.

Journalists are still meeting a wall of silence about his regime and many complain of a persistent lack of diversity in the media. Jorge Molina, of the online daily *El Mostrador.cl*, was forced out of his job at the beginning of the year after posting the names of ex-torturers with the help of a group of former political prisoners.

Police and troops have not yet lost their bad habits of the dictatorship and journalists bore the brunt during the first big demonstration under President Michelle Bachelet, who took office in March. Eight journalists were attacked or arrested in front of the presidential palace in

the 30 May protest demanding educational reform that was harshly repressed by police.

Cameramen Marco Cabrera, Gustavo Pavez and Libio Saavedra, of TV stations *Red TV*, *Canal 13* and *Canal 9*, were stoned by police before being beaten on the ground. They and two photographers similarly beaten had to be hospitalised. Editor Julio Oliva of the weekly *El Siglo* and two other journalists were also forcibly taken to a police station, where they were told that their links to the Chilean Communist Party was reason enough to arrest them. The outcry at these attacks on the media led President Bachelet to dismiss the head of the special police forces, Osvaldo Jara, the next day.

The staff of the weekly *Impacto* received death threats from neo-Nazis, a year after the Valparaíso studios of the national TV station *TVN* had been defaced by them.

Press offences have still not been decriminalised and defamation suits are common, though they do not necessarily succeed.



COLOMBIA

Area: 1,138,910 sq.km.
Population: 45,600,000.
Language: Spanish.
Head of state: Alvaro Uribe Vélez.

Three journalists were killed and seven others forced to flee their region or even the country after being threatened. The paramilitary forces, dismantled but not disarmed, continue to terrorise people, especially in northern provinces.

President Alvaro Uribe, reelected on 28 May 2006, started off his second term poorly, with a new breakdown in talks with the Revolutionary Armed Forces of Colombia (FARC) guerrillas (about 17,000 fighters whose leaders are active enemies of press freedom), a scandal about bogus attacks by the army that were attributed to the FARC, another about links between ruling-party politicians and the paramilitaries and the failed demobilisation of the paramilitaries.

The 2003 "Justice and Peace" plan that ended in April 2006 demobilised 30,000 militia members of the right-wing United Self-Defence Groups of Colombia (AUC), in exchange for not being punished. So the plan satisfied nobody, especially not local journalists, who continued to be threatened by these predators of press freedom too, who were not disarmed and who simply switched to drug-trafficking and contract killings.

Four men, including two former paramilitaries, were arrested in the murder of Gustavo Rojas Gabalo ("El Gaba"), of *Radio Panzemu*, in the northwestern town of Montería. He had denounced local corruption and was shot by two men on a motorcycle on 4 February, dying in hospital six weeks later.

August was the worst month for the media, with the murder on the 9th of Milton Fabián Sánchez, of the community radio station *Yumbo Estéreo*, in the western town of Yumbo. The crime has not been solved but the journalist also tackled other sensitive subjects such as lawlessness and human rights violations. Atilano Segundo Pérez, programme director of *Radio Toledar*, in the northern town of Los Alpes de Cartagena, may have been killed on 22 August

because he publicly denounced the criminal activities of a supposedly demobilised group of paramilitaries.

FORCED TO GO INTO EXILE

The paramilitaries, condemned as leading enemies of the media by the country's Foundation for Press Freedom (FLIP) and well-established in northern coastal provinces, often threatened journalists and forced them to flee the region and sometimes the country. Olga Cecilia Vega, of the US daily *The New Herald*, has received death threats and warnings and been spied on ever since she interviewed a FARC military chieftain in October 2005. She had to leave the southern town of Florencia quickly on 1 February after an ultimatum from two strangers who accused her of being a "guerrilla." She twice escaped AUC attempts to kill her in 2002 when she worked for *RCN Radio*.

Nine other journalists were similarly forced to flee. Herbín Hoyos Medina, a former FARC hostage and presenter of the "Voices of captivity" programme on *Radio Caracol*, fled the country on 6 July after repeated threats from a mysterious Action and Justice Front for Freedom and Democracy. The also-unknown Social Front for Peace tried to compromise Hollman Morris, producer of the programme "Contravía" on the state-run TV station *Canal Uno*, by distributing a bogus video presenting him as a FARC spokesman. But former paramilitaries were behind it. Morris also enraged the army, the government and President Uribe himself, whose handling of the civil war he publicly criticised.

Defamatory accusations of working with guerrillas were also made in threats in June by paramilitaries (renamed The Democratic Front for Free Colombia and the United National Board for Free



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Colombia Self-Defence) against the NGO Media for Peace and 28 others, including FLIP. A “Black Eagles” commando waged a terror campaign in the north against local media, especially *Radio Galeón*, based in Santa Marta, from October to December.

The simmering conflict with neighbouring Venezuela (Uribe suspects Venezuelan President

Hugo Chávez of collaborating with the FARC) affected the media for the first time when Freddy Muñoz, Colombia correspondent for the Caracas-based Latin American TV station *Telesur*, which has close ties to Chávez, was arrested in Bogotá on 19 November and charged a month later with “rebellion and terrorism.” He was accused (without evidence) of being behind a FARC attack in 2002 but was conditionally freed on 9 January 2007.



CUBA

Area: 110,860 sq.km.
Population: 11,270,000.
Language: Spanish.
Head of state: Raúl Castro (interim).

President Fidel Castro's stepping-aside in favour of his brother Raúl did not reduce pressure on the independent media and 24 journalists remain in prison. One of them, Guillermo Fariñas Hernández, staged several hunger strikes over seven months, calling for free Internet access for all Cubans. He was awarded the Reporters Without Borders Cyber-freedom Prize.

Will defence minister and army commander Raúl Castro allow more basic freedoms after taking over from his ailing brother as acting president on 31 July 2006. So far the regime has continued hounding dissidents, especially independent journalists. Cuba is still the world's second biggest prison for journalists. Two were freed in 2006 but this was quickly made up for by the jailing of two others, making a total of 24 being held.

Lamasiel Gutiérrez Romero, correspondent for the website *Nueva Prensa Cubana* on the Isle of Youth, was freed on 22 March from Mantonegro prison in Havana province after serving a seven-month sentence for "civil disobedience and resistance." She returned to her home on the Isle of Youth under heavy police surveillance and was banned from leaving the island. Oscar Mario González Pérez, co-founder of the *Grupo de Trabajo Decoro* agency, was freed on 20 November after 16 months in prison without trial. He had been arrested on the eve of a demonstration by dissidents in Havana in July 2005 and was never charged with anything.

Armando Betancourt, a freelance working with the *Nueva Prensa Cubana* agency and editor of a small underground magazine, *El Camagueyano*, was arrested on 23 May by state security police in Camagüey and sent a week later to a police station where he was put in solitary confinement and not allowed any visitors. He too has never been charged.

Just after Raymundo Perdigón Brito started up a small news agency, *Yayabo Press*, with his sister on 17 November, he was arrested and given a four-year prison sentence on 5 December for "socially dangerous behaviour before an offence" by the provincial court in the central province of Sancti Spiritus. Ahmed Rodríguez Albacia, 22, of the *Jóvenes sin Censura* agency, also refused to drop his

journalistic activities and was held from 4 to 12 December at state security headquarters in Havana.

Arrests and short arbitrary detentions (about 30) during the second half of the year exceeded the number of routine threats and physical attacks. Odelin Alfonso, correspondent for *Cubamet*, and Milisa Valle Ricardo, of *Jóvenes sin Censura*, were held for a day on 13 September in police stations in Havana and the eastern city of Holguín. The same thing happened on 2 November to Roberto Santana Rodríguez, a Havana freelance for *Cubamet*, who had been summoned twice before by police in February and April. In Santiago de Cuba, Guillermo Espinosa Rodríguez, of the *Agencia de Prensa Libre Oriental* (APLO), was put under house arrest for two years for "socially dangerous behaviour."

Pressure was maintained on those rounded up in the March 2003 crackdown, both the 20 journalists still in prison and those who have been freed for health reasons. Independent journalists Oscar Espinosa Chepe and Jorge Olivera Castillo, released in 2004 and forbidden to leave the country, had to appear before a Havana court, one for a "political check" and one for another matter.

José Ubaldo Izquierdo Hernández, of the *Grupo de Trabajo Decoro*, was declared "unfit for detention" by a prison doctor because of his very poor health, but was not released. Normando Hernández González, head of the *Colegio de Periodistas Independientes de Camagüey*, was taken to hospital on 5 December with cellular tuberculosis and sent back to jail three weeks after. Juan Carlos Herrera Acosta, of APLO, and Fabio Prieto Llorente were repeatedly beaten by their guards. Alberto Gil Triay Casales, of the *La Estrella Solitaria* agency, who was given a seven-year prison



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sentence in November 2005 for “subversive propaganda,” went on hunger-strike in September.

THE INTERNET

With less than 2 per cent of its population online, Cuba is one of the most backward Internet countries. An investigation carried out by Reporters Without Borders in October revealed that the Cuban government uses several levers to ensure that this medium is not used in a “counter-revolutionary” way. Firstly, it has more or less banned private Internet connections. To surf the Internet or check their e-mail, Cubans have to go to public access points such as Internet cafes, universities and “youth computer clubs” where their activity is more easily monitored. Secondly, the computers in all the Internet cafes and leading hotels contain software installed by the Cuban police that trig-

gers an alert message whenever “subversive” keywords are spotted. The regime also ensures that there is no Internet access for dissidents and independent journalists, for whom communicating with people abroad is an ordeal. Finally, the government also relies on self-censorship. You can get 20 years in prison for writing “counter-revolutionary” articles for foreign websites. You can even get five years just for connecting to the Internet illegally. Few Internet users dare to run the risk of defying the regime’s censorship.

Guillermo Fariñas Hernández, head of the *Cubanacán Press* agency in Santa Clara, staged several hunger-strikes to support his demand for all Cubans to be allowed free access to the Internet. He was awarded the Reporters Without Borders - Fondation de France Cyber-freedom Prize on 12 December.

ECUADOR

*Area: 283,580 sq.km.
Population: 13,230,000.
Language: Spanish.
Head of state: Rafael Correa.*

Two unsolved murders of journalists cast a shadow over press freedom in 2006. The campaign for the November presidential elections excessively polarised the media.

Journalist José Luis León Desiderio, of *Radio Minutera*, was gunned down early on 14 February not far from his home in a poor neighbourhood of Guayaquil. He presented a discussion programme and his colleagues did not rule out a revenge killing, though the city is notoriously unsafe. Freelance photographer Raúl Suárez Sandoval was also killed there the same day but his murder did not appear to be linked with his work.

Assaults on press freedom have declined since the April 2005 overthrow of President Lúcio Gutiérrez and few attacks on the media occurred in 2006, apart from brutal police handling of two sports journalists on 31 May. Eight journalists

were also seized for several hours by the inmates of a women's prison in Guayaquil.

The relative peace for the media may not last since the country remains very politically unstable and no president has managed to complete his term for the past decade. The media helped to make the 26 November presidential election a dirty contest, which was easily won by left-wing economist Rafael Correa. His main rival, right-wing banana magnate Alvaro Noboa, accused the TV station *Ecuavisión* of backing Correa and "helping to destroy the country." The atmosphere is still tense and even though the media were attacked by both sides during the campaign, it risks being targeted by those wanting to settle scores.

GUATEMALA

Area: 108,890 sq.km.
Population: 12,600,000.
Language: Spanish.
Head of state: Oscar Berger.

A journalist was killed in September 2006, a month after another narrowly escaping an attempt to kill him. Despite the decriminalisation of press offences, physical attacks on journalists are still frequent and narrow ownership of the media helps the authorities to exert pressure on it.

Guatemala in 2006 followed Honduras, Costa Rica, Peru, Argentina and Paraguay in decriminalising press offences. The constitutional court accepted on 1 February the argument of national journalism institute president Mario Fuentes Destarac that articles 411 and 412 of the 2006 criminal code, providing for between one and three years imprisonment for offending the head of a state body and between six months and two years for defaming a public body or official, were unconstitutional. The court said they contradicted article 35 of the national constitution, which stipulates that freedom of expression must not be curbed by laws or regulations.

But this positive ruling did not stop dozens of physical attacks and threats against the media and journalists, often committed by police, soldiers, private security agents and former paramilitaries from the 1960-86 civil war. One journalist was killed and another escaped assassination.

Eduardo Maas Bol, a correspondent for *Radio Punto*, was shot dead on 9 September on his way home in the town of Cobán and his body with five bullets in it found in his car parked near the local police station. A definite link between his death and his work has not been found, but Ángel Martín Tax, correspondent for *Radio*

Sonora, later got a phone call warning that he was "next on the list" after Maas Bol.

Two motorcycle gunmen tried to kill reporter Vinicio Aguilar Mancilla, of the independent station *Radio 10*, on 23 August, but only broke his jaw; The station's director and founder, Oscar Rodolfo Castañeda, got a phone call the day before warning him to stop investigating tax evasion and as a result he fled the country. Castañeda has long been involved in exposing corrupt politicians and human rights violations and is constantly being hounded by courts for "illegal broadcasting," a campaign he says is to stop his investigations and keep the media in the hands of the country's oligarchy.

As elsewhere, the legality of Guatemala's community radio stations is an urgent issue, with only 250 of them legally broadcasting and 2,500 doing so without a licence. A proposed law to regulate them has not yet been approved by parliament.

The consequences of the civil war still persist, and former dictator (1982-83) Gen. Efraín Montt, who was defeated at the last presidential election, was cleared by a court on 30 January of responsibility for a violent demonstration of his supporters three years earlier in which a journalist was killed. Impunity for crimes against journalists thus continues.

HAITI

*Area: 27,750 sq.km.
Population: 8,530,000.
Languages: Creole, French.
Head of state: René Prével.*

No journalist was killed in 2006 and physical attacks on the media declined after the February elections despite continuing lawlessness. The new government has not put an end to impunity however.

The more positive press freedom situation, with very few physical attacks on journalists, was surprising in view of the high level of violence in the country (mostly in the capital, Port-au-Prince) and in view of recent history, when journalists were liable at any moment to be the target of reprisals by gangs, often linked with former President Jean-Bertrand Aristide's Lavalas Movement. Lawlessness is an urgent issue for President René Prével, who took office on 14 May, but attacks on journalists for doing their job fell sharply during the year.

An attack by armed bandits on two journalists of *Radio Kiskeya*, Liliane Pierre-Paul and her brother Stéphane Pierre-Paul, the station's editor, on 14 September in Port-au-Prince's eastern suburb of Pétionville, came amid a new wave of ransoms for money. Journalist Lydie Bain Abdon, of *Radio Lumière*, narrowly escaped being kidnapped on 26 May in an attack apparently unrelated to her job.

The media also suffered at the hands of the authorities. Police broke the arm of Ernst Cadichon, of *Radio Galaxie*, in October after he identified himself to them as a journalist while reporting on a student demonstration in the capital. A photographer from the daily paper *Le Nouvelliste*, François Louis, was roughed up by UN stabilisation force (Minustah) soldiers during clashes between them and Aristide supporters in the capital on 3 November. A UN military spo-

kesman formally apologised to the paper five days later.

The media has a long way to go before it recovers from the trauma it suffered during Aristide's rule and the subsequent interim government. Impunity may continue if Prével's government fails to build a proper justice system. The national police takes part in the lawlessness and judges still have no means of investigation. Gang leaders suspected of killing journalists are also still walking free in broad daylight. François "Bibi" Daniel, a gang leader in the Solino neighbourhood of the capital and suspected of the July 2005 kidnapping and killing journalist Jacques Roche, head of the culture desk at the daily *Le Matin*, even tried to buy his immunity by handing over weapons to the national disarmament and retraining commission on 12 September.

New investigating judges have still not been appointed in the enquiries into the murders of Jean Dominique, head of *Radio Haiti Inter*, and Brignol Lindor, of *Radio Echo 2000*. Two gang leaders suspected of killing of Dominique in 2000 are living in Martissant, a southern suburb of the capital, where they have reportedly resumed their criminal activities, and a third has fled abroad. The supreme court, where the case of Lindor (killed by Aristide supporters in the southern town of Petit-Goâve in 2001) has been stuck for the past two years, ruled in 2006 against the family's bid to become a civil party in the case.

HONDURAS

*Area: 112,000 sq.km.
Population: 7,205,000.
Language: Spanish.
Head of state: Manuel Zelaya.*

Even politicians who are media proprietors have no qualms about physically attacking or harassing journalists, especially the most vulnerable ones. Two editors of a website were also threatened by a private security firm.

Violence against journalists and pressure on them remains alarmingly high, especially as it is often by politicians who are sometimes also media owners. A dozen such incidents occurred in 2006, the worst when Liberal Party MP Romualdo Bueso Melghem, accompanied by armed men, stormed into a meeting of the Civic Council of Popular and Indigenous Organisations of Honduras (COPINH) in the southwestern town of Intibucá on 2 April and hurled racist insults at indigenous journalist Martha Vásquez and tried to strangle her. Bueso, who is vice-president of the parliamentary commission for ethnic minorities, was not punished for the attack.

Wendy Guerra, presenter of an investigative programme, "Denuncias 49," on TV station *Canal 49*, was summarily dismissed in April by her boss, former Liberal Party MP Amid Cárdenas, who admit-

ted he yielded to pressure from politician friends. He reinstated her on 3 May. Reporter Octavio Carvajal, of radio station *STC Noticia*, fled the country in May for three weeks after being hounded by the state phone company Hondutel and the presidential secretariat after criticising how the firm was being run.

The private sector also threatened the media. Journalists Roberto Marín García and Dina Meza, of the website *Revistazo.com* and members of the Association for a Fairer Society (ASJ), were followed and hounded after revealing fraud and labour violations at security firm Delta Security and attempts were made to blackmail them. They were cleared of "defamation" and "insults" by a Tegucigalpa court on 31 October but their lawyer, Dionisio García, was murdered on 4 December.

MEXICO

Area: 1,958,200 sq.km.
Population: 107,029,000.
Language: Spanish.
Head of state: Felipe Calderón.

With nine journalists murdered and three missing, the country has the worst record in the Americas in 2006 and was second only to Iraq for the number killed, despite establishment in February of a special federal court to punish physical attacks on the media.

Federal authorities seem to have realised the serious threats to the country's media when they set up a special court on 15 February 2006 to deal with physical attacks on journalists. The federal chamber of deputies approved amendments to the criminal code on 18 April (already passed by the senate) recognising the right of journalists not to reveal their sources and decriminalising press offences. But these good intentions did not prevent one of the worst annual press freedom tolls of the past decade in the Americas.

The violence began on 6 February when gunmen opened fire on the staff of the daily *El Mañana* in the northeastern state of Nuevo Laredo, seriously wounding one person. Two journalists were killed on 9 and 10 March: freelance photographer Jaime Arturo Olvera Bravo in the southwestern state of Michoacán and Ramiro Téllez Contreras, of the local radio station *Exa 95.7 FM*, also in Nuevo Laredo. The weapons used to murder Téllez Contreras suggested his killers were drug-traffickers.

The drug cartels were also suspected of kidnapping Rafael Ortiz Martínez, of the daily *Zócalo*, in Moclova (in the northern state of Coahuila) on 8 July, after he reported on new drug-smuggling centres in the region. Another drug-trafficking expert, Enrique Perea Quintanilla, founder and editor of the monthly *Dos Caras, Una Verdad*, was shot dead on 9 August in the northern state of Chihuahua, probably by professional killers. A contract on his life had been put out by the Ciudad Juárez cartel, according to a video confession by two suspected killers that was sent to the *TV Azteca* station on 12 October.

An unprecedented six more journalists were killed between October and December and two others vanished. Guevara Guevara Domínguez, editor of the online version of the weekly *Siglo 21*, vanished on 8 October while reporting near the border

between Durango (North) and Chihuahua states. Misael Tamayo Hernández, managing editor of the regional daily *El Despertar de la Costa*, was found dead in a motel in the southern state of Guerrero on 10 November, with his hands bound and killed by a lethal injection. Six days later, the former managing editor of the daily *Excelsior*, José Manuel Sánchez Nava, who had just published a book criticising the attitude of President Fox's government to the takeover of the paper, was found stabbed to death in his Mexico City apartment.

Roberto Marcos García, deputy editor of the weekly *Testimonio* in the eastern state of Veracruz, another drug-trafficking centre, was shot dead in the street on 21 November after receiving threats. Also in Veracruz, the body of Adolfo Sánchez Guzmán, who worked with the TV station *Televisa Veracruz* and radio station *Xhora Ori Estereo 99.3 FM*, was found on 30 November, apparently the victim of score-settling between highway bandits. Two brothers were arrested. Ten days earlier in Michoacán state, editor José Antonio García Apac of the weekly *Ecos de la Cuenca*, vanished.

PITCHED BATTLE IN OAXACA

The festering year-long political and social crisis in the southern state of Oaxaca erupted in May into open warfare between aides of Governor Ulises Ruiz Ortiz and his opponents in the Popular Assembly of the Peoples of Oaxaca (APPO). Brad Will, an American cameraman for the independent news agency *Indymedia*, was killed by a bodyguard of the governor on 27 October during riots that included ransacking of media offices and many physical attacks on journalists. Local investigators tried to blame his death on the APPO and two city policemen suspected of killing him were freed after a month. The governor also claimed score-settling between indigenous movements caused the 8 December killing of columnist Raúl Marcial

MEXICO

Pérez, in the offices of the daily *El Gráfico*. The investigation did not consider the possibility he was killed because of his work.

In the southeastern state of Yucatán, four attacks were made on the daily *Por Esto!* between June and September with the probable complicity of local authorities. A very harsh crackdown on a peace demonstration in the Mexico City suburb of San Salvador Atenco on 3 and 4 May included violence and sexual abuse of three young foreign journalists.

Ángel Mario Ksheratto, of the daily *Cuarto Poder*, was jailed between 4 and 22 February and then freed on €8,000 bail. He had been arrested in January 2003 and October 2005 for libelling a local official in the southern state of Chiapas. He was imprisoned on 11 November 2006 for violating the terms of his probation, then freed on bail again on 19 December. Chiapas state law allows imprisonment of up to nine years for press offences and about 40 journalists are currently being prosecuted there.

PARAGUAY

Area: 406,750 sq.km.

Population: 6,158,000.

Language: Spanish.

Head of state: Nicanor Duarte Frutos.

The disappearance of radio journalist Enrique Galeano, and his probable murder by drug-traffickers in league with local authorities, deeply traumatised the country's media. The official investigation has made no progress despite the promises of President Duarte Frutos.

Paraguayans and their media were shocked when journalist Enrique Galeano, of *Radio Azotey*, in Concepción province, vanished on 4 February 2006. President Nicanor Duarte Frutos discussed the matter with a national journalists' association (SPP) delegation on 6 October but the investigation moved slowly and local political figures were suspected of being involved.

Three months after Galeano disappeared, police said he had been having an affair and shelved the enquiry. The interior minister said the journalist had asked police to protect him from local drug-traffickers just before he vanished, though district commissioner Osvaldo Nuñez denied this. The SPP said Galeano had been kidnapped on the orders of Nuñez and held by two of his aides before being handed over to drug-traffickers who killed him and threw his body in a river. Local fire service divers failed to find him on 21 October. Before he disappeared, Galeano had reported the seizure of a shipment of weapons and cocaine in the presence of Nuñez and Magdaleno Silva, an MP of the ruling Colorado Party suspected of ties with drug-traffickers.

In such a fragile democracy with deep-rooted corruption (the worst in South America, according to Transparency International), journalists do not dare probe too deeply into scandals involving politicians. The daily *ABC Color* was ordered by the supreme court to pay \$200,000 in libel damages to Sen. Juan Carlos Galaverna, an ally of President Duarte Frutos, for saying he was involved in corruption. The court also confirmed on 5 December a 10-month prison sentence (commuted to community service) on *ABC Color* journalist Luis Verón for "insults" and "libel". Juan Augusto Roa, the paper's correspondent in the southern town of Encarnación (another drug-smuggling centre), survived an attempt to shoot him on 27 February.

As in most Latin American countries, the authorities are unfriendly to community radio stations and small independent newspapers. Radio stations *Manantial FM* and *Tenondé FM*, which were awaiting a decision on their broadcasting frequency, were forcibly shut down on 19 June. The equipment of the newspaper *El Espectador Luqueño* was destroyed in Luque, near Asunción, in October by order of the mayor using the pretext of a land dispute.

PERU

Area: 1,285,220 sq.km.
Population: 27,970,000.
Language: Spanish.
Head of state: Alan García Pérez.

The country once again had a record number of about 100 threats and physical attacks against the media during the year. One journalist was targeted by a bomb and another was shot in the head at a demonstration.

Violence against the media is still high and rose in 2006 to 54 physical attacks and 47 threats, compared with a combined total of about only 60 the previous year. The very aggressive campaign for the 9 April presidential election did not help. In the first three months of the year alone, a dozen journalists were beaten and insulted, especially at election meetings of nationalist candidate Ollanta Humala, who lost in the second round of voting to former President Alan García.

Activists beat up TV journalist Karina Chávez near Lima on 8 February. Three weeks later, a local official accused of corruption used a demonstration in the northern town of Tarapoto to try to ram a crew from the TV station *Red Global* with a motorcycle. Police in Aucayacu burst into radio station *Amistad* the same month, took the names of journalists and seized information about the murder of an extremist leader.

Local corruption, drug-trafficking and resumed activity by the Shining Path guerrillas in the Andes were very dangerous subjects for the media to report. Freelance journalist Marilú Gambini Lostonau had to flee the country in April after more than a year of death threats and efforts to intimidate her because she reported on drug shipments passing through the western military port of Chimbote.

Eliás Navarro Palomino, editor of the regional weekly *Línea Roja* and local correspondent for the national daily *La República* in the southwestern town of Ayacucho, who had received death threats from coca growers, was nearly killed on 30 September by a bomb explosion near his house after he had reported on mismanagement of a credit co-op. But only material damage was caused. Four months earlier, co-op officials tried to get into the house of *Línea Roja's* printer.

Wilman Caychigua, correspondent for *Radio Inca Tropical* and the daily *El Chasqui* in the southeastern

town of Abancay, was shot in the head by police during a violent demonstration against local officials on 5 December. He was taken to hospital in a deep coma. Interior minister Pilar Mazzetti said police were right to use live bullets.

The courts gave the media a rough year. The Lima public prosecutor called on 15 August for an eight-year prison term for Mauricio Aguirre Corvalán, former presenter of TV station *Canal 4's* programme *Cuarto Poder*, for "disclosing state secrets." The journalist had shown a video in September 2003 of ex-President Alberto Fujimori made when he was in power in 1998. Fujimori's son Alberto had used it during his father's election campaign in 2000 and had allowed the media to use it. Aguirre Corvalán was cleared in October 2006. His prosecution violated the Organisation of American States Declaration of Principle on Freedom of Expression, which Peru has ratified.

Journalist Humberto Ortiz Pajuelo still risks a four-year prison sentence and payment of €2,500 damages for an "offence against the judicial system" after refusing to reveal his sources in an extortion case involving an intelligence official.

KILLERS AT LARGE OR RELEASED FROM PRISON

Five people who killed radio station *Frecuencia Oriental* journalist Alberto Rivera Fernández in the east-central town of Pucallpa in April 2004, were jailed in February 2006 for between 10 and 30 years each, but those who ordered the killing (former mayor Luis Valdez Villacorta and town councillor Solio Ramírez Garay) were freed on a habeas corpus writ in April and went into hiding. The ex-mayor of the western town of Yungay, Amaro León León, and two henchmen were freed on 20 July by the Ancash provincial supreme court after being sentenced on appeal to 17 years in prison each for the 2004 murder of journalist Antonio de la Torre Echeandia.

UNITED STATES

Area: 9,629,090 sq.km.
Population: 298,213,000.
Language: English.
Head of state: George W. Bush.

The press freedom situation worsened in 2006 with the imprisonment of blogger and freelance journalist Josh Wolf. A Sudanese cameraman for Al-Jazeera TV, Sami al-Haj, remained a prisoner at Guantanamo. With government support, federal courts continued to punish journalists for refusing to reveal their sources.

After the jailing of *New York Times* reporter Judith Miller for three months in 2005 for refusing to name her sources, 2006 saw a decline in press freedom in the country whose national constitution guarantees it (through its First Amendment). The federal supreme court declined once again on 5 June to rule on the right of journalists not to reveal their sources, thus continuing the contradiction that 33 US states, but not the federal government, allow them to.

A vote on a proposed federal "shield law" giving journalists this right has been delayed because of the 7 November congressional elections. The Bush administration, already criticised for its violations of civil liberties, must now work with a congress controlled by the opposition Democrats. Will it pass the Free Flow of Information Act, which has been stuck in congress since February 2005, before Bush leaves office in 2008?

Federal courts meanwhile continue to use the "national security" argument to punish journalists and more than a dozen cases involving protection of sources are under way, some of them nothing to do with national security. Lance Williams and Mark Fainaru-Wada, of the *San Francisco Chronicle*, were ordered by a federal judge on 15 August to reveal their sources or face imprisonment. The journalists had reported in 2004 part of a grand jury's findings about a firm (BALCO - Bay Area Laboratory Cooperative) suspected of supplying top sports figures with drugs. The case is being appealed.

A BLOGGER SENT TO PRISON

Blogger and freelance journalist Josh Wolf went to jail however. The 24-year-old Californian had filmed a demonstration at a G8 summit in 2005 during which a police vehicle was attacked and

damaged. A federal judge ordered him to hand over his film and when he refused, he was sent to prison for a month in August 2006, then sent back to jail on 18 September by a federal appeal court, which refused to rehear the case on 16 November, meaning he will probably stay there until a grand jury finishes its investigation of the vehicle attack in July 2007. A California state appeal court on 26 May allowed bloggers the same right not to reveal sources enjoyed by journalists.

The *New York Times*, criticised by the Bush administration for revealing the government's banking and phone surveillance activities, was once again a victim of the gap between state and federal law when the federal supreme court refused on 27 November to suspend a lower court ruling that the paper must hand over phone records of two reporters, including Miller. Further intelligence service leaks had led a federal court on 1 August to demand that she and a colleague, Philip Shenon, provide the names of their sources. The journalists had won a ruling in their favour from a New York judge in February 2005.

A FIFTH YEAR IN GUANTANAMO

The worst press freedom case was that of Sudanese *Al-Jazeera* cameraman Sami al-Haj, who has been imprisoned without charge at the US naval base at Guantanamo (Cuba) since 13 June 2002 and interrogated about 150 times to get him to confess supposed links between the Qatar-based *Al-Jazeera* and Al-Qaeda. During a rare contact with his British lawyer, Clive Stafford-Smith, who has himself been threatened by the base authorities, he spoke for the first time of killing himself.

The federal supreme court declared on 29 June that the military tribunals set up to try the base's 400 prisoners were unconstitutional. Despite this small

UNITED STATES

legal victory, the base is still largely banned to the media and four US journalists, from the daily *Los Angeles Times*, *Miami Herald* and *Charlotte Observer*, were expelled from it on 14 June. A law allowing the prisoners to be tortured was passed on 17 October as one of the last acts of the outgoing congress.

US FIRMS HELP CENSOR THE INTERNET

The government has respected the first amendment to the national constitution by not censoring the Internet in the US. However, US firms are helping repressive regimes in Tunisia and Burma to filter the Web and in China, US search-engines Yahoo!, Google and Microsoft (MSN) have agreed to censor search their results. A bill - the Global Online Freedom Act (GOFA) - was tabled in the House of Representatives to regulate the activities of these Internet giants, but is making little headway and its prospects are uncertain.

The principle of Internet neutrality was rejected by the Senate in June 2006. The principle is cur-

rently respected worldwide and means that telecom firms are not allowed to distinguish between individuals and organisations that provide an online service. A small blog and a big commercial website have a right to same level of service. Reporters Without Borders says that "defending Internet neutrality is defending freedom of expression." If telecom operators are allowed to offer different levels of service according to the price paid by content providers, small online publications, especially blogs, will be pushed into a cut-price service and be available at much slower speeds than commercial websites.

Good news came from the California state supreme court which ruled in November 2006, in a defamation case, that Internet service providers (ISPs) cannot be held responsible for the content their customers post online. This also applies to forum moderators and managers of blogs where libellous messages are posted. Only the authors of the messages can be prosecuted, the court said.

URUGUAY

*Area: 176,220 sq.km.
Population: 3,463,000.
Language: Spanish.
Head of state: Tabaré Vázquez.*

The media is fairly free but journalists still run into obstacles when investigating human rights violations under the former military dictatorship. The supreme court has also made a decision that harms freedom of expression.

No media outlets were ransacked or censored and only one physical attack and very few threats were recorded in 2006, when Uruguay maintained its long-standing reputation as the “Switzerland of Latin America,” at least for press freedom. But as the country began to call to account those involved in the 1973-85 military dictatorship, the army still seemed unwilling to allow the media to look too closely at this painful period.

An expert on the dictatorship, Alfonso Lessa, of the TV station *Canal 12* and the daily paper *El País*, received written death threats in October 2006 from a self-styled “active soldier” after he publicly supported the recent start of legal proceedings against soldiers and police for human rights violations, notably retired Gen. Gregorio Álvarez, who was president from 1981 to 1985.

The Montevideo apartment of investigative journalist Eduardo Preve, of the TV station *Canal 10*,

was mysteriously burgled on 26 March despite two policemen guarding the building, after he had received secret army documents about the Condor Plan for cooperation between military intelligence services in six Latin American dictatorships in the 1970s. He had reported that this cooperation had continued after the dictatorships had fallen.

Parliament has still not decriminalised media offences and Gustavo Escanlar Patrone, of *Canal 10*, was sentenced on 18 May to three months imprisonment for “insults” after making fun of a media proprietor in a talk-show. The supreme court confirmed on 18 September a suspended five-month prison sentence passed on Carlos Dogliani, of the now-closed weekly *El Regional*, for libelling a politician. He had earlier been cleared on appeal, but the court reversed this, ruling that reputation was more important than freedom of expression. It had said the opposite in a similar case in 1997.

VENEZUELA

Area: 910,050 sq.km.
Population: 26,749,000.
Language: Spanish.
Head of state: Hugo Chávez Frías.

A journalist was killed by a bogus policeman during a demonstration and a score of others physically attacked, especially in the run-up to the 3 December presidential election. Relations between the government and privately-owned media outlets are still tense, although prosecutions of journalists rarely produce results.

The easy reelection of President Hugo Chávez on 3 December 2006 raised fears of new tensions between his government and the privately-owned media, often accused of taking part in a failed attempt to overthrow Chávez in April 2002. Tension is still high nearly five years later but the record was better than expected in 2006, despite the death of one journalist and a score of physical attacks on others.

The spate of laws pushed through by the government in 2004 and 2005, greatly curbing press freedom, began to be applied during the year after being little used until then. A Caracas court on 23 January accused 10 media outlets, including two state-owned TV stations, *Canal Metropolitano* and *Venezolana de Televisión*, of "obstructing justice" and banned them from broadcasting anything about the investigation into the November 2004 murder of Judge Danilo Anderson and from citing the name of a key witness. The move was based on the November 2004 broadcasting media social responsibility law that can fine offending media outlets between 1 and 2% of their previous year's income. An appeal against the decision by the national media workers' association was rejected on 14 February.

The March 2005 criminal code reform law, which increased penalties for "insulting" public authorities and institutions, has been used more as a warning than a punishment. It was applied for the first time in 2006 against Ibéyise Pacheco, of the daily *El Nacional* and a harsh critic of the government who had accused a soldier of falsely obtaining a lawyer's certificate. Pacheco was convicted and put under house arrest on 15 March but after apologising to the soldier was freed a week later. Legal action

against her for "inaccurate information" after she claimed in print that a plot against the opposition had been hatched in the presidential palace, was dropped on grounds of "insufficient respect for the rights of the defence."

Prosecution of Napoleón Bravo, formerly with TV station *Venevisión* and now with *Unión Radio*, for "insults" was also dropped on 16 May after three months. Prosecutor-general Isaías Rodríguez asked the high court to rule on the constitutionality of 25 articles of the new criminal code. The ruling is still awaited.

The fight against impunity advanced with the arrest of drug trafficker Ceferino García, suspected mastermind of the murder of Mauro Marcano, presenter on the station *Radio Maturín 1.080 AM* and columnist for the daily paper *El Oriental*, on 1 September 2004 in the northeastern town of Maturín. But the investigation did not touch senior police and army officers in Monagas province suspected of links with drug-traffickers.

The calmer judicial atmosphere contrasted with routine violence against journalists and a score of them were physically attacked and attempts made to censor others during the presidential election campaign, both by supporters of Chávez and those of his rival Manuel Rosales, governor of the north-western province of Zulia.

Journalists were victims of the still-high level of lawlessness. Jorge Aguirre, a photographer with the Caracas daily *El Mundo*, was killed on 5 April, by a man in uniform on the edge of a demonstration. A former policeman, who was pretending to still be one, was quickly arrested.