

# Reporters Without Borders

<http://www.rsf.org/chile-new-grounds-for-concern-after-05-04-2012,42259.html>

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Americas - Chile

Judicial setback

## New grounds for concern after court refuses to protect TV station director

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A court in Coyhaique, the capital of the Patagonian region of Aysén, yesterday unanimously rejected a petition by a senator and a human rights lawyer to protect *Canal 40 TV Aysén* director [Samuel Chong Rivera](#) (photo) from police attempts to get him to surrender video of recent protests in the Aysén region.

The petition was filed on 29 March after members of the Criminal Investigation Police (PDI) went to Chong's home and asked him to hand over the video he filmed during the [protests](#).

Chong had told his defenders that the PDI officers did not identify themselves or the department they worked for when they went to his home. But PDI representatives denied this in their testimony to the court, insisting that everything was explained to Chong in a registered letter sent to him for "contravening the State Security Law (LSE)."

What was the PDI's objective? To use Chong's video as evidence against the Aysén region protesters? Even assuming that the police were acting in a "legal" manner, Reporters Without Borders regards the court's ruling as both dangerous and inopportune for at least three reasons.

- Firstly, the protection of all journalists' material and sources has been undermined by this ruling. Also, it is hard to understand the court's decision to turn a journalist into a police auxiliary when a provision to this effect was withdrawn from interior minister Rodrigo Hinzpeter's [controversial bill](#) for the preservation of public order.
- Secondly, the court cited the LSE as grounds for ruling that the PDI acted legally. But on the same day the petition was filed, the authorities decided not, after all, to press charges under the LSE against the 22 people who were arrested during the protests, including the cameraman **Victor Hugo Gómez**. In that case, why are the authorities going out of their way to obtain evidence that has apparently become pointless?
- Finally, citing the LSE – a never-amended hangover from the 1973-1990 military dictatorship – in a legal wrangle involving the constitutionally-guaranteed right to freedom of information does not bode well for the possibility of dialogue between the government, police and media representatives after the latest violence against journalists. We nonetheless hope such dialogue will take place.

Is the social tension in Chile going to subside? Reporters Without Borders is concerned for the safety of journalists and others who provide news and information. Yesterday, the supreme court finally gave the go-ahead for the [HydroAysén Project](#), the construction of five hydro-electric dams in the Aysén region.

This highly controversial project has already prompted major protests, especially in the nearby Araucania region, which have been violently dispersed. Against this backdrop, compounded by the death of a policeman on 2 April in Mapuche territory, we caution against any attempt to criminalize journalists and local community media.

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